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## Section 1. Journalism

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### THE HISTORY OF APPEARANCE OF THE PRESS IN KARAKALPAKSTAN

**Abstract.** The role of mass media, especially the press, plays a special role in the development of each nation and the progress of society. This is because the press is setting the future path by revealing the history of this nation on paper.

From this point of view, the article examines the history of Karakalpak journalism.

This article gives an overview of the historical formation and development of the Karakalpak press, its theoretical and practical aspects.

**Keywords:** press, journalism, journalistic skills, the history of journalism, Karakalpak Autonomous Region, opposition period.

Nowadays the journalism acts as “the fourth government” in the world community. Because the press, television, radio and internet journalism, the essential types of mass-media, is considered as the most impressive and effective tool in building and developing of social opinion. It is very important the journalistic activity should be acted independently and according to the law. Thus it is stated in the Constitution of the Republics Karakalpakstan and Uzbekistan that “The mass-media shall be free and act in accordance with the laws. It shall bear responsibility for trustworthiness of information in a prescribed manner. Censorship shall be impermissible”.

The journalism is serving as a significant field in building the socio-economic and spiritual basis of the democratic society in Karakalpakstan. But it is hard to study this field until we will have known its historical practices and understood its history in deep.

About a century of the development period of the Karakalpak press passed through the Soviet time. In that time there were a lot of articles and books about the Karakalpak press written by the researchers. But most of them were written on the basis of the ideological requirements of the Soviet Union. For this reason in many situations they were not able to share their opinions fairly. That’s why it is still an important task to highlight the history of the Karakalpak press in fair and obvious way.

The history of the Karakalpak press arose and developed quite later than many countries in Europe and Asia. On April, 1918 there was founded the Republic of Turkestan in the part of the Soviet Union. The newspapers “Turkestanskiye vedomosti” and “Turkiston viloyatining gazetisi” organized in Tashkent in 1870 (primarily these newspapers came out as the attachment to “Turkestanskiye vedomosti”) is reckoned the oldest daily newspaper in the Central

Asia, and all of these were published until 1917. In the history of the Turkestan press there was not existed any newspaper like these newspapers which persistently came out for many years. These newspapers were published by the financial support of Turkestan's government and served as the official newspaper in propagandizing the policy of the Center in Russian and Uzbek languages.

It should be mentioned that although "Turkestan-skiye vedomosti" and "Turkiston viloyatining gazetii" were the official newspapers they had a good impact to the social and cultural life of the republic. As the primary newspapers of the region these newspapers created the opportunity to appear and develop daily press in Turkestan. The interest of the people to the newspapers was arisen. The cultural-educational articles published on the pages "Turkiston viloyatining gazetii" gave assistance for developing knowledge and consciousness of the readers. It increased the readers' interest for the science, technics, the cultural and literature heritages of other nations. The literary partnership of the primary representatives of the Uzbek newspaper publicists such as S. Abdugaffarov, I. Ibrat, M. Bekhbudiy, Z. Furkat while working together at the editorial office of "Turkiston viloyatining gazetii" paved the way for developing the Uzbek publicism flooded with democratic ideas and enlarging the struggle for getting science and education among the people of Turkestan [1].

The Karakalpaks, who lived at the right bank of the river, also were the part of the Republic of Turkestan and they were named Amudarya branch. On December, 1920 Amudarya branch reorganized as Amudarya province.

The first daily newspaper of Amudarya branch was organized by the Executive committee of the branch in June, 1919 with the name "Izvestiya" and that time on the newspaper published the publicistic materials by I. Brikman, I. Kosyanenko and P. Baranovskiy [2].

Later, on September 1921, according to the Decree of the Executive Committee of Amudarya

province there was organized the newspaper named "Krasniy Amudarinets" in Turtkul city. In 1922 it was renamed as "Amudarinskiy jizn" [3].

We can fully say that these newspapers grounded on the "Vesti Karakalpakstana", the present newspaper of the Jokargi Kenes and the Council of Ministers of the Republic of Karakalpakstan.

In these years there were also being published the newspapers such as "Dekhkan tovushi" in Turtkul from January 1923 till the end of 1924, "Inkilob kuyashi" in Khiva till 1924, and in the autonomous province under the Republic of Khorezm was being published the newspaper "Ak jol".

In 1921 O. Latsis, the head of the Commission on observing the Party and Union organizations of Amudarya province of the Turkestan Republic and its member V. Lebedov confirmed the following about the people's cultural degree and the newspapers: "As a result of absence of typography and non-delivery of books and newspapers from abroad it is possible to be appeared the negative view about the people of province and the cultural life of Turtkul city. Among the regional leaders only I. Makaev knows the Muslim language. It is necessary to supply with typography in the Arabic shrift and to publish a daily newspaper."

Nevertheless the work of publishing newspaper was not accomplished in 1921–1923 years.

The Decree "the Measures on urgent transference of the official business language of the union organizations to the local languages" accepted by the Central Executive Committee of Turkestan and the People Commissioners Union of the Turkestan ASSR on August 29, 1923, played the significant role in further developing the governmental apparatus of the Soviet Union and strengthening its relationship with the local people. According to this Decree, it was compulsory that all decreative and decrees of the governmental organs is published in the languages of the basic nations of the republic, and the official business papers of the regional and village Executive Committee is implemented only in the local languages [4].

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## Section 2. Study of art

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### FLYING ACROSS THE STRINGS OF MY HEART: WITCHES AND THE REPRESENTATION OF FEMINISM

**Abstract.** Flying across the strings of my heart: Witches and the Representation of Feminism examines the representation of feminism two distinctive films, *Suspiria* and *Kiki's Delivery Service*. Situating these films in the complex history of the witch, this paper reveals how feminism evolves within society as the developments are reflected in cinematic arts.

**Keywords:** Film and Literacy; supernatural power; study of feminism; witches; gender theory; fictional monsters; human anxiety.

In “Kiss Me with those Red Lips: Gender and Inversion in Bram Stoker’s *Dracula*,” Christopher Craft proposes a “narrative strategy” in the development of a literary monsters, which he refers to as the “triple rhythm.” Firstly, the monster enters. Then, the monster is “entertained” while the audience is “entertained by monstrosity”. Finally, the monster is eliminated along with the disruption it brings. Released in 2018, Luca Guadagnino’s remake of *Suspiria* conforms to this narrative trajectory. The main monster of the film – Mother Markos – is introduced at the outset. As the film develops, her supreme leadership consolidates, and her evil conspiracy almost succeeds, until the film’s turning point. Although her success is entertained throughout the middle of the film, she is ultimately repudiated and killed by the real Mother Suspiriorum. While *Suspiria* features many witches, according to Craft’s thesis, only one faction qualifies as being monstrous. This leads to the need of further discussion about how this film portrays the monster *witches*. This essay will analyze how the role of witches evolves throughout history. Looking closely at *Suspiria* and the long tradition of witchcraft that precedes and informs it, this pa-

per will demonstrate how witches have historically manifested social desire. In tracing the evolution of both this desire and the cinematic forms in which it is encoded, this paper will dissect how witches are uniquely portrayed in *Suspiria* 2018 by looking inside the social anxiety witches embodied and by comparing their specific characters with a prior representation of the witch: the animated film *Kiki's Delivery Service*. In surveying this territory, I argued that witches reflect how notions of feminism have changed over time. Witches play an important role in the development of feminism. Their historical identities, which emerge in times of crisis, suit them to the task of representing female roles, both in hierarchical societies of the past and in the more progressive social structures of the 21<sup>st</sup> century.

#### The History of Witches

Throughout literary and cinematic history, the image of the witch constantly appears. With a black conic hat covering half of her face and a long hook nose accompanied by a large wart, an ugly witch flies across the page and screen. Riding a broom, an evil black cat on her shoulder, the witch is a typical figure who occupies every Halloween. Taking her place



alongside vampires, zombies, and werewolves, she remains one of the traditional monsters of Western culture. But who exactly is she?

There is no precise record for when the first witch appeared in history. According to *Witches*, a historical documentary produced by Michele Thibeault, witches were once those who were capable of predicting weather and curing diseases. Because of these abilities, the outcome clearly of their experiences rather than supernatural ability, these women were believed to possess magical powers. Due to the lack of advanced scientific knowledge and complex technologies, humankind relied largely on the natural cycles of the Earth to survive. The reproductive nature of land was greatly associated with the feminine body. Even though mankind depended on the fertility of land, it could not explain the emergence of famines, infectious diseases, or natural disasters. They attributed these events to supernatural powers, leading them to worship goddesses, such as Demeter, who were honored for their supreme control over life and death. Interestingly, Demeter, the Greek goddess of fertility and agricultural, was also associated with the underworld, marking an early connection between female power and death. Primarily, witches emerged and were represented as powerful and sacred presences who served goddesses in order to secure human sustenance and purity. They were called wise women, practicing holy rituals and ceremonies. It is interesting to note that, throughout the world, the witch culture of ancient times overlaps. The Chinese hieroglyphs character for witches (巫) evolved from the image of two people dancing while holding a stick between them (see fig. 1). The upper lash resembles the sky, and the lower means the land. In between, a straight line connects the sky and the land, with two people (人) aside holding this line. According to the ancient book *Origin of the Chinese Characters* by Xu Shen, witches are believed to be the ancient clergy who can communicate with divinities. Through the ways of dance, witches invite god's wills to descend upon the human world to bring good fortune and ward off evil.



Figure 1.

While Western culture abounds in illustrations of anxiety over witches, eventually leading to hysteria and witch hunts, there is no comparable record in Eastern culture. The cause of the sinister shift for witches from being positive figures to heinous devils in European society remains uncertain. One of explanations is that this transformation took place almost three millennia before the birth of Christ, when the Indo-Europeans, who believed in the masculine sky deities, began to spread into the West. As Miriam Robbins Dexter notes, “By about 2000 BCE, throughout Europe and south to India and Iran, there is evidence of great change: male deities are now depicted in great abundance; major sites are heavily fortified; and weapons proliferate. From linguistic and archaeological studies (See Gimbutas 1977: 284; Dexter 1990a. *Whence the Goddesses*: 34–36), we know that these changes are the results of invasions and incursions by the patriarchal, patrilinear, relatively militaristic, seminomadic Proto-Indo-Europeans.” (182) Over centuries, these warriors’ male gods came into dominance, and the images of the goddesses gradually faded, along with the witches’ divine roles.

The transition that took place historically, where women became connected to black magic and evil practices, can be seen in the representation of women in the Old Testament. I argue that Christianity is a catalyst for witches’ downfall. In Genesis, Eve is responsible for corrupting natural order after being easily tempted, and she was related, by the Hebrews, to the ancient goddess Asherah. Therefore, the once holy symbols of the goddess (snakes, trees)

vanished, turning into something forbidden. Following the Bible, the Hebrews reckoned witchcrafts as evil pagan practices and banned it from the land of Canaan. The Old Testament contains several passages in which the practices of witchcraft are directly addressed. For example, in Deuteronomy 18:10, sorcery is directly forbidden: “There shall not be found among you any one that maketh his son or his daughter to pass through the fire, or that useth divination, or an observer of times, or an enchanter, or a witch.” This injunction against witches is echoed in Exodus 22:18: “Thou shalt not suffer a witch to live.” Not limited to the Old Testament, the New Testament likewise provides evidence that the historical refashioning of female power had taken place. In Acts 3:11–26, divination is once again labeled sinful: “Let no one be found among you who sacrifices his son or daughter in the fire, a practices divination or conjury, interprets omens, practices sorcery, casts spells, consults a medium or familiar spirit, or inquires of the dead. For whoever does these things is detestable to the LORD. And because of these detestable things, the LORD your God is driving out the nations before you.” These biblical passages had a great historical influence on the representation and understanding of female power and authority. The noble social status that witches maintained in the monarchical social society of ancient China, where Christianity did not prevail, explains why events like the witch hunts and Salem Witch Trials have no detailed record and historical influence in the East.

According to Helen Christian, there is a “causal relationship between the plague and the severity of early modern witch hunts” (5). In the 14<sup>th</sup> century, the Black Death invaded Europe, a disastrous disease, inaugurating the hysteria of witch hunts. The public’s fear of disease and death, both of which were seen as the work of the Devil, turned into mass inquisitions against heretics. As stated in the documentary *Witches*, towards the end of this century, witchcraft was accused of being the most dangerous and malevolent accomplice of the devil among all heresies. Before

1486, when the publication of *Malleus Maleficarum* (by German Jahann Sprenger and Heinrich Kremer) in Germany, males were also the target of such heresy. However, *Malleus Maleficarum* appeared during the time when the art of printing was booming, which promoted its popularity. The book gathered together various studies of witchcraft from the late Middle Ages. Together, these studies drew on both Christian sources and older folktales of what was known as the Witches’ Sabbath. The book *Le Sabbat Des Sorciers* by Bourneville and E. Teinturier presented pictures of this gathering. According to professor Brian P. Levack and James Schoonmaker, during these nocturnal assemblies, witches danced naked, feasted savagely on human infants, and undertook promiscuous sex with Satan. The Sabbath distorted the societal norm of sexual inhibition of Christian behavior. *Malleus Maleficarum* pointed the spearhead at women, describing females as “sexually vulnerable beings.” According to the text, *Omnia per carnalem concupiscentiam, quae quia in eis est insatiabilis* (All [witchcraft] comes from carnal lust, which is in women insatiable.) As this text makes clear, the original association of the female body with divine fertility eventually transformed into an explicit fear of female desire, embodiment of which was the medieval witch.

Spawned by panic and imagination, witches were believed by the public to be the servants of Satan. The documentary film *Häxan* mentions that “witch ointment” magically makes a woman fly. By the late 16<sup>th</sup> century, scholars proposed a medical reason for witches’ flying ability. The German scientist Johann Bayer proposed that this flying mystery was caused by the hallucinogenic herb datura that witches anointed themselves with. Flying witches become a traditional and common in artistic works. The 1799 *Linda Maestra* print by Francisco Goya depicts two ugly witches riding a broom (see fig. 2). But why brooms? Witches were the outsiders of society – being ugly, middle aged and impecunious, widowed or single. Thus, the broom was the most relatable object for their identities.





Figure 2.

*Object type:* print

*Title (object):* Linda Maestra! (Pretty teachers!)

*Title (series):* Los Caprichos

*Date:* 1799

The witch hunting hysteria reached its peak around 1600s across Europe. Innocent women brought into inquisitions were stripped naked to scrutinize for marks of devil (which would prove their guilty association with the demonic creature). Because of this attention to the female body, warts or birthmarks were enough for a woman to be judged a witch. In medieval times, they were portrayed as naked women with disheveled hair, as this was the most unseemly and shameful form of female because this image of female disturbed the available codes of female decency.

The traditional image of the witch, outfitted in a black pointy hat, did not emerge until the early 18<sup>th</sup> century. According to Katy Waldman, “It wasn’t until the 1710s and 1720s that children’s chapbooks in England began illustrating supernatural tales with crones in peaked hats. Fueled by the popularity of these ‘penny merriments,’ the stereotype caught on

quickly.” There were two speculations behind such representative elements. Some scholars maintain that the witch’s hat resembles the Judenhat for Jews who have been accused, since the 13<sup>th</sup> century, of inexcusable relationships with the devil. In 1431, Hungarian law forced the witches to wear “peaked Jews caps” for shame parades. Other scholars, from an “anti-Quaker prejudice” point of view, assert that the black conical hat evolved from the daily clothing of the Quakers, who were believed to possess witchcraft involving dealings of souls with Satan by the puritans. People also believed that witches travelled with a familiar, who takes the form of an animal, most especially a black cat.

By the late 1600s in Europe, the period of intense witch hunts had diminished. However, witches began to be prosecuted in another part of the World – the North American colony Salem. In the 17<sup>th</sup> century, according to Richard Godbeer “people tended to believe that most things could be explained supernaturally ... If you stumped your toe, if your cow fell sick, or if your food went rotten before it should have done, there must be some kind of supernatural explanation.” This social atmosphere sowed the seeds of the Salem witch trials.

The Salem witch trials in Massachusetts between February 1692 and May 1693 were the most notorious public confrontation with witches in American history. The trials originated when the Puritan minister Samuel Parris’s daughter, Betty Parris, and his niece, Abigail Williams, displayed symptoms of severe maladies. Later research by Brian P. Levack suggests that these girls may have been experiencing psychological illusions or were deliberately trying to attack their enemies. Carole Fontaine has proposed that the girls were making “this a way to become the center of attention.” The girls accused three women of being witches, all of whom were lower-class outsiders of the community: An Indian Slave Tituba, a female beggar Sarah Good, and a woman married to indentured laborer Sarah Osborne. The hysteria and trials reached their peak in May 1692. During

this period, 19 people were hanged, 1 was stoned to death, and 5 died in prison. Public pressure eventually put an end to this tragedy. As the society started to look for scientific explanation for occurrences such as unexplained illness of the type that beset Paris and Williams, it shifted its attention away from witches and supernatural powers.

Despite the secession that took place after the trials, the concept of witchcraft was reimagined many years after. Around 1940s, the father of Wicca Gerald Gardner brought Wicca into the public eye as a religion. This belief spread from the UK to other English-speaking countries, including the United States. Although a marginal religion in the States, Wicca did eventually receive formal recognition from the judiciary. In the *Dettmer v Landon* decision (799F 2<sup>nd</sup> 929), rendered in 1986, Judge J. Butzner of the Fourth Circuit Federal Appeals Court confirmed the status of Wicca: “We agree with the District Court that the doctrine taught by the Church of Wicca is a religion.” In the contemporary world, believers regard witchcraft as a spiritual event to connect with nature. The Sabbath is no longer viewed as a violent or wicked gathering but a peaceful meeting between witches. As the doctrine of Wiccan Rede states, “*As it harm none, do what thou wilt.*”

### **Critical Theory: What is the Monster?**

In a 1996 article entitled *Monster Culture (Seven Theses)*, Jeffrey Jerome Cohen argues that the monster performs a distinct social and psychological function. According to his reading of both the emergence and longevity of both individual monsters and the concept of the monstrous itself, Cohen contends that monsters always emerge at a moment of the culture change when there are crisis, tension, or anxiety. Far from being merely arbitrary configurations, Cohen argues that “the monster’s body is a cultural body.” What Cohen means is that the monster’s actual body, its deformity or exaggeration, is an embodiment of the current crisis which reflects the culture. However, as his second thesis notes, “the monster always escapes”. We can never get rid

of it once it is created as our culture continues to be obsessed with it. Each time, it returns, the monster is slightly different. We have to examine each new figure of this monster depending on the contemporary society. The reason behind this might lie in the sixth thesis – “Fear of the Monster is Really a Kind of Desire” – which reveals that our fear of the monster is always the result of a submerged desire that we do not want to acknowledge. The monsters themselves are the representation of deepest human obsession. People choose to watch horror movies because they want to feel the rush of being frightened.

According to Cohen, apart from being an embodiment of social desire, the monster is, what he calls, “the Harbinger of Category Crisis.” In their unique form, they disturb the categories through which we understand in the world, including racial and gender categories that have been historically created. One simple question to demonstrate this is that how can vampires be both alive and dead. Although this status as disrupter proposes to unhinge society, the monster performs another function. It “policing the borders of the possible,” enforcing the social and cultural restrictions. The effects of violation, being bitten, for example, or becoming a zombie, symbolize punishment resulting from breaking social rules. For example, don’t go out at night or the vampires will get you. As in the case of witches in the 15<sup>th</sup> century, the role they performed in the culture of their time was to retain the social order. From the basic sexual desire to any violation of rules, witches were to blame as the initiators of chaos.

In the fourth thesis “The Monster Dwells at the Gates of Difference”, Cohen stated that “the monster is difference made flesh, come to dwell among us.” Like witches, the “outsiders” of society. Witches in Middle Ages are in no ways the “sexually normative” image of women in any society, being shameless, pagan and evil. They are the creatures who are to conceal their true identities and hide themselves among the normal human. Lastly, Cohen noted that “monsters are our children”, that they stand at “the

Threshold of Becoming". In the end, we would always have to ask ourselves the significance in creating these monsters. How do we perceive them? How do we evaluate aspects of society involved with them? Here, we'll start to see how Cohen's theory manifests through the following analysis of several films involving the image of witches.

### **Suspiria 2018**

*Suspiria* is a 1977 Italian horror film directed by Dario Argento. In the film, Jessica Harper plays an American ballet student, Suzy, who transfers to a prestigious dance academy in Germany. In 2018, Luca Guadagnino adapted the original film, updating some of its elements, including inclusion of the Baader-Meinhof Group, a militant, left-wing West-German organization also known as RAF. Although active for many years, 1977 was the height of its activity, which culminated in the kidnapping and murder of Hanns Martin Schleyer. Although released in 1977, the original *Suspiria* predated the RAF attack. The inclusion of the Baader-Meinhoff group in the remake illustrates one important way in which the film departs from the original. "Alexandra Heller-Nicholas (author of a book on Argento's *Suspiria*) argues it [i.e. the new *Suspiria*] is as much a remake of Fassbinder's *The Third Generation* as it is a remake of Argento." By recreating the film in 2018 while still setting the background of 1977, Guadagnino pays tribute to the *German Autumn*, i.e. the name given to the events carried out by the Baader-Meinhof group, by using witches to embody public tension and restlessness. Setting the film in such revolutionary period, the witches' roles in this period have profound influences.

Compared to the original version, the dance academy in the 2018 version no longer practices traditional ballet moves. However, the dancers, under the guidance of witch Blanc, have been rehearsing a show called *Volk*, which means *the people* in German. Through constant leaps and struggling gestures, *Volk* seems like a dance of sacrifice to the audience. The dancers are all innocent humans, except Susie, who

turns out to be Mother Suspiriorum in the end. In the only public performance of *Volk*, Guadagnino's intention to symbolize *Volk* as a dance of sacrifice to the rotten imperialism emerges fully, as the patterns on the dancing floor largely resembles the symbol of RAF. The dance incorporates the resistance of people and the manipulation of the rulers of society. Although in an unconventional way in performing the ceremony, the movie inherits the tradition of patterned dancing to perform rituals. In ancient times, witches would perform blood sacrifice with animals like goats or even human infants. However, in this film, the witches manifest their sacrifice in a moderate, seemingly legitimate and noble way. They perform evil crimes, sacrificing the lives of innocent girls to sustain the life of the fake Mother Suspiriorum Markos. In Thomas De Quincey's *Suspiria de Profundis*, Mother Suspiriorum enters the world; she is the mother of Sighs, the most ancient and sapiential goddess of all three mothers. Here, Markos' true identity is nowhere to be found. But being the imposter she is, she is the source of the tragedy of the coven.

The dance academy is like an enclosed society with its own rules, representing a condensed model of Cold War Germany. The witches have their own system of working, including the process by which they select the leader of the coven. The two parties of witches with their head representatives, Blanc and Markos, symbolize the two political factions. Markos represents Soviet East Germany. Her weakening force and desperation for sacrifices of the new blood is a sign of impending Soviet collapse. On the other hand, Blanc represents West Germany under the influence of America, a relatively open and more tolerant society that is partly symbolized, through her name, by the color white. The thing to notice here is that neither Markos nor Blanc represents the value or interests of anyone except the witches. All the dancers in the academy do not know the secret behind the dance; they are like ignorant masses who follow authority. Their fate is solely decided by the witches. The only two who discover the witches' conspiracy



(Patricia and Olga) are mercilessly killed in the name of sacrifice to Mother Suspiriorum. Looking at the roles that the witches perform, both as part of the dance and outside of it, we can see how the film engages with the longer history of witches. The witches are still the servants to the goddess Markos, in whom they believe. They help her perform her duty and keep her immortal. However, Markos is the avatar of evilness, ugliness, and selfishness. She is the Satan of the movie, who is worshiped by the witches. However, her true identity as Mother Suspiriorum is fake, which means the coven's religion and their belief in the goddess turns out to be illusionary and unrealistic. The god they are worshipping is an imposter, making them a cult of witches. This aspect of the film appears to be an ironic wakeup call to those who perform witchcraft. However, I argue that this is the piercing sarcasm towards the heinous imposters because Mother Suspiriorum does exist, as shown in the end of the movie when Susie reveals her true form as the goddess of sighs. The coven is misguided by Markos. To some extent, it can be argued that they are innocent. In playing with the identity of Mother Suspiriorum, making her both illusory and real, the film retrospectively reflects on the witch hunt hysteria of the 15<sup>th</sup> century, when countless innocent girls were burnt and tortured for being witches. Their innocence was manipulated by public fear of disasters and of female sexual liberation. Under the influence of one single book, it was the public who was committed terrible crimes against the so-called witches, which make them the real witches of the century and *Malleus Maleficarum* the imposter of justice.

If the political elements incorporated in these witches are a salute to the German history, the feminism of this movie reflects on our current society. Released in 2018, the film finds a place in the era of females awakening. The #MeToo activity starting from 2017, the disclosure of several famous magnates of the entertainment industry, and the craze for equality all over social media are the emblems for the restless effort to acquire female rights. However, even

though it occurs in the midst of this emerging movement, the remake of *Suspiria* deploys the witches to criticize the primary level of feminism. As Cohen stated in his thesis, the monster always returns. It emerges again when there is a new or renewed cultural crisis. The witches in *Suspiria* share no traditional symbols of witch culture. There are no black clothes, no conical hats, and no mysterious cats. Unconventionally, although they seem to be middle-aged, the witches are not ugly or outcasts in society. They are elegant and beautifully dressed. They are the upper class tutors of the prestigious dance academy. On the outside, they are the respected and beautiful artists. Underneath the appearance, their ages are unknown, and the desires are dangerous. This shows the evolution of the image of witches: from grotesque and disgusting to tempting and beautiful, they use their attractive appearances to disguise their true identity. Thus, they lure their victims (mainly males in this case) to their cave for their rituals. This image of witches, while still discriminating women, largely distorts gender equality. In the middle ages, unmarried and unattractive women were accused of being in compact with the devil; however, more recently, the calculus of this designation has been reversed. The charge of being an evil witch beneath the surface is now reserved for women who are exquisite and powerful. As it evolves, society continues to struggle to find a perfect norm for women. The representation of the witch is one place where society attempts to define the limits of female identity and power.

In the remake of *Suspiria*, Guadagnino gradually plays up the atmosphere of feminism. In Susie's home in America, the following words appear framed on the wall as she finally unveils her true identity of Mother Suspiriorum: "A mother is a woman who can take the place of all others but whose place no one else can take." This scene not only praises mother as the woman who gives birth, but also adds another meaning to Susie's identity as a supreme witch. The text indicates that, as a woman, Mother Suspiriorum is irreplaceable and omnipotent. No one else, no

man, can ever take over this women's role in society. As Guadagnino has said in an interview, "I think we really wanted to be very immersed in the femininity of this movie. This is a movie about the world of females." In attempting to engage the history of femininity, it is therefore not surprising that Guadagnino would return to the figure of the witch. Given the history of its development and meaning, and given to the way in which the figure has been used to suppress female identity and desire, recalling it in 2018 allows Guadagnino to look backward to the history of oppression and forward to a period of liberation that has always been a feature of feminist thinking.

When Sara visits Susie the first time and tells her about Blanc, she connects female authority to the biology of reproduction: "When the Reich just wanted women to shut off their minds and keep their uteruses open, there was Blanc." Sara straightforwardly addresses Blanc's role in resisting the patriarchal authority. In exchanges like this, the connection between feminism as political resistance and the figure of the witch comes into focus. Their dance academy provides free education and housing, which is meant to cultivate the independence of women. However, their resistance to male domination is barbaric and cruel. When the male police officer walks into the academy to investigate the missing Patricia, the witches assault him physically as revenge against the embodiment of male authority. They strip him naked and torture his reproductive organs using a rib-shaped sickle while laughing at his gender signs. In the biblical record, Eve was created using one of Adam's ribs. Using a sickle with such specific shape, the witches' contempt towards male authority reaches its peak. This is the initial stage of feminism, which is reverse discrimination against men, and is essentially an over-correction of the rights of vulnerable groups. The dance academy is a matriarchal society. In the movie, the one and only central male character, Dr. Josef Klemperer, is played by a female actress, Tilda Swinton. It is as if, in the world that *Suspiria* imagines, there is no need

for the male participation. But this is unrealistic and ridiculous. Because in the end when final sacrifice ceremony for Mother Markos begins, there must be a male witness to see the witches perform their power. When Dr. Josef Klemperer is compelled and brought to the ceremony, one of the witches says, "Look how dirty he made it. What reason is there to pity you? When women tell you the truth. You don't pity them. You tell them they have delusions." (In this moment, the witch is referring to an early scene in which Patricia tell him the truth about the dance academy. Confronted with the truth, Dr. Josef Klemperer believes she is delusional). Thus, Dr. Josef Klemperer has to be punished. The witches must have him watch the dance to confirm the life of their Mother and testify to their belief in feminism. The dance academy becomes the testing ground for feminism. However, although the scene appears to propose a radical notion of equality, in reality the witches still imagine themselves to be victims of patriarchal society. This belief on their part leads to an inevitable failure to abandon patriarchal thinking and to strive for complete equality. This is the reason why I reckon *Suspiria* is projecting distortions of the feminist movement. True feminism activists should strive for the equality between males and females, rather than work to overpower men as compensation for the history of female oppression. Domination is never the solution.

#### **Kiki's Delivery Service 1989: A Further Illustration of the Witch**

It has never been clear in *Suspiria* whether Mother Suspiriorum is a completely positive figure. Although Susie is the real Mother who defeats the fake supreme and regains her power in the film, she also murders all the followers of Markos, with the exception of Blanc. This ending deliberately invokes the political act of regime change. When a new Queen is crowned, she eliminates her enemies but retains a few to demonstrate her merciful nature. This political theater leaves the audience in a grey area, unable to say that Susie is a good witch because what she does



with her identity is truly based on her own interest. Is her interest good or bad? We can't tell from the film.

Released in 1989, the Japanese film *Kiki's Delivery Service* provides a separate perspective on the witch. Rather than replicate the ambiguous character of the witch, one whose actions cannot be understood as simply good or simply evil because they participate in a complex allegory of politics and feminism, *Kiki's Delivery Service* presents a different case for the witch. Kiki's appearance as a young witch is entirely benign and innocent. From this character, we can derive the conclusion that witch culture throughout the world varies depending, as Cohen has noted in his theses, on the precise cultural needs that create the conditions for its emergence. As an Asian witch, Kiki retains traditional western elements. She is capable of flying with a broomstick, she wears a black coat, and possesses a pet black cat. She appears as a cute 13-year-old girl who cannot be even called a monster. As Cohen said, monsters disturbed the categories of what we really understand in the world, and they police the boundary of the possible, enforcing the social cultural restrictions. Although Kiki here is not conventionally monstrous, she does perform some "monster duty" in as much as she embodies prevailing cultural concerns. In this case, the attributes of the monster come to symbolize the role of the individual in society and the need to harness the natural and individual abilities that each of us possesses.

The setting of this story is simple. In a world with many witches, every young witch has to travel to a new city for a year to prove her ability. This is the ancestral tradition for being witches. If Kiki cannot complete this practice, she cannot become a witch. Every witch possesses an individual talent. For example, Kiki can fly, while her mother can make potions. In this film, witchcraft is just an ability that passes through the bloodline. Magic is like a normal quality that is part of a person. Other than that, witches are like normal humans with normal occupations, like bakers and painters.

Other than flying, Kiki is a normal girl who does not possess any other skills. With the only skill she

has, she has to earn her own living in a new city. When Kiki delivers a grandmother's pie to her granddaughter's birthday party through the storm, the rich granddaughter looks at her clothes and says, "Do I have this kind of friend?" When she discovers that Kiki is actually a delivery girl, she says, "I hate grandma's stupid pies." Once the granddaughter slashes the door, Kiki is astonished. She experiences three shocks: the asymmetry of appearances, the sympathy towards the grandmother, and the disillusionment with the party. Due to Kiki's identity as a witch, she only wears black. To a large extent, this enhances her self-consciousness towards her own appearance. The grandmother is someone Kiki respects; Kiki sympathizes with this old lady's hard work while her own granddaughter hates her pie. As a young girl who has never been to a party, she fantasizes about everything the party entails. However, she only encounters an ignorant and impolite host in the end, which adds to her hesitation towards the new life of her own. But in the end, Kiki matures. Although losing her magic for a while, she becomes confident and sees her magic restored, which permits her to save the "dragonfly." Conventionally, the creation of a monster tells the audience to not do what the monster does. For example, in *Dracula*, Mina is constantly injected with "good blood" to prevent her being vamped. The medical treatment she receives is designed to prevent the inversion of gender roles; when this fails, she is staked. However, in *Kiki*, the "monster" becomes the role model for what the audience should do. She is the brave girl in a class-divided society. Not to be tempted by vanity, she maintains her modest nature of kindness. In Cohen's theses, monsters police the boundary of the possible. This means that they establish the codes by which we are able to behave. Stray too far from cultural proscriptions, and the monster will be there to punish you. When Kiki is mentally wounded by the rich granddaughter, who clearly represents the unwanted norm of upper-class culture, she cannot do anything to punish the girl, despite being the magical witch. Here, instead of being the

monster, she is the mirror of the normal civilians. She could only choose to fight against it, to continue being the girl she is without jealousy. This is a new portrayal of the witch. Instead of being powerful and unscrupulous in getting her aims, Kiki trails a firm and mortal path of achieving spiritual growth. Being the “monster” witch she is, she promotes the virtues which society desires.

As Cohn argues, monsters disturb the categories of what we really understand in the world. Kiki is both a human girl and a witch. She can fly but she has no other special talents. In a way she achieves the magic ability many may wish to possess, thereby embodying a portion of recurrent human desire and fantasy. However, deep inside, she has her own insecurities. *Kiki's Delivery Service* was the top Japanese film of the year in 1989. She emerges in the first year of the *Heisei*, the year when a new Japanese emperor began his reign and the consumption tax was first introduced. At that time, economy and political tension existed in Japanese society, and the role of Kiki was created to tend to the humanistic care of the Japanese society. Kiki resembles every Japanese who needs to settle themselves in the new era of *Heisei*. She is helpful, kind, and willing to devote herself to others. Although she has been through difficulties, in the end she regains her magic and receives friendship and recognition. Within this character lies the public's hope for an ideal path of personal growth. As a good witch, Kiki relaxes the nerves of the Japanese society in 1989. This is one of the biggest reason for it to become a classic, because Kiki resonates with the audience. Everyone could have a natural gift, but we all inevitably face the same difficulties that Kiki faced. Her ideal personality cultivates the moral standards of the whole society. In the end of the movie, Kiki discovers that children start to imitate her clothing while looking at the beautiful clothes she has always desired. People want to be like Kiki to trail through their dilemmas. This is the power of Kiki's delivery service.

### Conclusion

This paper sets sail from the historical aspects of witches, discussing witches' primitive roles in

society and the causes of changes in their positive figures while depicting the hysteria that witches have caused. Based on the historical context of witches and the summary of Cohen's theses, I then analyzed the historical and feminist significance of *Suspiria 2018* and *Kiki's Delivery Service*, comparing the witches in the film with the traditional figures of witches. *Suspiria 2018* actually criticized inappropriate feminism behavior. The witches in *Suspiria* are revolutionary. This female revolution is enhanced by the political tension set in the story. Their feminist actions of abasing males and the public authority seem threatening to an established real world. However, Kiki presents a different case. While possessing magic abilities of flying, Kiki fits herself in an ordinary position in society. Instead of rebelling against the rules, she reaffirms their place. The witches in *Kiki's Delivery Service* value nothing more than independence, courage and confidence. These qualities are the censorship of their identities as a witch; independence in women is the source of their magic power. Their superpower will be lost if they cannot live up to fulfill these qualities of modern women. Though Kiki's character is not as revolutionary as Susie, she exists to the notion that a young and independent female can also embody social values and help the economy structure function. Kiki's magic power here, due to her identity of being a witch, helps her become a better worker and satisfied citizen in society. I believe that females now have more vocal power in rejecting patriarchy and gender inequalities. Females have never been more powerful and zealous in the pursuit for greater economic, political and societal power. Meanwhile, feminism shouldn't stand for over-powering. As the actions necessary for equality remains in debate, witches will continue to come back in literature and films to help us reflect on the roles females play in society. Witches have existed for centuries. They fly through history, and are certainly to continue flying across our attention – playing their rhythms in society upon the strings of our hearts.

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## **CHILD ORCHESTRAL BASHMETA**

**Abstract:** In article we share art impressions about a regional event passed within symphonic seasons of regional philharmonic hall. It is the holiday of musical classics for listeners presented by young musicians demonstrates that Russia is recognized in the international musical community as the power in which the talented youth glorifying Olympia that confirms results of the XVI International competition of P. I. Tchaikovsky is forged. The trend of expansion of competitive genres dictating constantly changing movement of time towards wooden wind instruments suggests that players in orchestral collective have solo prospect in a competition, and as winners to position the Russian performing school on the leading and best world stages, concert venues.

**Keywords:** all-Russian youthful symphonic orchestra, concert program, soloists.

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## **ДЕТИЩЕ ОРКЕСТРОВОЕ БАШМЕТА**

**Аннотация.** В статье мы делимся художественными впечатлениями о региональном событии прошедшее в рамках симфонических сезонов краевой филармонии. Это праздник музыкальной классики для слушателей, преподнесенный юными музыкантами свидетельствует о том, что Россия признана в мировом музыкальном сообществе державой, в которой куется талантливая молодежь, прославляющая Олимп, что подтверждает итоги XVI Международного конкурса имени П. И. Чайковского. Тенденция расширения конкурсных жанров диктующее постоянно изменяющимся движением времени в сторону деревянно-духовых инструментов дает основание полагать, что играющие в оркестровом коллективе имеют сольную перспективу



в соревновании, и в качестве лауреатов позиционировать российскую исполнительскую школу на ведущих и лучших мировых сценах, концертных площадках.

**Ключевые слова:** всероссийский юношеский симфонический оркестр, концертная программа, солисты.

В преддверии открытия концертного сезона и Международного дня музыки пермским меломанам, истинным любителям классической музыки Пермская краевая филармония преподнесла подарок, если выразится музыкальным термином «прелюдия» к началу насыщенной афишно-концертной ее деятельности: концерт Всероссийского юношеского симфонического оркестра (ВЮСО) (см.: фото1) в рамках гастрольного турне (Новатэк – партнер турне) по культурным центрам России (Вологда-Калуга-Тула-Ярославль-Углич-Нижний Новгород-Пермь-Екатеринбург-Москва (зрелищный комплекс «Зарядье». построенный вместо снесенной гостиницы «Россия»).

Проект канала ВГТРК «Культура» (Оркестр сформирован в 2012 г. на основе уникального по масштабам всероссийского конкурса исполнителей классической музыки. В нынешний состав оркестра входит 101 музыкант в возрасте: 9–22 лет. Это учащиеся и студенты школ искусств, музы-

кальных колледжей, консерваторий. Выступления в мировых турне (два европейских турне; Всемирная зимняя Олимпиада; футбольный мировой чемпионат; по азиатским городам)). имеет ролевую особенность в привлечении внимания к вопросам детского музыкального образования и к культурной среде; невероятную потребность, как у юных виртуозов, так и у педагогов в получении мастерского опыта в области профессионального музыкального образования.

О своем детище, маэстро отзывается с огромной любовью: «Это наша лучшая молодежь со всей страны. Это коллектив, всегда полный энергии и какого-то особенного эмоционального состояния на сцене во время концертов, и это производит на публику неизгладимое впечатление. Но особенное удовольствие и для меня, и для коллектива – ездить по необъятной стране и выступать для нашей слушательской аудитории», – отмечает альтист.



Фото1. Башмет и его детище в г. Перми.БЗПФ.13.09.2019



Состав юных оркестрантов не является постоянным и проходит ротацию раз в два года: в нынешнем краевом отборе приняло участие 20 прикамских ребят. Все они проходили обучение в региональной школе маэстро по программе мастер-класса с лучшими музыкантами России и зарубежных стран. Отбор был довольно профессиональный. По требованиям конкурсного прослушивания сыграть виртуозные произведения, показать себя, на что ты способен, удивить отборочную комиссию. В концертный период гастрольно-образовательной деятельности 2018/2019 г.г. и 2019/2020 г.г. вошли пермские музыканты: **Екатерина Башкирцева**, гобой, ПМК (педагог: О. В. Соловьева); **Ксения Маргашова**, скрипка, ДМШ № 1 (педагог: О. В. Смагина), а **Вера Вятчанина**, ДМШ № 3 (педагог: з.р.к.РФ М. В. Вдовина) попала стажерскую группу виолончелей. Перед началом пермского концерта его ведущая, з.р.к.РФ, музыковед Г. Баталина представила под бурные аплодисменты публики этих ребят.



Фото 2. Свое мастерство на валторне демонстрирует Н. Яновский. БЗПФ. 13.09.2019

Хорошо обученные ребята, способные, одаренные, музыкальные по натуре, харизматичные. хваткие, уверенные на сцене, перспективные. Все впереди у них еще, правда, пока еще опыта соло с коллективом недостаточно, но дело

Мне посчастливилось присутствовать на пресс-конференции. В фойе Большого концертного зала Пермской филармонии главными героями были директор коллектива, директор Краевой филармонии Г.Ю. Кокоулина, Ксения Маргашова (пермячка). Они рассказывали о проекте канала «Культура», о турне в целом (историческая справка была дана о коллективе в буклетном издании), о пермском концерте, о специальном произведении по заказу оркестра, о краевой школе, о преемственности: краевая школа – оркестр, о конкурсе, о требовательности маэстро, о концертном опыте игре в профессиональном коллективе, о взрослой по мастерству программе исполненной детско-юношеским составом.

Солистами в пермском десанте выступали участники оркестра, л.м.к.: **Никита Яновский** (валторна) /В. А. Моцарт. Концерт № 4 Ми бемоль мажор К 495 (1786) для валторны с оркестром 1 часть (Allegro moderato) /см.: фото 2, 3/; **Элеонора Костина** (ксилофон) /Т. Маюцими. Концертино для ксилофона с оркестром (1965) 1 часть (Allegro vivace) /см.: фото 4/.

наживное. Хотелось послушать солистов не в коротком выступлении (с одной частью концерта), а иметь художественное впечатление (с тремя частями инструментального произведения).



Фото 3. Н. Яновский (валторна)-солист ВЮСО. БЗПФ.13.09.2019



Фото 4. Свое мастерство на ксилофоне демонстрирует  
Э. Костина-солистка ВЮСО. БЗПФ.13.09.2019

Некачественная акустика в зрительном зале (мне выпала стать обладателем билета) ощущалась в полной мере. Было тяжело физически играть. Звук получался ватным и в слушательский зал со сцены доносился приглушенно, терял силу полета, растворяясь где-то в его середине.

Эта не вина со стороны исполнителей, а законченная не решаемая проблема краевых властей. За 300 лет (2023) в городской инфраструктуре не построен концертный зал с современными

акустическими возможностями и дизайнерскими инновационными решениями. Органный малый, Большой залы – это лишь приспособленные к музыкальным фестивалям помещения, предназначенные для проведения деловых конференций, совещаний.

Правда, сдвиги были в другом направлении по возведению второй очереди оперного театра в районе «Разгуляй» есть, но эта тема отдельной статьи. Площадку стали расчищать. Конкурс на



новое здание уже подходит к концу, и в скором времени мы узнаем, как оно будет выглядеть. Но на месте будущего храма искусств оказался огромный кооператив, который стал препятствием для осуществления культурного замысла. Не договорившись с владельцами, субподрядчики Управления капитального строительства ООО «Строй-Трейд» просто пригнали технику, которая сровняла с землей больше половины построек. Причем методы, которыми действовали строители, больше похожи на набеги разбойников, спилили замки, вынесли чужое имущество, обрезали провода и, придав, таким образом, гаражам бесхозный вид. При этом власти говорили, что у владельцев гаражей нет на них прав, а те доказывали, что все их документы имеют силу.

Возвращаясь обратно к теме, произведение завлено в программе в исполнении Ю. А. Башмета (М. Брух. «Кол Нидрей» соч. 47 (1880) для альта с оркестром), но оно по независящим от нас причинам не прозвучало. Не получилось насладиться волшебством прикосновения смычка мастера к альтовому инструменту с сочетанием звучания молодых музыкантов. Не было бисовых номеров, а жаль. Правда директор с пермскими СМИ за-

икнулся: «может исполним для публики, посмотрим», но видимо последнее слово осталось за художественным руководителем. Тем более исполнители приехали за три часа до мероприятия, и сразу начали репетировать до самого его начала, даже тогда когда публика уже собиралась в фойе, поэтому Ю. А. Башмет не вышел к журналистам. Не стали рисковать по времени (продолжительность концерта два часа) видимо торопились дальше в г. Екатеринбург. Частью культурной программы предусматривалось посещение городских достопримечательностей. Но в Перми ребята не успели чисто физически. Несмотря на пятницу 13 число концерт прошел без помарок, погрешностей, на одном дыхании, на творческом горении, на порывном дыхании, на экстазном движении, в котором сочеталось опыт с молодостью.

Концертная программа предваряла циклическое оркестровое специальное произведение для данного коллектива начинающего представителя композиторской школы, – «Путеводитель по оркестру», вариации на 24 каприз Н. Паганини для симфонического оркестра (2017) К. Бодрова. Сам россиянин приехал с коллективом и приветствовал благодарную публику (см.: фото 5).



Фото 5. К. Бодров отвечает на приветствие пермской публики БЗПФ. 13.09.2019

Произведение построенное по британскому произведению. Слышится легко, красивая музыка, не перегруженная, не тяжелая, состоящая из частей, в которых показаны возможности всех оркестровых групп. За основу положен знаменитый паганининский двадцать четвертый каприз а-тоП. Использование в партитуре музыки итальянского композитора с оркестровыми вариациями со-

чиненными композитором Кузьмой, при этом сам еще аранжировал, добавив своей музыки, той которой он сам слышит и чувствует, будто веяния от великих шедевров Б. Бриттена и Н. Паганини посетили его. Не знаю, на меня данное произведение никак не произвело художественного впечатления, сыграли вариации, тем не менее, показ возможностей оркестровых групп слабо проявилось.



Фото 6. Во время исполнения пятой симфонии Д. Д. Шостаковича. БЗПФ. 13.09.2019

«Программа составляется по принципу – пояснил директор коллектива, – уровень исполняемых произведений намного выше уровня исполнительского мастерства исполнителей. Юные музыканты исполняют взрослую программу. Задача таких выступлений чтоб оркестранты быстрее набирались опыта, практики игры в коллективном сообществе. На сцене не дети, а профессионалы, которым под силу исполнение сложнейших оркестровых партитур».

Доказательным примером вышеизложенной цитаты прозвучала пятая симфония Д. Д. Шостаковича ре минор соч. 47(1937) /см.: фотоб/, имеющая подзаголовок «Ответ советского художника на справедливую критику». Мы отметили 113-годовщину со дня рождения. После гонений 1936 г. за оперу «Леди Макбет Мценского уезда» и балет «Светлый ручей» Шостакович находился под давлением. От него требовали упростить

свою музыку и адаптировать её к модели социалистического реализма. Согласно официальной позиции, социалистический реализм в музыке предполагал монументальный подход и возвышенную оптимистическую риторику. Музыка Шостаковича была сочтена слишком сложной технически. На заседании Союза композиторов Л. Книппер, Б. Асафьев, И. Держинский предложили помощь композитору встать на правильный путь. Композитор создал новое произведение с удивительной глубиной и многоплановостью, отражающее современную жизнь. Он достиг новой высоты в своем творчестве, оставив потомкам срез времени в классической музыкальной интерпретации. Композитор использовал отрывок из Малера в своей симфонии. Этот «ответ» явил пример героического классицизма. Шостакович расширил свой музыкальный стиль, при этом усилив содержательность и создав многомерность.





Фото 7. Исполнители с Ю. А. Башметом отвечают на приветствие пермской публики. БЗПФ. 13.09.2019



Фото 8. Ю. А. Башмет принимает букет цветов знак благодарности пермских слушателей за доставленное наслаждение от классической музыки. БЗПФ. 13.09.2019

Мы окунулись в атмосферу того времени, переместились во временной период развития прошлого общественного строя. Исполнители старались, вкладывая себя в полную силу. Все четыре части были исполнены в порыве, на одном дыхании, как единое многочастное произведение. Четыре контрастирующих части в единой концепции прозвучали более чем убедительно (см.: фото 7, 8). Нам доставило эстетическое наслаждение в погружение

классической музыки и художественное исполнение начинающими мастерами шедевра симфонической музыки. Особенно последняя его часть, кульминационная, требующая физической силы особенно у скрипичной группы. Последние такты на фортиссимо скрипачей поставили жирную точку в своем выступлении. И может быть правильно, что номеров на бис не было. Публика ушла, эмоциональна зарядившись музыкой великого гения человечества.



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## Section 3. History

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### THE ANALYSIS OF THE CONTRIBUTION OF LUCK IN THE UPRISING AND DOWNFALL OF ODA NOBUNAGA IN JAPANESE SENGOKU JIDAI

**Abstract.** This paper intends to show how marital prowess and strategic thinking alone are not always enough to stave off the debilitating hand of fortune by using the example of Oda Nobunaga, one of the most famous lords in ancient Japan's Sengoku Jidai. It uses a lot of historical events and other information to analyze the real possibilities of many unbelievably things in Nobunaga's life.

**Keywords:** History, Japanese, 16<sup>th</sup> Century, Analysis.

Despite the attention that is given to the ways that actors intentionally try to shape world events luck has always played a substantial role in history. Many historical figures experienced victory or defeat as the result of incalculable events that either favor or subvert their intentions. Luck is immaterial to the development of history. At best, it is tangential. While one cannot dispute the intention of historical actors, the fact remains that history is often the product of circumstances that could neither be controlled nor predicted. For the purpose of this paper, which intends to show how marital prowess and strategic thinking alone are not always enough to stave off the debilitating hand of fortune, I will turn to Oda Nobunaga, one of the lords in the Warring States period in Japan. During this period, the struggle to unite Japan under the guidance of a single ruler was fought amidst a complex set of constantly realigning alliances. While these alone can tell us something about how history is made, the ungraspable element of luck that suffused this period speaks to the broader historical reality that forms that subject of this essay.

Sengoku Jidai, or the Warring States Period in Japan (1467–1603) [2], marked the era during which

great feudal lords fought each other for control of Japan. Many talented people, each of whom possessed the apparent abilities to unify the country, were born in this period. And yet, despite the almost surfeit of ability, most failed, some because of horrible betrayals, others because of sudden deaths or unforeseeable alterations of fortune. Among the gifted figures of this period, Tokugawa Ieyasu emerged as the winner. During Sengoku Jidai, the rise and fall of so many figures made the enterprise of acquiring and sustaining power extremely complicated. Victory was by no means certain for any one leader, given the complexity of the historical period and the uncertainty produced by individual aspiration. Many individual figures had lucky streaks, but many of these ended abruptly. The complex history of this period reveals that the outcomes of history depend at least in part on fortune.

Oda Nobunaga was probably the most famous figure during the Sengoku period. In the present day, he has become the main character in various games and programs like *Nobunaga's Ambition*, a testament to the fact that he has long been celebrated for his outstanding abilities both at court and on the battlefield. He was born into a branch of a very powerful

family in the province of Owari. Though he was seen as a fool during his childhood, he quickly became the most powerful lord in Sengoku after assumed his father's position. He once had the chance to take over all of Japan, but he was killed in a very strange incident. During his short life of 49 years, Nobunaga fought in many marvelous battles. His emergence and decline are the perfect representation of the historical machinations of luck.

Nobunaga succeeded his father in the year of 1551, but his initial career as a lord in Sengoku Jidai was not very successful. When one of his only allies, Saito Dosan, was murdered by his own son, and when other branches of the Oda clan rebelled against him, Nobunaga barely managed, after several consecutive wars, to maintain his newly attained position. Before he could take some time to develop strength, the most powerful lord at that time, Imagawa Yoshimoto, decided to attack Nobunaga on his way to Kyoto, the capital. Yoshimoto had an army of nearly 25,000 to pit against Nobunaga's 2,000 men [10]. Looking at the difference in martial size, one could be forgiven for thinking that Nobunaga stood little chance. Nevertheless, despite the warnings of almost all of his retainers, Nobunaga went to face Yoshimoto on the battlefield. Surprisingly, Nobunaga defeated and killed Yoshimoto at the battle of Okehazama. This fight has come to be known as one of the most dramatic battles in Sengoku Jidai.

Although tremendously outnumbered, Nobunaga's victory was the result both of his cunning and the assistance of luck. Unable to face Yoshimoto directly, Nobunaga used the cover of rain to sneak up on his adversary and assassinate him. Following this strike, the army was devastated. As this event shows, Nobunaga's intelligence was a tremendous asset, but that intelligence could only function to its fullest with assistance of elements that were beyond his control. Could he have calculated this situation in its entirety, or was he supported by climatic fortune? Nobunaga could not have known about the storm. He was just lucky enough that the storm came to his support and advantage.

Another factor that helped determine the outcome of this battle was the fact that Nobunaga happened, by chance, to spot the banner of Yoshimoto. This allowed him to attack Yoshimoto directly. While banners were in fact designed for demonstrative effect, the banner in question would not have been easy to spot amidst the legion of others that were sported by generals and retainers. With so many distractions and with the storm foreshortening visibility, it would have been extremely difficult for Nobunaga to successfully locate the position of Yoshimoto. The fact that he was able to locate him so precisely amidst this set of encumbrances reveals another level of fortune. It is equally possible that he did not see any banners and that the camp he attacked happened to be Yoshimoto's. This battle was one of the most famous in Sengoku Jidai, because it demonstrated the heroic figure Nobunaga defeating a powerful enemy with his intelligence. Needless to say, it was very impressive, but the result of the battle was mostly the product of luck as most of Nobunaga's advantages were incidental rather than planned.

After defeating Yoshimoto, Nobunaga was able to expand his territory to more than two provinces. In addition, he successfully assisted Ashikaga Yoshiaki in becoming the new Shogun, thus gaining more power to control other lords. Despite this success, Nobunaga did not receive support from Yoshiaki simply because of his strong power. Akechi Mitsuhide, who turned out to be one of the most crucial figures in Sengoku history as he rebelled against Nobunaga and got the latter killed in the future, returned to his home in Mino province after the Saito Clan was conquered by Nobunaga. He was devoted to the emperor and the shogunate and was thus a very good friend of Yoshiaki. During his return, Mitsuhide brought a letter in which Yoshiaki invited all powerful lords to help him regain the position of shogun, which was controlled by the Miyoshi clan. Nobunaga was the first lord Mitsuhide visited. Presented with the letter asking for his assistance, Nobunaga accepted the request immediately. Without

doubt, Nobunaga gained a lot of fame when he managed to conquer many surrounding lords, but he definitely was not the most powerful figure by military power at the time. The Uesugi clan, led by Kenshin, and the Takeda clan, led by Shingen, were both more powerful. Given his relative strength among competing lords, his success must be seen as the product of something other than pure power.

Considering the surrounding atmosphere and the political dynamics at play, the fact that Mitsuhide favored Nobunaga remains noteworthy. His reason for doing so combined geographical and other interests. Firstly, Nobunaga was the closest lord to Kyoto. Both Kenshin and Shingen were in the Northeast region of Japan. As such, they were required to traverse several mountains before they could arrive at Kyoto. Thus, Nobunaga won support from Mitsuhide simply because of his geographical proximity to the theater of action. Moreover, the Saito clan that Nobunaga eventually defeated was the enemy of Mitsuhide. In fact, it was because of this clan that Mitsuhide had fled his home in the first place. Mitsuhide trusted Nobunaga because he had crushed his enemies.

The fact that he was so quickly favored further expresses Nobunaga's luck. Before Mitsuhide arrived with the letter, Nobunaga had been looking for a reason to attack Kyoto for a long time. At that time, a lord's power could not be completely solidified without getting recognized by the central power. The shogunate and the emperor still had the most power, at least in name. To expand one's own power, every lord, to the extent that it was possible, must go to Kyoto with his army for a parade as a demonstration of his power. Only after such a demonstration could a lord gain support and a title from the emperor, who was regarded as the son of gods in ancient Japan. In order to do that, one would need a letter or an invitation from the shogun or from another official in Kyoto. Before Mitsuhide arrived, Nobunaga had been searching for such an opportunity for a long time – but one seemed unlikely, given his relative position, to materialize. Without an authorized po-

sition, Nobunaga was theoretically a rebel. But with the appearance of Mitsuhide, an event he could not predict, his cause and his power were legitimized.

After acquiring Yoshiaki as his strongest supporter, Nobunaga went to Kyoto with his army and destroyed the forces of Miyoshi clan and its allies. As a result of this victory, Yoshiaki successfully became the 17<sup>th</sup> and final shogun of the Ashikaga Shogunate (1338–1573) [1], in exchange for which Nobunaga was given several important titles. However, he was not satisfied. In fact, he started to seek more power. Gradually, Yoshiaki's powers were diminished by Nobunaga, which prompted the former to act. He wrote secret letters to several powerful lords and asked them to form an alliance against Nobunaga. Takeda Shingen was the leader of what became known as the "Anti-Nobunaga Encirclement," which was arranged in response to Nobunaga's growing ambition.

Nobunaga wanted to fight his enemies one by one, but his plan was crushed when a local religious force, the Ikko-ikki, joined the alliance. Technically a rebellious group led by local religious leaders known as Hongan-ji, the Ikko-ikki was a branch of Buddhism that advocated the possibility of achieving enlightenment through working. Hongan-ji fomented rebellions in both Kyoto and in Ise province. Most of Nobunaga's soldiers were fighting the Miyoshi clan near present day Osaka, so the generals defending these places were crushed by the sudden assault of the Ikko-ikki. Even Nobunaga's younger brother, Nobuoki, was killed during this incident. Nobunaga had no choice but to retreat to Kyoto and deal with the Ikko-ikki forces. He pleaded with the emperor to intervene and mediate between himself and several anti-Nobunaga clans, including the nearby Asakura and Azai clans. With the help of Mitsuhide, Nobunaga secured peace on the western side of Kyoto, so he could use all his armies to fight off the Ikko-ikki forces on the east.

During the conflict, Nobunaga defeated the rebels in several places, but he could not eliminate them entirely. As a result, he wrote a letter to Hongan-ji



seeking peace, in exchange for which he offered a very generous reparation. To his surprise, they did not want to negotiate, tearing the letter into pieces and imprisoning the messenger. Nobunaga was furious and ordered his forces to burn the sacred mountain of Hongan-ji. His violent response caused more serious problems; the leader of Hongan-ji announced to all the Buddhists in Japan that Nobunaga was the "Enemy of Buddha." This caused additional rebellions throughout Nobunaga's territories. The confluence of so many crisis was a result of bad luck, but this luck was spirited into place by the individual shortcomings of the man at the center of this historical episode.

To make the situation worse, the most powerful lord at that time, Takeda Shingen, gathered an army of more than thirty thousand soldiers and, under the invitation of Yoshiaki, marched to Kyoto. One of Nobunaga's ally, Tokugawa Ieyasu, was between Shingen's army and Nobunaga's territory. As one of Nobunaga's most loyal allies, he had to defend against the invading enemies. With only a few thousand soldiers at his disposal, Ieyasu sought help from Nobunaga, but the latter was busy dealing with the forces of the Ikko-ikki. Ieyasu had no choice but to ask Shingen's greatest enemy, Uesugi Kenshin, for help. Once again, Shingen used Ikko-ikki to keep Kenshin in his territory. As a result, Ieyasu had to face a formidable army with his meager forces.

Instead of defending his castles and waiting for the enemies to lose their patience or to spend all their provisions and ammunition, Ieyasu led his armies to a plateau to face the Takeda army directly. This time, there were no storms or supernatural powers to assist Ieyasu, in the absence of which he was thoroughly destroyed by Shingen and barely escaped the battlefield alive. When Nobunaga's army finally managed to arrive, intent on supporting Ieyasu, all they could find were castles that had been conquered by Shingen. The Oda army retreated immediately, but they were caught by the Takeda cavalry, the best cavalry in Japan at that time. The ferocious cavalry crushed the battle lines of the Oda army and killed more than

one thousand men. Without the interference of luck and other supernatural factors, Nobunaga and Ieyasu were defeated in this battle. But just as fate had already planned everything, this defeat wouldn't matter, compared the future success they would achieve.

Having gained an apparently unstoppable stance, Shingen could have conquer the territories of Nobunaga and defeated his army. However, Nobunaga's luck, appearing to have abandoned him after his somewhat meteoric rise, returned to assist him. Before Shingen could lead his army west and confront the Oda army directly, he fell seriously ill. Within a month, he died. On the eve of what might have proved a decisive conflict between them, Nobunaga's strongest enemy dropped dead, without exacting any casualties. Whatever we might think of Nobunaga's military ability or strength, it is clear that his victory here depended not solely on those attributes but on the good fortune that he happened to receive.

The precise cause of Shingen's death remains unclear. According to some, his death resulted a condition he developed from excessive drinking. Whatever the cause, his death was extremely sudden. Just months before his death, Shingen was waging campaigns, in the course of which he had managed to amass a sizeable advantage. Shingen built up his forces while Nobunaga was losing forces and suffering defeats. The latter benefited greatly when the former died unexpectedly. With his cavalry destroying everything in sight, Takeda Shingen appeared unstoppable, while Nobunaga appeared compromised, not only because he had lost a large portion of his army in the previous battles, but also because Ikko-ikki forces were deploy across his territories, hemming him in. To make matters worse, some of Nobunaga's allies had already abandoned him. Even Ieyasu couldn't help, since he too had suffered enormously from Shingen's invasion. If the two sides had actually confronted each other, there is little if any doubt that Nobunaga would have been completely defeated and that Shingen would have usurped his place in Kyoto. Instead, Nobunaga's luck saved him when Shingen died.



After Shingen's death, the anti-Nobunaga encirclement was greatly shaken. Taking full advantage of his good fortune, Nobunaga was able to eliminate his enemies one by one. Yoshiaki was the first victim, as he was banished from Kyoto, after which the Ashikaga Shogunate officially ended. Nobunaga then defeated the Azai clan, the Miyoshi clan, and the Asakura clan, slaughtering most of their soldiers. But he had some trouble dealing with the Ikko-ikki forces. Though they were very weak in battle and easily defeated, their persistence and the number of rebellions they were able to stage complicated his attempt to subdue them. Nobunaga tried to negotiate several times, but to no avail. He also gathered large armies to attack several strongholds of Ikko-ikki forces, but they resisted long enough to push him back. In the end, to revenge the forces he had lost in the suppression of Ikko-ikki, Nobunaga killed more than 20,000 followers of Hongan-ji, stopping the rebellions for a short time, but his reputation was greatly damaged by his actions.

Two years later, Shingen's son, Katsuyori, led an army of 15,000 to attack Nobunaga [5], trying to complete his father's failed mission. Although he bore the name of Takeda, Katsuyori did not inherit the skills and leadership of his father. Deploying new military tactics, which included the first use of firearms in battle, as well as a newly invented three-row formation, which allowed gunners to take turns firing and loading, Nobunaga defeated Katsuyori and destroyed a majority of the Takeda clan's forces. In the following years, Nobunaga summoned all of his allies to attack the Takeda clan, wishing to eliminate all their forces. He also ordered the execution of every person with the Takeda name, including women and children. These cruel and somewhat unreasonable actions caused a lot of problems, including the discontent among his own retainers: they helped many people from the Takeda clan to hide their name and live in seclusion.

Meanwhile, just as Nobunaga's slaughter was taking place, a second anti-Nobunaga encirclement be-

gan to form. The Hatano clan suddenly rose up and rebelled against Nobunaga, followed by the Hongan-ji and the Mori clan. Nobunaga quickly summoned an army, trying to crush the rebellion with speed. But the enemies had support from the powerful Mori clan who supplied various castles that Nobunaga was besieging. Because the Mori clan had the best navy in Sengoku at that time, the supplies advanced via water routes. Nobunaga had no way to stop the ships. He tried to attack the Mori navy, but was defeated by their well-trained sailors and well-designed ships.

But that was not the end of Nobunaga's suffering. Under the invitation of the Hongan-ji, Uesugi Kenshin, a devoted Buddhist who called himself the new form of the Warrior Buddha, decided to join the anti-Nobunaga forces. At that time, Hongan-ji was probably the most official Buddhist sect in Japan. Relying on common religious belief, Hongan-ji was able to appeal to Kenshin and enlist him in the struggle against Nobunaga. Once again, the tides appeared to be turning against Nobunaga, as the elements that were confronting him began to mount in size and scope. It seemed that Nobunaga's luck had abandoned him already because of the sins he had committed.

Kenshin first attacked the allies of Nobunaga in Kanto, destroying them with his strong army. Nobunaga ordered his generals, headed by Toyotomi Hideyoshi and Shibata Katsuei, to lead more than thirty thousand soldiers to deal with Kenshin and to support his allies in Kanto. These two generals were the elite of Nobunaga's army: both of them had won many battles. But this time, following a sizeable argument, they refused to fight together. Hideyoshi led his part of the army away. Katsuei was left to face Kenshin's army alone. When he arrived at Kanto, Katsuei found that Nobunaga's allies had already been conquered and that their castles had been captured. With half of the army gone and all the castles lost, Katsuei saw that there was no chance of victory. He decided to retreat immediately. Though he tried to avoid fighting, Kenshin still managed to catch up with his army and attack. Since Katsuei's army was retreating, the result

was obvious: Kenshin was able to crush the enemy easily, killing more than 1,000 soldiers.

The situation began to favor Kenshin greatly. He had taken care of Nobunaga allies in Kanto and had captured their castles. In the fighting that had taken place, he had greatly diminished the size of Nobunaga's army. Most importantly, he had surrounded Nobunaga with his allies. For his part, Nobunaga – who had lost possibly the best elements of his army – was fighting on two frontlines. After so many setbacks, he had no choice but to give up the western territories and transport his army to Kanto, trying to take care of Kenshin and other forces first. But if the two sides had confronted each other, the relative size of Kenshin's army, coupled with his great military abilities, would have given him an unassailable advantage.

Despite the fact that everything was against him, luck returned to Nobunaga's side in the nick of time. The day before he was to attack Nobunaga, Kenshin died from cerebral hemorrhage. Like Shingen before him, a warrior who was likewise the victim of misfortune, Kenshin could have easily defeated Nobunaga and advanced on Kyoto to start the new Shogunate. Instead, on the verge of victory, he died at the age of 49, allowing Sengoku to continue for another fifty years. Both Shingen and Kenshin could have united Japan after defeating Nobunaga, but both died through random illness days before they were going to attack Nobunaga. The repetition of this fateful coincidence, which both times permitted Nobunaga to survive in a situation that seemed hopeless, reveals the deeply contingent nature of history.

After the death of Kenshin, the Uesugi army dispersed into chaos. In the vacuum created by his passing, two of Kenshin's sons fought each other for power. This internal struggle gave Nobunaga sufficient time to deal with his other enemies. He first dispatched them to the east, to fight the Hatano clan, who first rose and rebelled against Nobunaga. Then he surrounded the base of Hongan-ji in present day Osaka, called Ishiyama Gosho. It was the strongest castle in Sengoku, in support of which, the Mori clan

continued to send endless supplies. After a siege of several weeks, one of Nobunaga's navy generals invented a kind of ship covered by iron. It provided the Oda navy with a ship strong enough to withstand the arrows being launched against it. Additionally, this new vessel could hold more soldiers, which was useful in boarding fights or landing fights. With these ships, Nobunaga successfully defeated the Mori navy, thus ending the supply line to the Ishiyama Gosho. Without enough food and ammunition, Ishiyama Gosho (though strong) could not withstand the besiegement. Hongan-ji decided to surrender to Nobunaga, the result of which was that the religious clan would not enter the political field in the future. Ishiyama Gosho was also burnt to the ground, later rebuilt by Hideyoshi as Osaka city. Nobunaga sent his generals to deal with the rest of his enemies, withdrawing from the battlefield himself to seek some rest.

At the height of his success, the elements of luck that had sustained him, began to turn against Nobunaga, eventually leading to his collapse. Following his victory, he began building his own castle. He spent so much money, resources, and labor that Azuchi became the most beautiful castle at that time. It was the symbol of luxury and power. Later, Nobunaga suspected that the wife and the son of his most loyal ally, Ieyasu, was conspiring with the Takeda clan. He cruelly ordered them executed without investigation. Ieyasu, trying to maintain his relationship with Nobunaga, had to execute both his wife and his son in order to end the suspicion.

By the year 1581, Nobunaga had defeated most of his enemies. One by one, he had destroyed the Takeda clan, invaded the territory of the Uesugi clan, succeeded in pitting the Amago clan against the Mori clan, eradicated the Hongan-ji, and conquered or otherwise subdued the remaining minor forces that existed. Through all of this work, Nobunaga was almost able to unite the whole of Japan. He had formed plans to invade Shikoku and Kyushu, which would have been part of his final stage in bringing the whole of Japan under his unified control. But, as the saying

goes, the climax was always followed by the downfall, and Nobunaga's downfall took place following his grand victories. Following the triumphs of 1581, he began to banish many generals who had fought beside him for decades. Many of these banishments were the result of minor causes. He started to become very cruel, killing his enemies if they would not surrender. Once he burned a whole temple with hundreds of monks in it simply because they were trying to save some innocent Takeda people from being brutally murdered by Nobunaga. But among the various events that herald the collapse of his triumphant career, none was bolder and more audacious than his attempt to overthrow the emperor of Japan.

The imperial system had existed in Japan for more than 800 years. The emperor had many supporters, including Mitsuhide, who was one of his most vocal advocates. During these years, his relationship with Nobunaga was worsening. Not only had Mitsuhide lost all his power in the military, but his counsel was also ignored by Nobunaga. Mitsuhide tried to negotiate with the Chosokabe clan before Nobunaga ordered his forces to invade Shikoku. The negotiation went very well; the Chosokabe clan was going to support Nobunaga in the fight against the Mori clan by invading Kyushu. Mitsuhide even married his sister to the lord of Chosokabe clan. But Nobunaga only wanted to invade. He ignored all the treaties Mitsuhide had made and attacked the Chosokabe clan directly.

Furthermore, when Nobunaga was attacking the Hatano clan, Mitsuhide sent his aunt inside their home castle, seeking surrender. The lord of the Hatano clan was moved by the sincerity of Mitsuhide and agreed to unconditional surrender. But Nobunaga, wishing revenge for all the soldiers and time he had lost fighting against the Hatano clan, decided to attack the city, despite their willingness to surrender. The Hatano clan was furious at the dishonesty of Nobunaga and killed the aunt of Mitsuhide.

Though these events were very embarrassing for Mitsuhide, the biggest disgrace in his life happened in Azuchi castle. Since Mitsuhide was no longer in

charge of any military elements, Nobunaga placed him in charge of the castle's inner affairs. It was a waste of talent since Mitsuhide was one of the more gifted generals in Sengoku Jidai. Nevertheless, Mitsuhide did not complain about his terrible job. Instead, he worked hard to keep everything in order. One day, Ieyasu visited the castle on his way to support Hideyoshi's assault against the Mori clan. Nobunaga was very happy to see his old friend, so he ordered Mitsuhide to prepare a very luxurious feast for them. Though Mitsuhide tried his best, Ieyasu and his retainers did not like the food: they thought the fish was poorly made. Nobunaga, embarrassed by the situation, slapped Mitsuhide and criticized him in public. Mitsuhide was angry with Nobunaga, and when he realized that the latter had ambitions of overthrowing the imperial system to which he had devoted himself, he made plans to thwart Nobunaga's efforts.

Shortly afterwards, Hideyoshi – who was still engaged in fighting the Mori clan – wanted more support. Nobunaga sent Mitsuhide with 13,000 men to help [11]. Meanwhile, Nobunaga also summoned a larger army from near Kyoto to give a final strike against the Mori and Chosokabe clans. Nobunaga was staying at the Honno-ji while waiting for the army to gather. One morning, he was wakened by rapid noises. Thinking that his soldiers were engaged in conflict, Nobunaga was ready to scold them, but then, he heard the sound of guns. Having realized that someone was rebelling, he got his bow and arrows to start fighting. But after he used all of his arrows, he realized that there was no way out. He set the temple on fire and committed suicide. Thus ended the legendary life of Oda Nobunaga.

Although he possessed many strengths, luck played a tremendous role in Nobunaga's life. He was able to win most of the difficult battles he fought, not through strategy itself but fortune. When two of his most dangerous enemies died before they could attack him, it became clear that he was the beneficiary of good fortune. But, in the end, on the verge of his greatest success, his actions spoiled his luck. He was

cruel, ruthless, and unreasonable as he became more and more powerful. A lot of his actions were so questionable that even his own retainers disagreed with

him. Maybe his luck was taken away by the gods after his brutal behavior, and they sent one of Nobunaga's most trusted generals to rebel against him.

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## **A WORLD WITHOUT A COMMON ETHNIC BASE: AN ESSAY ON THE LEGACIES OF EUROPEAN COLONIALISM**

**Abstract.** The era of modern colonialism began around 1500, after Europeans discovered a sea route around the southern coast of Africa (1488) and America (1492). With these events, sea power shifted from the Mediterranean to the Atlantic and to emerging nation-states such as Portugal, Spain, the Dutch republic, France and Britain. Seeking discovery, conquest, and settlement, these countries expanded and colonized all over the world, spreading European institutions and cultures. The purposes of colonialism included economic exploitation of the colony's natural resources, creation of new markets for the colonizer, and extension of the colonizer's way of life beyond its national borders. European colonizers engaged in various actions that had both short-term and long-term consequences for the colonized. There were not only ecological and societal impacts – including disease, and land and labour exploitation– but also geographical and demographical influences like the reorganization of borders and different colonial investments. The establishment of this European mercantile system and the corresponding emigration of Europeans and changes of ethnic identity are still reverberating today.

**Keywords:** European colonialism, Legacies of Colonialism, Ethnicity, The age of Discovery, European Conquer.

The era of modern colonialism began around 1500, after Europeans discovered a sea route around the southern coast of Africa (1488) and America (1492). With these events, sea power shifted from the Mediterranean to the Atlantic and to emerging nation-states such as Portugal, Spain, the Dutch republic, France and Britain. Seeking discovery, conquest, and settlement, these countries expanded and colonized all over the world, spreading European institutions and cultures. The purposes of colonialism included economic exploitation of the colony's natural resources, creation of new markets for the colonizer, and extension of the colonizer's way of life beyond its national borders. European colonizers engaged in various actions that had both short-term and long-term consequences for the colonized. There were not only ecological and societal impacts – including disease, and land and labour exploitation–

but also geographical and demographical influences like the reorganization of borders and different colonial investments. The establishment of this European mercantile system and the corresponding emigration of Europeans and changes of ethnic identity are still reverberating today.

Contacts between explorers and populations in the rest of the world often introduced new diseases, which sometimes caused local epidemics of extraordinary virulence. European colonization contributed to the spread of disease worldwide. Trade routes and the new world conquered the destroyed indigenous peoples as they were exposed to new pathogens and domesticated animals. For example, it is estimated that new primatological epidemics (pathogens introduced by Europeans in previously uninfected areas) killed “more than 90 percent of the population of Central America and the Andes” during

sixteenth centuries (“Colonial Medical Anthropology & the Making of the Central African Infertility Belt”) [9]. In addition, the sexual transmission of disease increased with colonization. Tuberculosis, an infectious disease of humans and animals caused by a species of mycobacterium mainly infecting the lungs, was the leading cause of death in Europe and North America in the 19<sup>th</sup> century (*White Plague, Black Labor*) [15]. As a result, Europe’s contribution to global pathogen exposure created a “global disease homogeneity”, in which infectious diseases spread without crossing borders. Nonetheless, the effects of disease on health were long lasting, especially as the health of the Europeans improved while that of the colonies deteriorated. In response to the infection, European military and government officials living in colonies in Africa and Asia were quarantined in safe areas away from people who were considered carriers of the disease. Those Europeans considered the natives biologically inferior to them. In addition, European efforts to improve the health of imperial subjects were often fraught with contradictions, both because of the increased burden of disease and because health was harder to control than the officials expected. The conquest was violent and destructive, radically changing landscapes and lives; the medical expert Patrick Manson coined the term “pathological revolution” for tropical Africa in 1902 (*Africa as a Living Laboratory*) [18]. Manson was commenting on several epizootic diseases, such as rinderpest, which swept through eastern and southern Africa in the 1890s, decimating cattle populations and stirring massive social and economic unrest. He was also concerned that the spreading sleeping sickness (trypanosomiasis), a tsetse-borne disease that is fatal to humans unless treated, had recently broken out in areas around Lake Victoria, including Congo, Uganda, Sudan and Tanzania. The habitat of flies had changed in previous decades, introducing tsetse flies and some animals closer to humans, especially cattle. Thus, at least in some areas, people had become a delicious and convenient meal for these flies, which

in turn increased transmission rates and spread diseases in new areas (“Sleeping Sickness Epidemics & Colonial Responses”) [6]. Since the beginning of the twentieth century, the elimination and control of diseases in tropical countries has been the driving force for all colonial powers. Africa’s sleeping sickness epidemic has been brought under control as mobile teams systematically screening millions of people at risk. In the twentieth century, thanks to advances in medicine, death rates in many countries fell and the world’s population saw the biggest increase in human history. In fact, the world’s population has grown from 1.6 billion in 1900 to more than 7 billion today. After the end of imperialism, many imperialistic countries continued to utilize and try to strengthen their “inherited” health care systems, which consisted of “inadequate” and “top-heavy” structures based on Western medical models. These models continue to benefit elites by addressing the “rural poor” once “the needs of the urban elite are met” (“Sleeping Sickness Epidemics & Colonial Responses”). Hospitals in metropolitan areas are placed as priority, followed by small rural clinics which are underfunded, understaffed, and thus inefficient.

Exploitative colonialism is a form of colonization in which foreign colonists subjugate a country to control and utilize its natural resources and indigenous populations. Prior to colonization, indigenous societies did not necessarily regard land as private property. Instead, land was a public resource that everyone could use. Once the natives began to associate with colonial settlers, a long history of land abuse followed. Extreme examples include the Trail of Tears, the forced reservation of Native Americans after the Indian Removal Act of 1830, and apartheid in South Africa. Australian anthropologist Patrick Wolff points out that in these cases, the aborigines were not only driven off the land, but the land was actually transferred to private ownership. He attributed the local-mania to economic migrants belonging to Europe’s landless class (“Settler Colonialism & the Elimination of the Native”) [19].

Take India as another example: Abhijit Banerjee and Lakshmi Iyer found different legacies of British land tenure system in India. In the post-colonial era, areas that gave land ownership to landlords were less productive and less invested in agriculture than areas where land ownership was dominated by tillers. The former area also had lower levels of investment in health and education (“The Legacy of Colonial Land Tenure Systems in India”) [2]. In other words, laborers were a particularly maltreated group under colonists. While capitalist systems almost always employ some form of paid labour, the dynamic relationship between laborers and colonial powers left room for extreme misbehavior. African workers were more vulnerable to exploitation than European workers because the colonial system had created a complete monopoly on political power, making the working class small and incapable of collective action. Coupled with deep-rooted racism, local workers faced an impossible situation. The racism and sense of superiority experienced by the colonists justified their systematic underpayment of Africans even when they worked with European workers. The colonialists further justified their different incomes by claiming that the cost of living was higher. Mr. Rodney disputed this excuse by claiming that the quality of life and cost of living in Europe were only possible because of the exploitation of the colonies, while the standard of living of Africans was deliberately held down to maximize income. Rodney believed that colonialism led to the underdevelopment of Africa and there was no way forward (“How Europe Underdeveloped Africa”) [16]. The ethnic division and its associated claims of natural superiority enabled the Europeans to use extreme violence, including genocide, to launch three catastrophic attacks. The first attack was on the material world, especially for the exploitation of lands of conquered non-Europeans peoples, to extract gold, silver, and other commodities. The second was an attack on the native populations of the world, because they were free labor resources and also ripe for sexual exploita-

tion. The third attack involved changing indigenous religions, knowledge, and identities.

Throughout European colonial periods, authorities often divided land and demarcated borders, which still exist today. According to some estimates, Britain and France defined almost 40% of the length of the international borders today (*Tracer des frontières à Djibouti*) [10]. Sometimes borders were natural, such as rivers or mountains, but sometimes they were created and negotiated by European colonial powers. Because boundaries were created artificially, they mainly did not conform to “typical demographic, ethnic, and topographic boundaries.” Instead, they were created by colonialists to advance their political goals. This has led to the fragmentation of ethnic groups; and more localized problems, like the separation of the family home from the farm (*Scars of Partition*) [13]. The Berlin conference of 1884 institutionalized European colonization of Africa and is often referred to as the scramble for African origins. The conference implemented the principle of effective occupation of Africa, which enabled European Empires to claim sovereignty over their lands, resources, and peoples even with the weakest links to the African region. In fact, the conference allowed for the arbitrary establishment of sovereign borders in territories that have never existed before. This indiscriminate reorganization of borders put Africa in a tough spot. While the stability of nation-states has not changed with it, modern national boundaries remain remarkably constant. African countries suffer from internal problems, such as an inability to collect taxes effectively and a weak sense of national identity. There was no external threat to their sovereignty, no consolidation of power, no weakening or failure of states. In addition, this perfunctory division of the continent created vast ungoverned boundaries. These boundaries areas still exist today as safe harbor for crimes such as human trafficking and arms smuggling (*States power in Africa*) [7]. Although colonial borders sometimes cause internal and external conflicts and difficulties, some leaders



today benefit from the boundaries drawn by their former colonial rulers. For example, the inheritance of an estuary – and the trading opportunities offered by a port – gives Nigeria a clear economic advantage over its neighbor: Niger. Indeed, the early carving of colonial space transformed natural endowments into state-controlled assets [13, p. 47–102].

When European colonists entered an area, they always brought new resources and capital management. Different investment strategies have been adopted, including focusing on health, infrastructure, or education. All colonial investment has had a lasting impact on post-colonial societies, but some types of spending have proved more beneficial than others. Elise Huillery, a French economist, conducted a study to determine which types of public spending were closely associated with today's high levels of development. Her findings are twofold. First, Huillery points out that the nature of colonial investment could directly affect current levels of performance. Increased spending on education leads to higher enrollment rates for schools; multiple access to doctors and medical facilities reduces preventable diseases in children; The colonial emphasis on infrastructure has translated into more modern infrastructure today. In addition, Huillery learned that early colonial investment created a pattern of sustained spending that directly affected the quality and quantity of public goods today (“The Long Term Impact of Colonial Public Investments”) [8].

Mercantilism, a widespread economic theory and practice in Europe from the 16<sup>th</sup> to the 18<sup>th</sup> centuries, promotes government management of a country's economy in order to increase state power at the expense of the power of other countries. It is the economic counterpart of political absolutism. In other words, colonies should be used as export markets and to supply raw materials to their mother countries. Manufacturing was banned by the colonies, and all trade between the colonies and their mother countries were considered monopolies by the mother countries. The policies and practices adopted by

King Leopold II of Belgium in the Congo Basin were an extreme yet typical example of the European mercantilism system (“The Colonial Origins of Comparative Development”) [1]. This kind of mercantile relationship, which eliminated traditional commercial markets in favor of pure exploitation, is the main cause of injustice in Congo. Under a “veil of charitable motives,” King Leopold secured the agreement of several international governments, including the United States, Britain, and France, to assume trusteeship over the vast region in support of the elimination of the slave trade. Leopold positioned himself as the owner of nearly a million square miles of land that was home to nearly 20 million Africans (*King Leopold's rule in Africa*) [14]. After Leopold established his dominance in the Congo Basin, he mined vast amounts of natural resources such as ivory and rubber. Leopold was estimated to have earned \$1.1 billion in today's dollars by exploiting various local resources. When goals for exploitation were not met, soldiers held women hostage, beat or killed men, and burned crops [14, p. 31–39]. These and other forced labor practices had led to a decline in the birth rate as famine and disease spread throughout the colonies.

After the Age of Discovery, different European groups began to emigrate, mainly in Australia, New Zealand, the United States, Canada and Latin America; Argentina, Uruguay, Cuba and Brazil, in particular, make up the majority of the population of European descent. The discovery of New World in 1492 spurred a steady stream of voluntary immigrants from Europe. Approximately 200,000 Spaniards settled in the American colonies 1,600 years ago, a small settlement compared with the 3 to 4 million Native Americans who lived on Spanish territory in the New World. A steady flow of European continued to move. In the 16<sup>th</sup> century, not only Spanish, Portuguese government, church officials, but also farmers, the working class, and their families poured in to their colonies: an average of about 3,000 people a year from a population of 8 million. Between 1500 and 1650, 437,000 people left Spain for Cen-



tral and South America, and the Caribbean islands. It is estimated that more than 1.86 million spaniards emigrated to Latin America between 1492 and 1824, one million in the 18<sup>th</sup> century, and even millions more after independence (*La emigración española a América*) [11]. Apart from colonial settlement, there were also emigration for economic profits. Between 1500 and 1700, only 100.000 Portuguese crossed the Atlantic to settle in Brazil. However, the number of Portuguese settlers in Brazil had increased fivefold as a result of the discovery of many high-yielding gold deposits in Minas Gerais. From 1500 til 1822 when Portugal became independent, approximately 500.000 and 700.000 Portuguese settled in Brazil; 600.000 of whom only arrived in the 18<sup>th</sup> century. More than half a million Portuguese immigrants entered Brazil from 1700 to 1760. During the 18<sup>th</sup> century, in turn of the gold rush, the capital of Minas Gerais state, Villarrica (today Ulopreto), became one of the most populous cities in the new world. The influx and influence of Portuguese immigrants created a city that to this day remains one of the best examples of European architecture in the Americas in the 18th century. However, the development of the mining economy in the 18<sup>th</sup> century increased wages and employment opportunities in the Portuguese colonies, as well as increasing immigration: about 600.000 Portuguese settled in Brazil, a massive migration given that Portugal's population of only 2 million, in the 18<sup>th</sup> century (*Canadian history to Confederation*) [5].

The changes of colonial to ethnic identity could be discussed from the perspectives of politics, sociology and psychology. Colonialism in any form is rarely a simple act of political control. Ethnic manipulation manifested itself outside the personal and internal sphere. Ethnic identity contributed to the Rwandan Genocide. After the assassination of President Juvénal Habyarimana in April 1994, Hutus in Rwanda betrayed their Tutsi neighbors and slaughtered between 500.000 and 800.000 people in just 100 days. While the situation was politically

complex, the impact of ethnicity on violence cannot be ignored. Before Germany colonized Rwanda, Hutu and Tutsi identities were not fixed. Germany ruled over Rwanda through a Tutsi monarchy, and the Belgians continued to implement this system after they took over. Belgium's rule emphasized the division between Tutsi and Hutu. Tutsis were considered superior, which Belgians supported Tutsi rule as a minority, and thus Hutus were systematically suppressed. Then, after the so-called Hutu Revolution, there was a dramatic shift in power in Rwanda. During the Revolution, Rwanda gained independence from the colonists and established a new Hutu government. Nonetheless, Belgians had not shaken off deep-rooted ethnic tensions. Instead, the new government strengthened its divisions (*The Order of Genocide*) [17].

The conflicts of weak post-colonial states are rooted in civil society. Rather than considering the state as a single dominant entity, it is more like a "cyber society" of social organizations. These organizations are a mixture of ethnic, cultural, local and family groups that form the foundation of our society. The state only occupies a small portion in a larger framework. Powerful states can effectively manipulate complex social frameworks and exert social control over people's behavior. Weak states, on the other hand, are lost in the decentralized authority of complex societies ("Strong societies & Weak States") [12]. The issues of civil societies could be clearly seen through the series of conflicts in Sierra Leone. A country's leader, President Joseph Saidu Momoh, was widely seen as weak by public. Just three years later, civil war broke out in the country, lasting nearly 11 years. The basis of this turbulent period was the fragmented social control exercised by the British colonists. The colonists used the typical British indirect ruling system to empower the local chiefs to mediate British rule in the region, which in turn gave the chiefs power to exercised social control. After independence from Britain, the chiefs remained entrenched and did not

allow the necessary consolidation of power needed to build a stronger state. States and societies must form symbiotic relationships of mutual benefit in order for each to flourish. However, the peculiarities of post-colonial politics are often worsening the situation [12, P. 141].

European colonialism and colonization were a policy or practice of gaining full or partial political control over other societies and territories, establishing colonies, occupying them with settlers, and using them economically. The present

situations of post-colonial countries are rooted in colonial behaviors and policies (*Good, Bad, and Ugly Colonial Activities*) [4]. For example, colonial policies, such as the type of rules implemented, the nature of investments, and the colonial identity, are considered to be factors affecting post-colonial countries (*European Economic Review*) [3]. The investigation of the process of national construction, economic development, cultural norms, and customs shows the direct and indirect consequences of colonialism on post-colonial countries.

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## Section 4. Management

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### A CRITICAL ANALYSIS OF MULTICULTURAL WORKPLACE INFLUENCES ON EMPLOYEES' ENGAGEMENT

**Abstract.** The study attempts to analyze how the multi-cultural workplace environment influences employee engagement and how the engagement strategies help to create a value-driven workforce in the workplace. The study emphasizes teaching and non-teaching employees engaging in academic and administrative activities in the University of Hail of Kingdom of Saudi Arabia. The study applied various theoretical and cultural models to explore the relationship between organizational culture and employee engagement. The models implemented are Schein's Model 1992 [1]; The Cultural Web 1993 [2]; and Barrett Model (1996–97) [3]. These models analyze the scope of culture, belief, and value system to the university in building the relationship, establishing structures and power control systems in pursuit of societal objectives. The study will help the researchers to identify the scope of organizational culture in employee engagement. Also, implementing various cultural models will be the implication to the researcher for personal and corporate development.

**Keywords:** Organizational culture, Employee Engagement, Schein Model, Cultural Web, Barret Model, Saudi Arabia.

#### Introduction

Employee engagement is a stronger prediction of organizational performance of employees and employer relationship, and engaged employees have secure emotional attachments and involvement with their organization and job [4]. Schein (1992) defines organizational culture as:

*“A pattern of shared basic assumptions that the group learned as it solved its problems of external adaptation and internal integration, that has worked well enough to be considered valid and, therefore, to be taught to new members as the correct way to perceive, think, and feel in relation to those problems [1]”.*

Employees become more productive when their personal values are closely aligned with employer's value [3]. Handy (1999) described a phrase of Peter Drucker that not considering culture when setting strategy, is a risky approach [5].

The stronger organizational culture is, the better an organization performs as members become more satisfied [6]. A high-performance culture can attract and engage high-potential talent and also engage by the company core value [7]. The behaviour throughout the organization is consistent with the stated values, leading to trust and a sense of integrity [8].



The organizational culture, communication and employee engagement have effective relations [9] and promising strategy in improving organizational competitiveness [10]. Employee engagement is an important issue for productivity and performance [11]. Pawar (2009) reviewed the many antecedents of employee engagement in which he considered organizational culture and communication [12]. Organizational culture and communication need to be focused on enriching employee's vigor, dedication, and performance [9]. An organization should open, supportive, and team culture, aligning with employees personal and organizational goals [13]. Islamic culture influences employee engagement [14]. National culture also influences employees' perceptions of their employer's practices and actions [15].

Employee engagement is a valuable framework for values-based culture change [16]. Engagement is the level of commitment which an employee or group of employees will give to an organization on both an emotional and intellectual level [17; 7]. The factors, training & Development, organizational communication, reward, recognition contribute most to employee engagement [14]. Saudi traditions are heavily influenced by Islamic culture [18] and the country implements Sharia's Islamic principles [19].

Gender segregation influences the work-culture. Females are not allowed to share offices with male employees [20].

### **Purpose of the Study**

To understand the relationship between Organization culture and employee engagement at the university of Hail, Saudi Arabia through applying various cultural models.

### **Methodology**

The author is insider researcher in this research paper and working as an Assistant Professor at College of Business Administration at the University of Hail, Saudi Arabia since 2011. The author was one of the member of the team of three academicians to design and develop the Bachelor of Science (BS)

program in Management. He has been continuously participating in various CBA developmental and change committees at the college. The information collected for the purpose of the research is his own multi-cultural work experience with the College of Business Administration (CBA), College of Computer Science & Engineering (CCSE) and College of Engineering (COE) of the university of Hail. The author was instructor for management courses other than CBA in CCSE and COE at university of Hail. The published data has also be considered in the research in relation to Higher education in Saudi Arabia. As an Insider researcher, the research is author's own effort to analyse Multicultural Workplace Influence on Employees' Engagement at the university of Hail of Kingdom of Saudi Arabia.

### **Cultural Models**

#### **1. Schein's Model (1992)**

Schein (1992) grouped cultural assumption into three levels named as Artefacts, Espoused values and Basic underlying assumptions [1]. Each level describes difficulty to articulate and change.

#### **Artefacts**

The university of Hail has multi-cultural teaching and learning environment. The male & female campuses are separated from each other for students and employees both. The male instructors can deliver the lecture to the female campuses only through video conferencing. The multi-cultural work environment of the campus strengthens its structure and gives life to various programs and procedures in establishing international standards. The Saudi employees have their customary dress code while the male expatriate follows the formal dress code system. The place for prayer and the cafeteria is common. The parking space for the staff and students are separately allotted in the campus of all the colleges.

#### **Espoused beliefs and values**

The university of Hail (UOH) strength is its multi-cultural engaged workforce. The university's colleges has distributive work culture. The staffs

have the freedom to contribute their innovative and diverse ideas in establishing espoused values and belief throughout in their campuses. Employee engagement is a valuable framework for values-based

cultural change [16]. The colleges has the policy of engaging its employees in the academic and administrative activities to strengthen its mission, vision and fulfilling the goals and objectives.

[www.valuebasedmanagement.net](http://www.valuebasedmanagement.net)

## Three Levels of Culture (Schein)

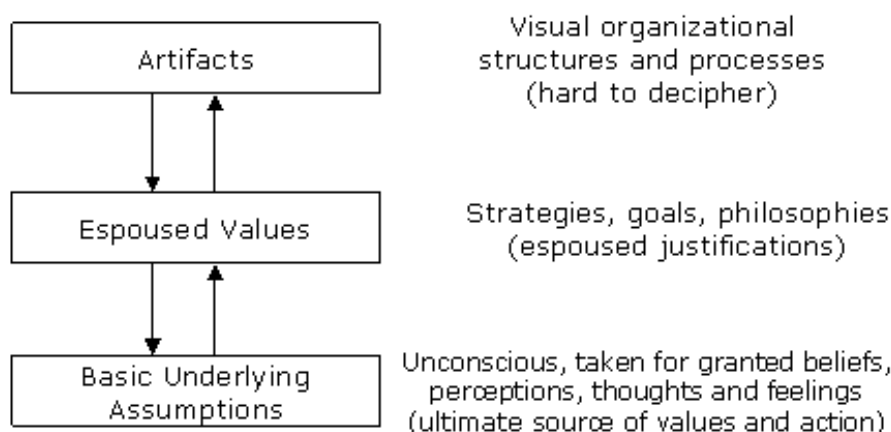


Figure 1. Three Level of Schein Culture

Source: Schein's Three Levels of Culture: Summary and Forum. [online] 12manage.com. Available at: [http://www.12manage.com/methods\\_schein\\_three\\_levels\\_culture.html](http://www.12manage.com/methods_schein_three_levels_culture.html) [Accessed 17 July, 2017]

### Based underlying beliefs

The workplace follows strong Islamic culture, values and beliefs [17]. The suitable place to pray for the students and staffs has provided in the campus of every college. During Ramadan (Holy Islamic festival) period, the students and staff have provided some reduced hours from their usual workings. The Islamic culture and gender segregation has a strong impact on the work environment [20]. Surveys and interviews with employees are not enough to draw out these attributes [21].

### Model Implication

The Schein's model analysis describes that the university of Hail (UOH) Artefact, its belief and values, multi-cultural environment, underlying beliefs have a strong motivational impact for engaging myself and other staffs with the university. The applied model indicates that the UOH multi-cultural environment has a strong relationship with the employee engagement.

### 2. Cultural Web

The model identifies six interrelated elements offered by Johnson & web (1993) call the "paradigm" is used to describe the culture of university of Hail, Kingdom of Saudi Arabia [2].

#### Stories

The university of Hail, Saudi Arabia has the distributed power delegation system with participative decision making, valuing its multi-cultural workforce of diverse specialization. The decision making process takes place collectively by respective committee members and department chair of the respective colleges. The students' feedback has an important contribution in program evaluations.

#### Rituals and routines

Every college have the policy to treat its employees equally and in a respectful and transparent manner. The university campus has the common policy to use the cafeteria and toilets.

The campus has a common place to pray for students and staffs. Islamic Shari'ah principles have a strong positive impact on culture [18] and gender segregation [20]. Saudi women should be able to choose whether to wear a head cover or black Abaya in public [22]. The traditional dress for Saudi men are thawb.

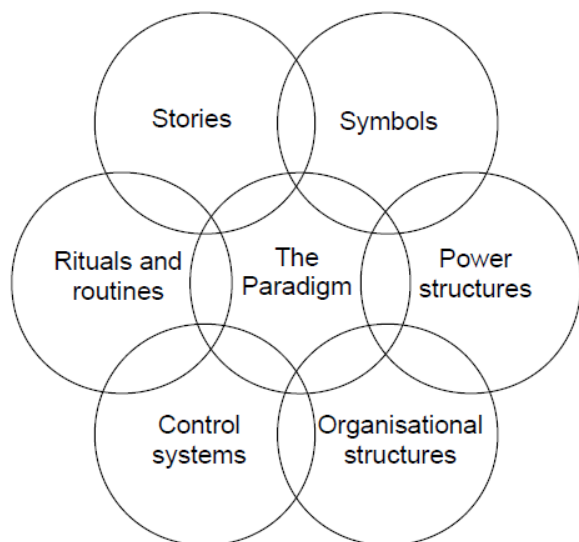


Figure 2. Cultural Web

Source: *The Cultural Web: Aligning Your Organization's Culture With Strategy*. [online] Available at: [https://www.mindtools.com/pages/article/newSTR\\_90.htm](https://www.mindtools.com/pages/article/newSTR_90.htm) [26 August, 2019]

### Symbols

The native staff and students wear the traditional uniform while the other nationality people wear the formal dress during the office hours. Arabic is an official language. The visible elements influence the way in which employees make sense of events [23].

### Organizational structure

The university has multi-tier organizational structure having the college dean on the top following the Vice Deans of Academic, Research, Quality assurance, Academic advising and Administration. Every college in the university consists of various department. Each college have its individual structure. I have four departments at College of Business Administration (CBA), these are Management; Information Systems (IS), Economics & Finance and Accounting. The College of Engineering (COE),

and College of Computer Science & Engineering (CSEE) also have different department as a part of their individual organizational structure. The university culture has strongly influenced by its multicultural staff and students.

### Control systems

Every college of the university has internal control system includes the College council, Departmental council, Quality assurance committees, Academic advisory board, Program Coordinators and Course Coordinators. The colleges have annual performance appraisal system at the campus and faculty feedback system for the courses they are teaching. The students feedback have also been taken for the courses in relation to teaching & learning.

### Power structures

The university have distributive power structure. Each college consists of the Dean, Vice deans of Academic, Research, Quality Assurance, Advising and Administration. The departmental activities have been governed by the respective department heads. 'Power Structures' deal with the kind of power adopted in an organization, the persons in charge of decision-making [23].

### Model Implication

The model analysis shows that university's traditional values, belief system guided by Sharia principles. The common use of utilities such as a cafeteria and toilets help in building a cohesive work-culture in the college. The hierarchal structure, distributed power and control system with participative decision influenced working practices positively. The stronger workplace culture positively influenced my and other staffs relationship with the university. It implicates a strong association of culture with employee engagement at the university of Hail, Saudi Arabia.

### 3. The Barrett Model

The seven-level model (1996–1997) describes the evolutionary development of human consciousness grows in the stages of psychological development [3].





Figure 3. Seven Level of Organizational Consciousness

Source: [https://www.valuescentre.com/sites/default/files/uploads/2010-07-The Barrett Model.pdf](https://www.valuescentre.com/sites/default/files/uploads/2010-07-The%20Barrett%20Model.pdf)/ Barrett Model (1996-1997)

### Survival

The university of Hail, Saudi Arabia is an public sector organization operating under ministry of education and following the norms of NCAAA. The education is free for the students. The university provides free medical facilities, free child education for all the employees and free housing and annual air tickets for expatriates only. The college has participative decision making system along with distributive power & control.

### Relationship

The university colleges have harmonious relationship with the employees. The teaching and administrative staff have the freedom to discuss on any college-related matter freely.

Every employee has assigned some special tasks as per the specialization and experience. The department chair assigned the duties and responsibility in-

dividually or in teams to the employees. To get connected with one another through teamwork creates the feeling of the belongings and support among the employees.

### Self Esteem

The university of Hail, has its own system of established policies, procedures and structures following the university guidelines. Every college have to follow these polices, procedure and structures formulated by the university. The employees have freedom to perform their duties and responsibilities following hierarchy without any internal or external interference.

### Transformation

The final decision has taken with the approval of more than a half committee members in college councils or department councils meetings. The col-

lege provides the opportunity and support to the staff for their continuous learning, improvement and personal growth through conducting faculty development programs (FDPs), research workshops and other allied activities in this regard.

**Internal Cohesion**

The university employees are motivated to work for a singular vision with shared value, belief and norms through collective effort. The multi-cultural workforce provides the opportunity for creativity and innovation for the academic and non-academic employees both. The collective action results in high employee engagement and inspiring vision with shared values and beliefs that create commitment toward achievement of individual and organizational goals.

**Making a Difference**

The university follows the National Commission for Academic Accreditation and Assessment (NCAAA) guidelines of Saudi Arabia. It is an autonomous body, but directly responsible to the council of higher education (www.ncaaa.sa). The university is accredited by the Accreditation Service for International Schools, Colleges and Universities (ASIC). The colleges of the university has initiated the process to make strategic alliances through getting as-

sociated with international bodies thorough getting accreditation.

**Service**

The university has provided multi-cultural teaching and administrative staff to the students in pursuit of their personal and societal objectives. The university has a mix of national and international teaching staffs with diverse experience. The effort of the government is to motivate the society through implementing free education-culture and help the nation in creating an efficient workforce. Cultural change needed if service transformation is to be realized [16].

**Model Implication**

The model analysis shows that the culture of employee welfare, participative decision making and acting collectively have created a sense of the belongings for the employees. The university of Hail, Saudi Arabia is creating a sense of accountability for me and other employees through providing the opportunity for the personal growth and development. The strong interconnecting culture of the university with the departments of multi-cultural staff with an initiative to external alliances has been giving the staffs an opportunity to develop my skills globally.

Table 1. – Critical reflection of Models on Personal Learning and Practice

<b>Schein’s Model</b>	<b>Cultural Web</b>	<b>Barrett Model</b>
The artifacts based on Islamic principles with espoused values and underlying belief give a positive direction to me and other staffs to engage with the university multi-cultural work environment actively.	The traditional culture, values, and belief system following Islamic principles having distributive power and control with collaborative practices influence me to get actively engaged with the University of Hail, KSA.	Employee welfare, harmonious relationship, student satisfaction, innovative teaching, shared belief and values, strong ethical consideration and expected alliance with international bodies gives me a strong motivation to getting connected with the University of Hail, KSA.

**Conclusion**

The study analyses the relationship between culture and employee engagement through applying Schein Model; Cultural Web; and Barrett Model of the organizational culture. The Schein Model analyses that the college artifact, belief, and values,

underlying strong Islamic cultural base have a strong relationship with employee engagement. The Cultural Web analyses that universities traditional values, belief system guided by Sharia law have a substantial impact in building organization structure with distributed power and control system resulting in high

employee engagement. And the Barrett model analyses that the University of Hail, KSA has established a strong work-culture through providing employees' welfare; building a good relationship, developing participative and collaborative work-culture, and creating a sense of belongings through providing an opportunity for the personal growth. Also, the colleges of the University of Hail, are in the process to get accredited by international bodies in pursuit of societal objectives to foster a value-driven culture in the workplace [24]. The overall analysis shows that Multi-cultural organizational work environment plays a significant role in creating the value-based organization through establishing behavioral norms and engaging employees at the workplace.

#### **Limitations**

In conventional practices, the organizational cultures are not similar for all [25]. The simple organizations adopt one culture, and complex organizations might have more than one sub-culture.

The organizations successful in one specific culture, might not be successful in another one [5].

#### **Critical reflection on Learning and Practices**

- The university of Hail, KSA has developed a strong understanding of the culture, value, and behaviour for me along with other academic and administrative staff of the university. Its principles and theories have positively influenced relations with the students and the staff of the university;
- It has developed the skills and abilities to work with the multi-cultural work environment of the university;
- The understanding of various models & cultural theories have improved critical thinking and problem-solving skills;
- These models and approaches will have a strong implication for professional practitioners throughout the Kingdom and other places worldwide.

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## Section 5. Pedagogy

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### **SOME LINGUODIDACTIC PROBLEMS OF DEVELOPING LEARNERS’ SKILLS OF READING AND TRANSLATING PROFESSIONAL TEXTS (WITH AN EMPHASIS ON TEXTS ON ECONOMICS)**

**Abstract.** In the focus of the paper are some topical problems of teaching a foreign language to specialists in a particular field of science or technology in order for them to achieve a level of proficiency sufficient for using the foreign language as a means of international communication. It is argued that developing such a level of communicative competence necessitates to exposing learners to all types of speech activities and practices conducive to perfecting the art of effective communication, facilitating socialization and socio-cultural integration, academic mobility, accumulation of social and human capital. The authors’ immediate concern is with teaching a foreign language to students of economics in view of the growing demand for experts in this field on the global labor market. In view of the fact that students of economics spend a lot of their time in the virtual space, which increases their professional scope but reduces the quality of their written and oral communication, enhancing their students’ «academic literacy» presents a challenge to Ukrainian teachers,

particularly considering a lack of empirical studies that address these issues. Familiarizing students with the so-called «economic discourse» is presented as a useful option in this respect.

**Keywords:** foreign language proficiency, competence-based approach, communicative competence, academic literacy, economic discourse.

According to the European Framework of Reference for Languages (Learning, Teaching, Assessment) [1], the main aim of teaching a foreign language to professionals – specialists in a particular field of science or technology is development of learners' communicative competence, which means achieving a level of proficiency sufficient for using the foreign language as a means of international communication, a tool for maintaining a dialogue between the cultures and civilizations of the modern world. The basis of communicative competence is formed by communicative skills that are acquired in the course of accumulating by learners of in-depth linguistic knowledge, including significant socio-linguistic and linguo-cultural information pertaining to a particular linguo-culture. In order to develop the required level of communicative competence, it is necessary to expose learners to all types of speech activities and practices conducive to perfecting the art of effective communication, broadening general and professional education, as well as ensuring personal development [2]. The competence-based approach, consequently, does not only prepare learners for future professional activities, but is becoming essentially a mechanism that facilitates socialization and socio-cultural integration, academic mobility, as well as accumulation of social and human capital.

In view of the above, the mission of the teacher changes drastically: the teacher is no longer a source of knowledge, but plays the role of the leader and organizer of the learning process. This involves, among other things, assisting students in choosing their right educational paths, training them in the use of new educational technologies (educational portals, e-textbooks, e-dictionaries, and other Internet resources), encouraging them to fully use their creative potential.

The said considerations fully apply to teaching “Foreign Language for Professional Purpose” university courses, including training students in the reading and translation of professional texts.

Our immediate concern in this paper is with teaching a foreign language to students of economics in view of the fact that there is a growing demand for experts in this field on the global labor market.

Economists nowadays have access to a broad range of professional literature and databases, both national and international, including sources such as: international accounting and auditing standards, international statistical data collections, etc. To be able to use them effectively in their work, future specialists in economics should be taught good skills and acquire competence in reading and translating all kinds of economic texts from a foreign language into their own.

The main purpose of reading a professional text is to extract the necessary information from it at a level of understanding, characterized by completeness, accuracy and depth [3]. Pedagogical recommendations on this matter prescribe to consider the following factors, while teaching professional reading and translating foreign language texts, including texts on economics:

- availability of the corresponding skills;
- general linguistic and cultural knowledge;
- the possibility of interference between the reader's or translator's first and second languages which may affect the accuracy of both understanding and translation;
- the reader's competence in using professional lexis and terminology.

According to L. Shaposhnikova [3], reading foreign texts develops students' thinking, helps to develop their feeling of a foreign language, to better understand the characteristic features of the foreign

language system and contrast them with those of their mother tongue. We share the opinion of L. Shaposhnikova and all those other scholars who argue that getting an insight into the content of a foreign text requires from the reader considerable cognitive effort and mental work, without which identifying the author's ideas, separating essential information from insignificant details, developing linguistic conjectures and antithesis, and overcoming grammatical and semantic difficulties would be simply impossible.

A. Marlova [5, 83] stresses that tutoring and training students in the reading of professional texts in a foreign language is a major goal of foreign language instruction at non-linguistic university departments, the successful solving of which may have a powerful impact on learners' future professional careers [6]. This major educational goal will be considerably supported by encouraging in students a willingness to learn independently, making them realize the value of self-education and life-long learning. It will certainly contribute to shaping the future economist's personality, his/her motivation for work, increasing critical self-awareness, and awareness of their own and other people's cultural and professional values.

N. Galskova [6] has compiled a list of the challenges students can face while learning to read professional texts in a foreign language. It includes: 1) identifying new information that could supplement the information and materials acquired and absorbed by them while studying the profile disciplines of their university curriculum; 2) developing their desire for further independent reading of the literature pertaining to their chosen professional field. The scholar suggests the following kinds of work to be practiced in the classroom in order to develop the corresponding skills:

- selecting authentic texts, and performing their lexical (vocabulary), grammatical (morphology and syntax), phonological, and stylistic analysis in class;
- checking learners' reading comprehension by means of practicing exercises especially selected or designed for the text in hand [8].

In our opinion, students' working with authentic texts is of utmost importance. An authentic text on economics is a text written by professionals in economics for other professionals in the same field. It is not designed to teach the language but is intended to be a bridge between the study room and the real professional world. The authenticity of such texts makes their reading more challenging for the students of economics, increases their interest and motivation in the study of their chosen field.

Today, most students of economics spend a lot of their time in the virtual space. It certainly increases the scope of the professional information they absorb. On the other hand, however, it affects negatively the quality of their written and oral communication. In the virtual space, students often communicate in a special computer slang, which does not actually contribute to the development of their linguistic competence in a foreign language or enhance their reading and translation skills. This may present an additional challenge to Ukrainian teachers, particularly in view of a lack of empirical studies that address these issues.

In other countries, such as the United Kingdom and the USA, for instance, universities pay great attention to teaching "academic literacy" to their students. In case of the students of economics, the latter includes, first and foremost, students' familiarity with the so-called "economic discourse" [9], whose essential part is constituted by the general vocabulary of economics and its special terminology [10]. This might present a problem for both teaching and studying of economics, arising from the abundance of synonyms, duplication and inaccuracy of terminology, absence of English-Ukrainian terminological parallels, metaphoric, metonymic and poly-semantic use of the economic terms in this area. All those considerations should be duly taken into account when designing courses for teaching a foreign language to students of economics at university level.

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## **REASONING THE NECESSITY OF STUDY BASIS OF COMPUTER DESIGN BY FUTURE BACHELORS IN COMPUTER SCIENCES**

**Abstract.** The article is devoted of the value of graphic competence as an important component of the professional formation of future bachelor's in computer science taking into account modern social processes.

**Keywords:** bachelor in computer science, computer design, graphic competence.

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## **ОБОСНОВАНИЕ НЕОБХОДИМОСТИ ИЗУЧЕНИЯ ОСНОВ КОМПЬЮТЕРНОГО ДИЗАЙНА БУДУЩИМИ БАКАЛАВРАМИ КОМПЬЮТЕРНЫХ НАУК**

**Аннотация.** В статье рассмотрено значение графической компетентности, как важной составляющей профессиональной подготовки конкурентоспособных будущих бакалавров компьютерных наук с учетом современных социальных процессов.

**Ключевые слова:** бакалавр компьютерных наук, компьютерный дизайн, графическая компетентность.

Современность характеризуется жесткими требованиями к программному обеспечению, которое должно отличаться связностью и качеством кода, эффективным и качественным дизайнерским решением. Игнорирование разработчиками дизайна в рабочем процессе нивелирует и ценность десятилетий изучения вопроса восприятия и взаимодействия людей с программным обеспечением и непосредственно его эффективность. Программное средство с неэффективным дизайном не будет использоваться, несмотря на совершенство функционала. Про-

блема критической зависимости общества от качественной визуальной подачи программных продуктов в условиях относительной неосведомленности программной инженерии в базовых эстетико-художественных принципах поднимает важность вопроса формирования графической компетентности в процессе профессиональной подготовки будущих бакалавров компьютерных наук. Меткое высказывание по этому поводу было сформулировано Ф. Чимеро (F. Chimero) «Люди не обращают внимания на дизайн, который игнорирует их» [1].

В наше время создание нового программного обеспечения не отличается трудоемкостью, но создание продукта, который является удобным для потребителя, требует глубокого понимания поведения пользователя в осуществлении его потребностей, ведь не существует эффективного программного обеспечения, которое не характеризуется обдуманым и качественным дизайном. Дизайн продукта является, прежде всего, продуманным функциональным решением, которое к тому же является эстетически привлекательным и характеризуется высокими потребительскими свойствами. Разработка интерфейса программного обеспечения является не бессистемным созданием визуальной составляющей, а продуманной реализацией пользовательского опыта, соответствующего отбору цветового решения, формы, типографики, сложным комплексом соотношения дизайна с общественными потребностями, культуры, среды и технологии, в итоге влияет на восприятие продукта пользователем. Для реализации программного обеспечения, соответствующего указанным требованиям, предполагается коммуникация программиста с дизайнером, который создает интерфейс. Обычно этап разработки дизайна и этап программирования выполняется различными участниками, а именно дизайнером и программистом. На этом этапе возникает ряд проблем, вызванных недопониманием участников процесса, что плохо сказывается на эффективности работы. Дизайнеры по своей сути являются нонконформистами, которые не желают принимать во внимание какие-либо ограничения, выходят за рамки для того, чтобы максимально использовать собственные умения и знания о том, как люди воспринимают продукт и взаимодействуют с ним. Дизайнеры, получив задание, начинают разработку дизайна, не имея четкого представления о том, какие есть ограничения при программировании, однако должны осознавать сложности, с которыми придется столкнуться разработчикам, воплощая их идеи в реальность. Для про-

граммистов, в свою очередь, дизайн кажется второстепенной задачей и не обязательной частью рабочего процесса, ведущего к несоответствию реализации программного продукта и дизайна, который был разработан изначально. Для того, чтобы избежать недопонимания необходимо строить эффективный диалог между участниками разработки. Преследуя необходимость осуществлять диалог на одном уровне, перед бакалаврами компьютерных наук возникает необходимость узнать больше о процессе дизайн-проектирования. Для того, чтобы сделать процесс общения продуктивным и эффективным, программистам необходимо обладать графической компетентностью. Учитывая несовершенство кооперативной разработки программного обеспечения из-за проблем коммуникации между участниками разработки, программисты, демонстрирующие интеграцию технических, информационных и дизайнерских навыков [2] имеют преимущества.

Итак, учитывая спрос на программистов, которые обладают способностью как к разработке программного обеспечения так и к осуществлению дизайнерских решений, возникает необходимость в формировании графической компетентности будущих бакалавров компьютерных наук. Графическая компетентность понимается нами как интегративное качество, которое включает в себя умение осуществлять качественную организацию и проектирование программных средств, профессиональное использование современных компьютерных графических технологий при проектировании пользовательского интерфейса, находить оптимальные технологии достижения лучшего результата с учетом эргономических требований конечной аудитории [3, 45].

Учитывая то, что содержание профессиональной деятельности и обучения усложняется с каждым годом и в соответствии с требованиями, предъявляемыми в результате современного интенсивного развития информационных технологий, существует спрос на высококвалифицированных

специалистов в области компьютерных наук, которые способны к быстрой адаптации в прогрессивной среде рынка труда в различных сферах производства, способных приспосабливаться к конкретным практическим потребностям, а также быть готовыми принимать новые решения и работать с современными технологиями [4, 104]. Как утверждает П. Буянов, прослеживается большой спрос на специалистов, которые являются двигателями технического прогресса, и имеют стремление к саморазвитию и самосовершенствованию, способны к переосмыслению ценностных ориентиров, ведь «автоматизация современного производства коренным образом изменила не только характер трудовой деятельности человека, а и соответствующие требования к ее технической подготовленности, которые неразрывно связаны с умениями и навыками свободного чтения и выполнения графических документов, наличием сложившейся графической культуры» [5, 1]. Поэтому для реализации обучения, в основе которого лежит идея максимального обеспечения студентам их шансов получить достойное место на рынке труда, повышение их личностно – профессиональной ценности [6, 16], и опираясь на анализ отечественных и зарубежных стандартов подготовки бакалавров компьютерных наук [2, 70–71] и рассмотрев определенные в образовательных программах высших учебных заведений профессиональные компетентности будущих бакалавров компьютерных наук, к таковым отнесем способность генерировать новые идеи (креативность), что проявляется в знаниях основных этапов и стадий творческого процесса, творческие возможности человека, методы генерации идей, понимание креативности как универсального процесса порождения необычных идей и способности проявлять любознательность, вдохновляться новыми идеями, воплощать их, комбинировать и экспериментировать.

Это предполагает усвоение будущими бакалаврами компьютерных наук значительного

багажа знаний и развитие умений не только для осуществления эффективной коммуникации с дизайнером, но и обеспечивает навыкам цифрового синтеза, проектирования, моделирования и практических применений для организации визуального контента. По многим причинам очень важно, чтобы разработчики владели знаниями принципов проектирования, ведь дизайн во многих отношениях похож на процесс написания кода – это творческая работа, уровень мастерства, который сочетается с написанием кода, требует творческого мышления и исполнения. Работа над дизайном стимулирует творческое мышление, так же необходимое для написания кода, например, при поиске лучшего способа рефакторинга какой-то части кода. Оба этих набора навыков используют один и тот же источник творческой энергии: в программировании для создания программы и ее архитектуры, и дизайн программного интерфейса, так как с этой программой должны взаимодействовать пользователи или другие программы. В программировании есть понятие «красоты кода», то есть удобства, эффективности решения задачи и т.д. Поэтому программист, владеющий графической компетентностью и языком графического дизайна, способный проектировать графические интерфейсы и запрограммировать замысел, является конкурентоспособным и востребованным на рынке труда.

Эту подготовку возможно осуществлять в рамках изучения таких дисциплин, как «Компьютерная графика» и «Основы компьютерного дизайна» с целью формирования графической компетентности, развития профессионального мастерства, творческого роста и эстетического воспитания личности программиста [7, 280].

Поэтому, учитывая социальную значимость, графическая компетентность, по нашему мнению, является неотъемлемой составляющей профессиональной подготовки будущих бакалавров компьютерных наук. Не смотря на то, что владения полным спектром знаний во всех аспектах

художественно-творческой деятельности не подразумевается, общее понимание их применения и осмысления базовых концепций является необходимым условием профессионализма, ведь проектирование пользовательского интерфейса является важной составляющей проектной деятельности и играет важную роль при разработке программного обеспечения.

Результаты исследования могут служить основой для совершенствования содержания профессионального обучения будущих бакалавров компьютерных наук, ориентированного, например, на внедрение практических работ по прототипированию пользовательского интерфейса, что будет способствовать формированию графической компетентности.

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## Section 6. Political science

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### **DETERMINATION FACTORS OF THE DELEGATION AUTHORITY POLICY IN ADMINISTRATIVE SERVICES INTEGRATED BY SUB-DISTRICT KNOWN AS (PATEN) IN SEMARANG CITY**

**Abstract.** Government efforts to improve the quality of public services include by establishing regulation of the Minister of Home Affairs No. 10 in 2004 concerning the Integrated Service Guideline of the Sub-district known as (PATEN). Semarang city government follows up by establishing the rule of the Mayor of Semarang City Number 43 in 2012 about the administrative services standards of the Sub-district in Semarang City. Some issues of implementing the mayor's regulation include the unoptimal delegation of authority from the mayor to the Regent as stipulated in article 6–8. The licensing authority bestowed on the Sub-District is only a Small Micro-Business License (IUMK), while the other is non-licensing authority. The purpose of this research is to conduct analysis of policy factors that support and inhibit the policy implementation of the authority delegation (PATEN) in Semarang City. The research method used by researchers is qualitative; with data, checking is using triangulation techniques. The policy factors expressed by (Grindle, [7]; Sabatier & Mazmanian [17]; Van Meter & Van Horn, [26]) were used by researchers as a guide to conducting analysis. The results of the research known that there are several policy factors that become advocates and inhibitors in the policy implementing of authority delegation known as (PATEN) in Semarang City.

**Keyword:** Authority Delegation; Policy Implementation; Service; Administration, and Sub-District.

#### **I. Introduction**

In this reforms era, many improvement efforts created by the Government to realize *Good Governance* by conducting bureaucracy reform (Thaha [24]). The reform of bureaucracy in the public sector according

to (Shah & Schacter [19]) aimed to solve various problems that arise among the public services.

Bureaucracy reform efforts to improve the quality of public services, especially in the region, one of them with the regulation of the Minister of Home

Affairs Number 4 in 2010, it relates to Integrated Administrative Services Sub-district known as (PATEN). Integrated Administrative Services Sub-district (PATEN) aims in making the district as the center of Community service and become the node of service for the Office/integrated Service agency in the District/City. Semarang City Government followed the PATEN policy by establishing Semarang City Regulation No. 43 in 2012 about the standard integrated Administrative Services District in Semarang City.

Various problems that arise in *PATEN* are the less optimal delegation of licensing authority and non-licensing in Semarang City (substantial terms). Semarang City government only delegates one type of licensing to the sub-district, namely Small Micro Business License (IUMK) as stipulated in the mayor's Decree No. 518/948/2012. Delegation of IUMK and non-licensing authority in Semarang City further regulated in Mayor Regulation No. 7 in 2018 concerning the delegation of some authority of the mayor to Regent. The non-licensing authority in Semarang city explained that in 43 in 2012 of the integrated Standards of Administrative Services (PATEN) in Semarang City there are 17 components of PATEN in Semarang City include as follows:

A. Residence administration services based on certificate/introduction from Village Chief in the form of inheritance certificate, Marriage Certificate, Residential Certificate, Letter of Certificate moved between Sub-Districts, Certificate Letter Moving between Sub-Districts, introduction to Identity making applications:

B. Certificate of no dispute;

C. Recommended activities in the field of education;

D. Recommendation and establishment of non-formal education place;

E. Recommendation to street vendors permits that fulfill in the terms and conditions;

F. Issuance of Telecommunication tower clearance recommendation;

G. Domicile Certificate;

H. Recommendation of yard entrance permit including non commercial home entrance in residential complex/residential area under 1 (one) meter;

I. Cover letter of the development permit of district social facilities and development certificate place of social facilities;

J. Letter of cover/explanation of the recommendation to establish telecommunications development in the form of telecommunication stalls, mobile stalls and so on;

K. Crowd permit recommendation letter;

L. Application for physical development assistance of General facility and infrastructure (road, irrigation, Talud, etc);

M. The delegation of the country's land;

N. Letter on land/building rights;

O. Application of Building Permit and Interference Permit;

P. Certificate of Inability;

Q. Letter introduction of Police Note Certificate known as *SKCK*.

Based on data from the Governance Bureau of Central Java Provincial Secretariat, most of the district government in this province has bestowed most of licensing authority into the subdistrict. For example Cilacap Regency, already delegate licensing authority, Among Others, Building Permits known as (IMB) with small scale (up to 100 M<sup>2</sup>); Interference Permit known as (HO) for businesses that have a small environmental impact. Permit the establishment of a motorcycle workshop and the like with an area up to 250 m<sup>2</sup>; and permit establishment of a house/micro-food stall. Purbalingga Regency is already delegates some licensing authority, among others, a residential building permit built by the individual with a maximum area of 100 m<sup>2</sup>, the building of the business with a maximum area of 50 m<sup>2</sup>. In addition it impaired permit (HO) with low interference, namely for the type of business with an area of business under 50 m<sup>2</sup> which is managed by individuals and cooperatives such as stalls, small-scale shops. The businesses that are not obliged to be equipped

with a document effort Environmental management and environmental monitoring efforts (UKP-UPL) and/or that are not required to be equipped with a Statement of Ability to Manage the Environment known as (SPPLH).

Not optimizing the delegation of authority especially licensing in the PATEN in Semarang City encourages researchers to conduct analysis of several factors policy. Analysis expected to be aware of factors that support and inhibit the delegation of the authority.

## II. Literature review

### A. Previous Research

Previous research serves to know the similarities and differences between researches conducted by researchers with predecessors. Some of the results of the research that have done and published in both international and national journals are as follows:

(Mok [15]) had done research and written it into an international journal by taking the title "*Decentralization and Marketization of Education in Singapore: A Case Study of The School Excellence Model*". His research stated that globalization and evolutionary knowledge-based economics have led dramatic changes in character and educational functions in most countries around the world. To improve the overall competitiveness of nation-state in the global market environment, comprehensive education reform had launched in various parts of the world to strengthen employment training. To make their citizens more creative and innovative, the Singapore Government publicly recognizes the importance and provides more autonomy for schools to create courses and trainings in their own schools. By introducing a decentralized policy, Singapore government hopes that schools can have the autonomy and flexibility to develop their strengths and therefore each school can evolve with their unique features Own.

(D. K. W. Ssonko [21]) in 2013, has done research and written it into the International journal entitled "*Decentralisation and Development: Can Uganda Now Pass the Test of Being a Role Model?*" Research by

(D. Ssonko [20]) explained that the current decentralization policy in Uganda aims to increase democracy, effectiveness, efficiency and sustainability in delivering critical services across the country. The provision of better services in turn expected to provide a significant positive impact on the quality of the society life. Unfortunately, the implementation of decentralization seems to focus more on administrative objectives as a means to promote people's democracy and less on the delivery of services that will result in economic transformation and the life Better for the majority of the Ugandan, and now new districts created without appropriate improvements in service delivery. Surprisingly, this is happening amid external praise that decentralized reform in Uganda is one of the most widespread regional government reform programs in the developing country.

(Balkar & Kasurka [2]) had done research and made it in the form of an article entered in an international journal by taking the research entitle "*Decentralization as an Educational Planning Strategy in Turkish Education System*". The study aims to examine the decentralized policy that guides the planning of the Turkish education system and that is involved in the Turkish development plan. The study samples consisted of ten development plans over the past five years, which have published between 1963 and 2014. The development plan achieve on the site of the Development Ministry. Research Data gathered through document review and analyzed its contents. Because of the analysis of education policies in the development plan, it cannot state that there is a decentralized policy adopted in the planning of Turkish education system. In the development plan, there are only goals and strategies that demonstrate the possibility of decentralized policy. The decentralization policy in the development plan is determined to be under the category of deconcentration and delegation in terms of implementation level.

(Martinez-Vazquez, Lago-Peñas, & Sacchi [12]) has done research by taking the title of "*The Impact of Fiscal Decentralization: A Survey*". (Martinez-

Vazquez et al. [12]) investigated and discussed the key findings in the existing literature on the decentralized impact on the list of relevant socio-economic variables. The impact of fiscal decentralized reforms on political institutions is also considered. The findings produced by (Martinez-Vazquez et al. [12]) described that the complete answer to many questions regarding the impact of fiscal decentralization seems uncertain, but overall there is a reason to remain optimistic about the positive impact of the overall Decentralised systems that have been introduced around the world in recent decades. The selective surveys offered in the paper present a balanced view of what is known and the unknown space for further research and practice on fiscal decentralization.

(Bannink & Ossewaarde [3]) in 2012 took a research to an international journal entitled "*Decentralization: New Modes of Governance and Administrative Responsibility*", in his research stated that shifts in government can be understood as a response to capacity Policy divided-in the sense of material-between centralized and decentralized levels of government. The result of the three case studies presented by (Bannink & Ossewaarde [3]), there were no best way to decentralize responsibility; Due to the ambiguous governance requirements. The allocation of policy capacity between the central and decentralized levels of government requires an internal governance arrangement.

("The effectiveness of decentralization policy in Ghana: A case study of Komenda-Edina-Eguafo-Abrim (KEEA) and Abura Asebu- Kwamankese (AAK) districts in Ghana," 2010). Researching the effectiveness of decentralization policy in Ghana with case studies conducted in Komenda-Edina-Eguafo-Abaim (KEEA) and Abura-Asebua-Kwamankese (AAK) districts in the central Ghana region, formulation and policy implementation and how it relate with the health, education and water sectors in the country.

(Feltenstein & Iwata [5]) has been conducting research in the International journal entitled "*Decen-*

*tralization and Macroeconomic Performance in China: Regional Autonomy Has Its Costs*". (Feltenstein & Iwata [5]) provided a formal empirical overview of recent fiscal and economic decentralization impacts in China related to economic growth and inflation (Feltenstein & Iwata [5]) offered Econometric investigations using an Autoregressive Vector Model (VAR) and latent variables as evidence that there is indeed a link between decentralization and macroeconomic performance in China. Economic decentralization seems to be related positively with the growth of real output. Fiscal decentralization seems to have adverse implications for the inflation rate, due to deficiencies in the financial system. Therefore, decentralization seems to be good for economic growth and bad for inflation.

(Jongudomsuk & Srisasalux [10]) in 2012 had been conducting research in the International journal entitled "*A Decade of Health-Care Decentralization in Thailand: What Lessons Can Be Drawn?*" The research conducted by (Jongudomsuk & Srisasalux [10]) outlawed the progress of implementing decentralized healthcare in Thailand since the enactment of the Decentralization Act in 1999, by taking lessons and providing Recommendations. This study had been conducted due to delays in the decentralization of healthcare, compared to what is demonstrated in the decentralization action plan, and to identify possible causes of delays. The advice given in this study is that decentralization is not a major factor for a health system development and the concept should be applied with caution, based on the context of its country.

(Kusuma [11]) in 2014 took a research entitled "*Pelaksanaan Pendelegasian Wewenang Bupati Kepada Camat Dalam Penyelenggaraan Pemerintahan Daerah (Implementation Delegation of Regent's Authority in Organizing Local Government)*". The results of research that has been done in Pasuruan Regency is the delegation of the authority of the regent which is contained in the rule of of Pasuruan's Regent No. 27 in 2006 on government affairs delegation from the Regent. Broadly speaking affairs



consist of four affairs, namely the implementation of general governance tasks, implementation of village governance, licensing and land affairs. Based on the research conducted by (Kusuma [11]), it can be known that the implementation of government affairs from the Regent to the district in Pasuruan, as with rule of the Pasuruan's Regent No 27 in 2006 is still not effectively implemented. In four matters bestowed, the affairs of General government duties, village governance and land affairs are routine tasks that have been implemented by the regional devices before the regulation of the delegation of authority. While the delegation of licensing affairs, which classified as new authority, but it is still very restricted to the less of strategic, permits that rarely accessed by citizens.

Tomy Dwi Putra had done a study and wrote it into a journal in 2015 by taking the title "Implementation of Berau Regent Regulation Number 5 in 2013 on partial government affairs of the regent in Segah District" (*"Implementasi Peraturan Bupati Berau Nomor 5 Tahun 2013 Tentang Pelimpahan Sebagian Urusan Pemerintahan dari Bupati kepada Camat di Kecamatan Segah"*). Based on the results of the research that has been done by Putra (2015) known that the implementation of the subdistrict program is doing quite well but not optimal because there are some problems encountered. The problems that often arise in village administration are as follows first, the lack of cooperation between the village head, village apparatus and Village Consultative Agency (BPK). Second, the discipline is in carrying out the task. Third, the lack of creativity of the village government is in utilizing the existing ADK to create programs for the village. And fourth, requires a great responsibility to carry out the task in Holding the village government considering that the funds gained are very large so that it requires discretion in its use in order to be used effectively and efficiently.

### **B. Public Administration**

According to (Chandler, Ralph C., Plano [4]) Public administration was a process by which re-

sources and public personnel are organized and coordinated to formulate, implement, and manage decisions in the public. (Rouse 2013) explained that there are 5 (five) paradigms in the State Administration science as follows:

Paradigm 1: it states Political dichotomy-administration (1900–1926). The existence of the separation between political science and administration occurred in this period, marked by the emergence of the book "*Politics and Administration*" written by (Goodnow [6]). Paradigm 2: Principles of the State Administration (1927–1937).

The State administration reached its peak of the 1930's and 1940's with a good welcome to administration experts by industry and government. (Gulick [8]) filed 7 (Seven) administrative principles, namely POSDCORB, short for *Planning, Organizing, Staff, Directing, Coordinating, Reporting, Budgeting*. According to the above figures, this principle applies anywhere or is universal, so this paradigm more emphasized than the locus.

Paradigm 3: State Administration as political Science (1950–1970) because of attention and conceptual criticism, the state administration came into the master of Political Science. The result is the renewal of locus that is the government bureaucracy. Paradigm 4: it stated that State Administration as a science of Administration (1956–1970). In this paradigm, the management principles are ever popular scientifically and deeply developed. The focus is on organizational behaviour, management analysis, and more. All focus not only placed in the economy but also in State administration, therefore the locality is less obvious. Paradigm 5: it stated that State Administration as State Administration (1970 – present).

### **C. Public Policy**

Public policy in response to a political system is (through government power) on community issues, or Government's decision to solve public problems. Public policy processes include as follows:

- a. Formulation problem (problem formulation);

What does determine the problem? What does make it a policy issue? How the problem can be entered in the government agenda.

b. Formulation policy (formulation)

How does it related to developing the options to solve the problem? WHO participates in the formulation of policies?

c. Determination of policy (adaption)

How does it discuss alternatives set? What kind of requirements or criteria should I fulfill? Who will implement the policy? How is the process or strategy to implement policies? What is the content of a predefined policy?

d. Implementation

Who is involved in implementing the policy? What are they doing? What is the impact of policy content?

e. Evaluation

How does the success rate or policy impact measured? Who do evaluate policies? What are the consequences of policy evaluation? Is there any claim to make changes or cancellations?

Policy Implementation is a process in implementing policies with various methods and sources needed to achieve a goal that will ultimately be seen the impact or changes in what has been Produced by the implementor. A policy not always can be done in a smooth manner because there are several determinants that can affect them that are the determining factor of policy fulfillment and determining factors of rejection or policy delays. The policy fulfillment factor consists of the respect of community members on authority and government satisfaction, the awareness to accept the policy, the existence of legal sanctions, the public interest, the existence of personal interests, and the problem of time (Agustino [1]). While the determining factor of rejection or postponement of the policy consists of a policy that contradicts the existing value system, the absence of legal certainty, the existence of one's membership in an organization, and the concept of non-compliance Selective to the law (Agustino [1]).

The success of implementation according to (Grindle [7]) influenced by 2 (two) large variables, namely:

- 1) The content of policy contained therein are:
  - The extent to which target group interests are contained in the policy content,
  - Types of benefits received by the target groups,
  - The extent of the desired change of a policy,
  - Whether the location of a program is correct,
  - Whether a policy has mentioned the implementation in detail
  - Does the program support by adequate resources?
- 2) Environmental policy contained is as follows:
  - How much power, interests, and strategies owned by the actors involved,
  - The characteristics of the current institution and regime,
  - Level of compliance and responsiveness are of target groups.

Furthermore, (Sabatier & Mazmanian [17]) explained there are six variables that affect in a policy implementation namely as follows:

- 1) Standards and policy objectives, each public policy must have standard, clear, and measurable policy objectives. With that provision, the goal can be made. In the standard, an objective policy is unclear, so no bias occur multi-interpretation and easily raises the unfamiliarity and conflicts between the implementation agents.
- 2) Resources, in a policy implementation need resource support, both human resources and material resources (material resources) and Resource methods (method resources). Base on these three resources, the most important is human resources, because beside as the subject of policy implementation also includes public policy objects.
- 3) Relationships between organizations, in many policy implementation programs, as the reality of the policy program need a good relationship between

related institutions, namely communication and coordination support. Therefore, coordination and cooperation between the agencies for the success of the program is required. Communication and coordination are one of the lifeblood of an organization so that its programs realized with its objectives and goals.

4) Characteristics of implementing agents, in a policy implementation to achieve maximum success identified and known characteristics of implementing agents that include bureaucratic structures, norms, and patterns of relations that occur in bureaucracy, they will be the implementation of a predetermined policy program.

5) The implementation, in the implementation of stance policy or the disposition of this implementation distinguished into three things, namely. (a) The implementor response to the policy, related to the will of the implementation to implement public policy; (b) conditions, i.e. understanding of the policies set forth; and (c) the intense disposition of the implementer, i.e. the preference of the value that belongs.

6) Environmental conditions of social, political and economic. This variable includes environmental economic resources that can support the success of policy implementation, the extent to which interest groups provide support for policy implementation; Characteristics of the participants, namely to support or reject; The nature of public opinion that exists in the environment and whether political elites support of policy implementation.

The success of policy implementation according to (Sabatier & Mazmanian [17]) stated that there are three groups of variables that will affect are as follows:

(1) The Characteristic of the problem (*tractability of the problems*);

A. The level of technical difficulty of the problem concerned, on the one party there are some social problems are technically easy to solve, such as shortage of drinking water supplies for the population or the price of rice suddenly rises. On the other party,

there are social problems that are difficult to solve, such as poverty, unemployment, corruption and so on. Therefore, the nature of the problem itself will affect the ease of whether a program implemented.

B. The level of diversity of target groups, this means that a program is relatively easy to implement when the target group is homogeneous. Conversely, when the target group is heterogeneous, the implementation of the program will be relatively difficult, because the level of understanding of each program's target group members is relatively different.

C. Proportion of target group to total population, a program will be relatively difficult to implement when the target includes all populations. Conversely, a program is relatively easy to implement when the target group is not too large.

(2) The Characteristics of Policy/ Laws (*ability of statute to structure implementation*);

A. Clarity of policy content, this means that the clearer and detailed content of a policy will be easy to implement because the implementation is easy to understand and interpret in real action. In contrast, the obscurity of policy content is the potential for distortion in policy implementation.

B. How far the policy has theoretical support, policies that have a theoretical basis have a more steady nature because they already tested, although some particular social environments need a modification.

C. The amounts of financial resources are allocation to the policy. The Financial resources are a crucial factor for any social program. Each program also needs staff support to do administrative and technical work, as well as monitor the program, all of which need a fee.

D. How much is the link and support between various implementing institutions? Program failure is often due to the lack of vertical and horizontal coordination between the agencies involved in the program implementation.

E. The clarity and consistency of the rules on implementing agencies



F. The level of apparatus commitment to policy objectives, the Corruption cases occurring in third world countries, especially Indonesia one of the reason is the low level of the apparatus's commitment to carry out duties and employment or programs.

G. How broadly access the outside groups to participate in the implementation of the policy. A program that provides a wide range of opportunities for people to get involved, relative support from programs that do not involve the community. The community will feel alienated or extraneous when it is only the audience of the program in its territory.

(3) Environment variables (*nonstatutory variables affecting implementations*)

A. Socio-economic conditions of the community and the level of technological advancement. Community that has been open and educated relatively easier to receive renewal program compared with the community that is still closed and traditional. Likewise, technological advances will assist in the successful process of implementing the program, as these programs socialized and implemented with the help of modern technology.

B. Public support to a policy, the policies that provide incentives are usually easy to get public support. In contrast, a dis-incentive policy such as rising fuel prices or tax increases will lack public support.

C. The group's attitude selector (*constituency groups*), this Groups of voters who are in the community can influence the implementation of policies through various means among others. (1) A group of voters may intervene against decisions made by implementing agencies through various comments with the intention of changing decisions; (2) A group of voters may have the ability to influence the implementing agencies indirectly through the published criticism performance of implementing agencies, and make a statement addressed to the legislature.

D. The level of commitment and skill of the apparatus and implementation, in the end, the implementation of the implementing apparatus to realize

the objectives that have been contained in the policy is the most crucial variable. Implementing agencies must have the skills to make their priority and further realize their priorities.

From the various policy factors above, several factors to be analyzed relating to the delegation of PATEN authority in the city are as follows:

Internal factors:

- a. To what extent the interest of the target group is contained in the policy
- b. The types of benefits received by the target groups,
- c. The extent of the desired change of policy,
- d. Whether the location of a program is appropriate,
- e. Does a policy mention its implementation in detail
- f. Does the program supported by adequate resources.

External factors:

- a. How much power, interests, and strategies are owned by the actors involved,
- b. Characteristics of the current institution and regime,
- c. Level of compliance and the responsiveness of target groups

#### **D. Authority Delegation**

According to (Setiadi, Rubhasy, & Hasibuan [18]), authority delegation was to give a portion of work or authority by the the delegator to the delegate to work on behalf of the the delegator. Authority Delegation is a consequence of the greater Organization. If the leader faces a lot of work that one person cannot do, they need to delegate. The Delegation is also done so that leaders can develop subordinates further to strengthen the Organization. Authority Delegation has a huge influence on the organization. Without the authority, delegation will result in the activity in achieving the objectives of the Organization. According to Stoner in his book "*Management Sixth Edition*" published by Prentice Hall International (2000:446), some



of the roles of delegation of authority in the organization are as follows:

With the authority delegation, employees can perform fundamental and strategic tasks for the continuity of the organization. The more tasks the employee can delegate, the greater of chances finding and accepting the responsibility of the manager. Therefore, managers try to delegate authority not only to routine things but also to tasks that require thoughts and initiatives so that employees can function optimally for the organization.

a. By the authority delegation, the manager will get results that are more accurate and better because the employees closest to the subject matter. Although it tend to have a clear view of the facts required in making decisions.

b. Through the authority delegation, decisions can be taken more quickly because they do not have to seek approval from the employer. If the subordinates do not have sufficient authority to make a decision in an issue then they will always ask their superiors. This of course will take a little bit of time; therefore, the subordinates need authorized to make a decision.

c. Authority Delegation causes a greater sense of responsibility and initiative to the organization. Officers with authority, without waiting for an order if they have found a problem that is still within its authority will seek to find a way out of the problem.

d. Authority delegation was an exercise for the members of the organization when they would later occupy higher positions. Members of organizations that have never been given greater authority when it is higher will become mannered and need a long time to conform.

e. Authority Delegation resulted in the employment community will be more secure. This can be seen if there is one member of the organization who is unable to carry out its work, and then by authority delegation of the task can be taken over so that continuity of the organization will not be interrupted.

In delegation, there are three elements of duty, power, and accountability (Hasibuan, [9]):

a. Assignments are works that a person must do in a particular office. With the task, it will encourage employees to be more productive in a company, so that the effectiveness of work can be achieved.

b. Power is the right or authority to decide what decisions relate to the function. In carrying out the delegation of authority in a company must be based on power because with the power of an employee has the right to take a decision to suit its interests and functions for the company.

c. Accountability is to give reports how a person performs their duties and how applying the authority given to them. Responsibility is the most important thing in carrying out a company's authority because with the responsibility of an employee can give a report or accountability of a decision that has been taken.

The classical principles that can be used as the basis for effective delegation according to (R. E. Miles & Snow [14]) are as follows:

### **1. Scalar Principle**

In the process of delegation, there must be a clear line of authority flowing level by level from the top of the organization to the bottom of the level. A clear line of authority will make it easier for each member of the Organization to observe as follows: a. to whom he can delegate; b. from whom he/she will receive delegation; c. to whom he must give accountability.

### **2. Principle of command Unity**

The principle of command unity states that every subordinate in the organization should report only to the employer. Reporting to more than one employer makes the individual difficult to observe to whom the accountability is given and which instructions to follow. In addition, subordinates can avoid responsibility for the execution of lack tasks with the reason for many tasks from other employers.

### **3. Responsibilities, authority and accountability**

These principles state that as follows:

a. For organizations to be able to use their resources more efficiently, the responsibility tasks

given the lower elevation of the organization where there is enough ability and information to complete.

b. The reasonable consequence of the role is that every individual in the organization to perform the task bestowed on their effectively, they must be authorized sufficiently.

c. An important part of delegation of responsibilities and authority is the accountability of acceptance of responsibility and authority means that individuals also agree to accept the responsibility demands for the execution of tasks. For managers, besides having to respond to their own duties, also have to answer the implementation of their subordinate's duties.

### III. Research method

The study used a qualitative approach, defined by (Taylor, Nettleton, Harding, & Bartholomew's, 2010) as research procedures that resulted in a description of the written or spoken words of the people and behaviors observed. The focus in this research is to analyse supporting factors and the inhibitory of the delegation of PATEN authority in Semarang City. This research site is the district office in Semarang area. The research phenomenon seen by current researchers is the supporting policy factors and the inhibitors of PATEN Authority of delegation policy include as follows:

#### a. Internal factors

- Interests of the target group contained in the content;
- Policy goal;
- Transformation desiring;
- Program coincidentally;
- Implementer details;
- Resources.

#### b. External factors

- Social conditions, economics, and technological information, as well as public support, Implementor commitments: open and educated;
- Characteristics of the ruling regime: received support from the leadership of the ongoing institution;

- The responsiveness of target groups: Community capacity in implementing the program.

In this research researcher, uses purposive techniques, researchers choose the informant based on their knowledge level about the various problems that occur in PATEN implementation in Semarang City. Documentation studies include notes, photos, data, and other documents. Interview is to get information and brainstorm with informant and observation/observation. The data collection instruments in this study are researchers themselves using the help of observation manuals, tape recorders to record, digital cameras for photo and image capture, and stationery. Data that has been obtained will be analyzed qualitatively and described in a descriptive form. Data analysis is conducted through measures as expressed by (M. Miles & Huberman [13]) in Sugiyono [22]) through 1) *data collection*, 2) *data condensation* 3) *data display*, 4) *verification and affirmation Conclusion (Conclusion drawing and verification)*.

In testing the validity of researchers' data is using triangulation techniques, which is the validity check of data that utilizes something else outside the data for the purpose of checking or as a comparison to the data, and the triangulation techniques Most widely used is by auditing through other sources. Researchers use the source triangulation techniques (data) and triangulation methods to test the validity of data relating to research issues that currently researched by researchers.

### IV. Result and discussion

There are several supporting factors and the success of a policy issued by the Government. Some of the policy factors analyzed, researchers refer to the policy factors according to (Grindle [7]; Sabatier & Mazmanian [17]; Van Meter & Van Horn [26]) grouped into internal factors include: (1) The most interest in target groups or targets Groups contained in the policy content; (2) The types of benefits accepted by the target group. (3) Desired change of policy, (4) the program accuracy. (5) The mention

of the implementation in detail; and (6) adequate resource support; and external factors include: (1) social conditions, economics, information technology, public support, and implementation commitments; (2) The characteristics of a ruling institution and regime; (3) The level of compliance and the responsiveness of the target group.

The Research on the first factor is the extent to which the target group's interests contained in the policy content. A policy in implementation certainly involves a lot of interest. (Grindle [7]) argued that the significance of the target group's interests in the implementation of the policy is important. To facilitate the implementation of the policy to run, as it should, the Government must also govern community behaviour.

If it examined in detail from the Mayor Regulation Number 43 in 2012, these six variables required by (Grindle [7]) are already in the contents of the policy. The first Variable used to see the extent to which the target group's interests or the target groups contained in the content of the policy is in CHAPTER II of article 2 paragraph (1) which governs the intent of the implementation of PATEN for the community of Semarang City. Then in the second variable used to see the type of benefits received by the target group is contained in CHAPTER II article 2 paragraphs (2). Which governs of the intention implementation of PATEN for Semarang City community of the third variable used to see exactly where the desired change of a policy found in CHAPTER IV of article 5 explaining the principle of the PATEN implementation for the community of Semarang City is simpler, clearer and more definite, and accurate?

Next, the mayor of Semarang City has established the fourth variable that used to view the accuracy of PATEN program contained in CHAPTERS V article 7 and 8, because the type of licensing service program contained in PATEN. The fifth variable that used to see the implementation in detail described in CHAPTER VI of article 9 on the implementation of PATEN organizers at the sub-district level. Next,

the sixth variable, which is the last variable, used to see whether a program supported by adequate resources seen in CHAPTER VII of section 10–12, and CHAPTER VIII of article 13. Where both of CHAPTERS govern contains facilities, infrastructure, and financing in the implementation of PATEN in the subdistrict. The results of the study explain that the community is very expecting optimized implementation of the mayor regulation about PATEN, especially the authority delegation to the subdistrict. The Informant, especially those in the sub-district that is far from the city, strongly demanded the authority district to handle the enlarged licensing to facilitate and ease the cost of service. According to (Grindle [7]), in each policymaking have targets to be achieved. How much change you want should be obvious. Do not arrive after the policy is ready to implement and run well in the implementor, but the results do not exist, or the changes are only few and far from the initial target of the actors policy.

Researches on these third factors are expected change in a policy showing the results of PATEN established in 2012, administratively and technically has shown a significant progress. Semarang City Government has revitalized the physical services in 16 sub-districts. Administratively, the completeness of services such as service motto, service information, suggestion box, service flow and complaints, and various other fittings have implemented to the fullest. Likewise, the quality of service counters, counter officers, and other facilities have been done budgeting and massively development to make the service more convenient. The change in PATEN policy changes in Semarang City that has been running for 7 year occurred in the implementation of substantial terms of authority delegation in the sub-district. Based on the decree of the mayor number 518/948/2012 new sub-district handles a single permit i.e. micro Small business license, and mostly handled non-licensing as stipulated in Mayor Regulation Number 7 in 2018 concerning the authority delegation from Mayor to Subdistrict Head.

The seven-year period should be utilized effectively by the Government of Semarang City to develop a model of authority delegation in PATEN. Inclusive policy formulation is involving all stakeholders including society is the primary factor in determining the proper authority delegation policy. The community desire to be able to access more services in the subdistrict indicates that the PATEN is still slow performance. The strategy implemented by policy actor's impact on the policy implementation process, the inexact of strategy and problem solving that is implemented by policy actor's influence on the lack of its action. The research of the authority delegation program shows that PATEN policy has not been fulfilled community desiring. The Subdistrict Head authority still dominated non-licencing authority as well as on the Mayor Regulation of Semarang City Number 7 in 2018. This regulation has not been

fulfilled taerget achievement in order it needs more considerable studies such as from Organizational Institution, DPM PTSP, and related institutions together with the existence licencing and new licencing that could be delegated to Subdistrict Head.

The Differences perceptions between the governance section and the organizational section of Semarang City Secretariat with several licensing agencies and communities in the implementation of the mayor's regulation on PATEN led to the slow drafting of PATEN model appropriate implementation in Semarang City. Delegation of licensing authority considered not a priority because the topographical condition of the sub-districts in Semarang City is very affordable. Until now, the district only given the authority to handle licensing of small micro enterprises and other licensing deemed more appropriately handled by DPM PTSP and certain services.

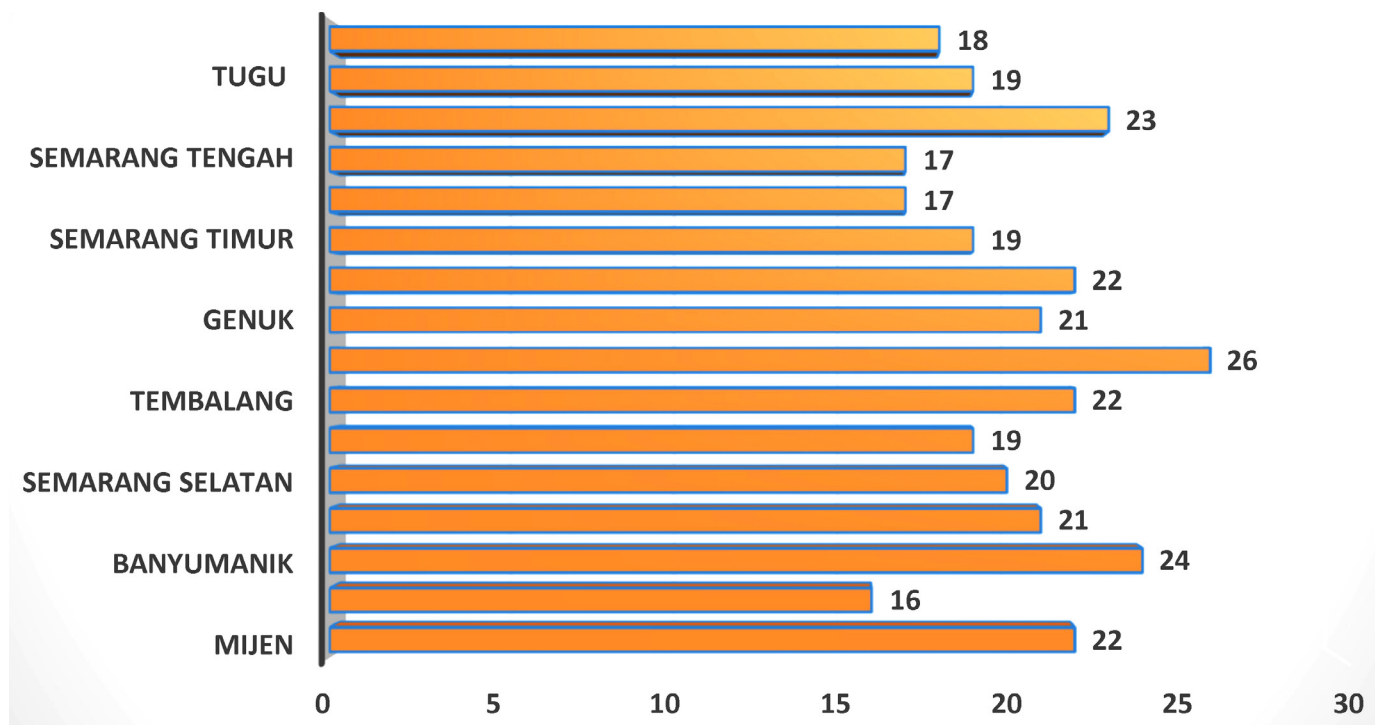


Figure 1. Total Officers of Each District of Semarang City Government

Source: Semarang City governance, 2019

According to a Study of Governance Section, the number of apparatus found in these sub-districts is too small to accept delegation of greater authority in PATEN. In addition to the state civil apparatus,

there are contract officers whose specifications are for hygiene personnel (184 people) and information technology officers (183 people).



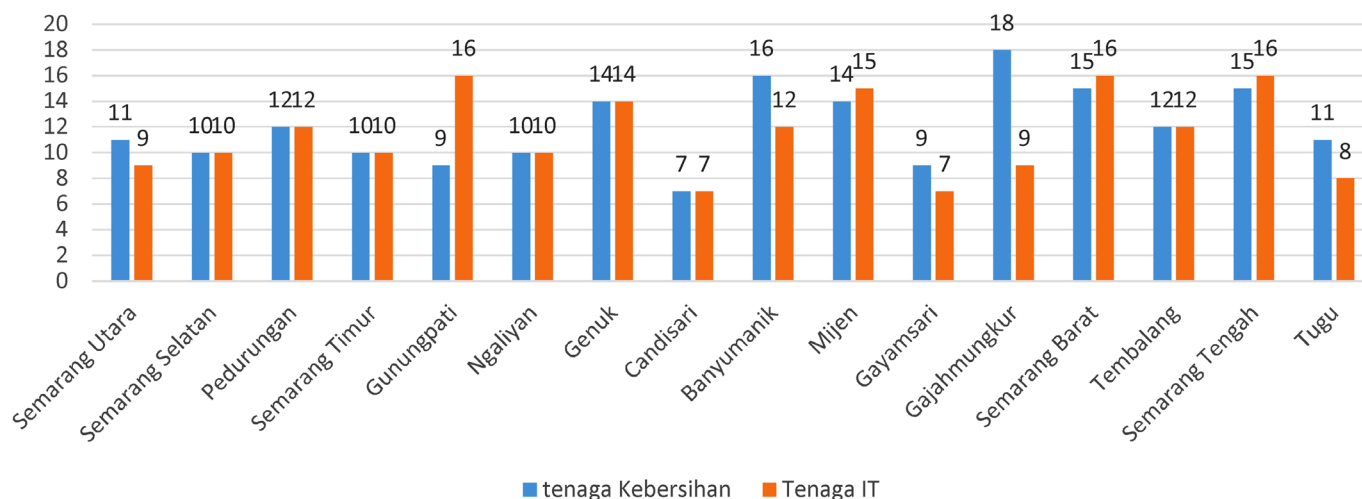


Figure 2. Contract Officer Total of Each District in Semarang City

Source: Semarang City governance, 2019

The results study states that if the authority delegation Service in Sub-District has occurred, there is a problem with the delegation of personnel service in the competence context. However, if not accompanied by personnel delegation, the quantity and quality of human resources in the Sub-District is insufficient. The Research was conducted on several external theories conveyed by (Grindle [7]; Sabatier & Mazmanian [17]; Van Meter & Van Horn [26]) was covering such as 1) Social conditions, economics, technological information, public support, and the Implementor commitment; 2) Characteristic regime that is in power, and 3) Target groups Responsiveness of PATEN implementation in Semarang City nowadays. Here is the result of the analysis of the mentioned factors. The Research on the first factor is the condition of social, economic, information, technology, public support, and the implementing findings that socio-economic conditions and knowledge of community information technology demanded Authority Delegation of PATEN implementation in Semarang City. The implementation of the substantial terms especially the delegation of greater licensing authority to the district expected to facilitate the community when accessing licensing. The community in sub-district and its limited socio-economic condition will find it helpful to prioritize service in the sub-district.

Some informants also states that need accelerated licensing and non-licensing services on line. The limitations of some communities in the ability to use information technology can be solved by conducting intensive mentoring and training services in sub-districts and villages. In addition to the emphasis of service in sub-district, people also have given alternatives able to take online services. The enforcement of the authority delegation policy in PATEN implementation in Semarang City today is the environment whose policies are still there are some problems due to the social economic condition factors. These are affecting on technology utilizing, and the lack of socialization conducted by the Government of the city of Semarang City, which caused the lack of public support on the oauthority delegation policy of PATEN.

#### V. Conclusion and suggestion

These Factors of the policy implementation that is supporting the authority delegation of PATEN in Semarang City are as follows: Internal factors that are the interests of the target group or target groups already contained in the policy content, in the form of Set up Number 43 in 2012 on PATEN standards as follows:

External Factors:

1) Characteristic regime in power, shown by the support of Semarang City Mayor and the heads of

OPD who have a high licensing authority, with the first in the form of the license number 43 in 2012 about PATEN standard in Semarang City followed by Mayor Regulation Number 7 in 2018 about the authority delegation from Mayor to Sub-district Head, although the licensing authority is newly bestowed IUMK and more non-licensing authority; Second, the support of the head of OPD who has the licensing authority to review new licensing development and the delegation of some licensing authority in district

2) The responsiveness of the target group in PATEN implementation in Semarang City is currently very high, in the form of the dynamic Reaction Society responds positively to the policy of the authority delegation in subdistrict, beside some alternative services such as online services and public service centre.

Some of inhibitory factors in the implementation of authority delegation in PATEN are as follows:

Internal Factors Consist Of As Follows:

1) The types of benefits received by the *target group* are still limited. Follow-up of article 6 and 7 of PATEN in the form of Mayor Regulation Number 7 in 2018 concerning some of the authority delegation from Mayor to District-Head many bestows non licensing authority and only 1 (one) type of licensing.

2) Desiring policy change, the change in policy implementation of authority delegation in PATEN as mandated in chapters 6 and 7 of Mayor Regulation Number 43 in 2012 is not optimal. Licensing and non-licensing authority as stipulated in Mayor Regulation

Number 7 in 2018, new licensing authority of micro enterprises delegated to the sub-district, besides more authority in the form of recommendation.

3) The accuracy program has not been precise, because the policy in Mayor Regulation Number 7 in 2018 concerning some of the authority delegation from Mayor to Subdistrict-Head only delegates the licensing authority of small micro enterprises and most of the non-licensing authority.

4) Mayor Regulation Number 43 in 2012 about the Standard Integrated Administrative Services of sub-district in Semarang City has not explained in policy implementation detail, including in the delegation context of the mayor's authority to Subdistrict-Head.

5) Implementation of authority delegation in PATEN in Semarang City has not been effective, one of which influenced by the limitations of human resources both in office and in the district, both from the quantity and competence aspects.

External Factors Consist of as Follows:

Environmental factors that inhibit the policy implementation of authority delegation in PATEN are social, economic, technological information, public support, and implementation commitments. Implementation of authority delegation policy in PATEN hampered due to differences in perception and analysis are between head of organization and Governance section with OPD heads together with licensing authority.

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## PROTECTION AND DEVELOPMENT OF MARXISM-LENINISM IN THE 21<sup>ST</sup> CENTURY

**Abstract.** The 21<sup>st</sup> century has reached the end of the second decade; the development of human society is interwoven to shape the various streams of theoretical thought to affirm subjectively about the development reality in each region according to political institutions. Protection and development of Marxism-Leninism in the current developed world context are an objective and demanding requirement to continue maintaining, affirming and meeting the objective development law of progressive human society.

**Keywords:** Socialism; Marxism-Leninism; Communist Party; Protection and development of Marxism-Leninism; Worldview; Methodology.

*The Communist Party Manifesto* – the year 1848 marks the birth of Marxism, culminating in Marxism-Leninism has been going on for more than 170 years. The progressive human society has witnessed the indispensable and objective development through many great and comprehensive changes in the practices of the workers' movement and socialism with different ups and downs of history; Science and technology have made great progress like storms beyond people's imagination. In this context, Marxism-Leninism still exists and develops, continues to be a worldview, a scientific methodology of the communist parties and working-class and working people all over the world.

### **1. Protection and development of Marxism-Leninism is to preserve and apply the existing revolutionary nature and intrinsic requirements of Marxism-Leninism**

Marxism-Leninism in the age of today is still the only scientific and revolutionary doctrine that fulfills the historic task that no doctrine can replace. The intense vitality of Marxism-Leninism according to human social development over time is manifested in the fact that its truth sheds light for the fulfillment of historic tasks that have reached the maturity of

mankind, which is the case of liberating people from all forms of oppression, exploitation, injustice, alienation, establishing in practice the best fairness and happiness for human society. The world today has many very new features, different from those of Marx and Leninism who lived and operated, but the values of Marxist-Leninist ideology, perspectives and methods are still a theory and scientific methodology the best to understand and improve the world.

Marxism-Leninism is essentially a development doctrine, is an open system and is always applied and supplemented to suit the reality. In the context of a changing world, the need to protect and develop Marxism-Leninism to maintain and develop the essential scientific theoretical views in the development of the mankind, further affirming the role and historic mission of liberating people to form socialism and achieving the ultimate goal of socialism. As in his letter to the American writer, Phlorenli Kenlivisnevetacaia, January 27, 1887, Friedrich Engels also stated: "Our argument is the reasoning of development, is not a dogma that one has to memorize and assemble mechanically" [1]. Later, Lenin in 1910 reiterated Engels' affirmation. "Our doctrine – Engels talking about us and our famous friend – is not



a dogma but a guideline for act “and assume that forgetting this” will make Marxism superficial, monstrous, dead, will throw away its living soul, will destroy its basic theoretical basis – that is, dialectic” [2]. Lenin himself has emphasized, “it is precise because Marxism is not a dead doctrine, a certain doctrine that has been completely completed, already available, immutable, but it is a guiding principle lively for action, so it must reflect the dramatic change in social living conditions” [3]. Together with the current and long-term human development practices, it is necessary to protect and develop Marxism-Leninism. The history of formation and development of Marxism-Leninism also proved that, the period before C. Marx and Ph. Engels is not from the outset there has been a communist stance and dialectical materialist worldview. It is a process of affirmation, protection along with the research and development of their theory. For example, the concept of “production relations” in “German ideology” (late 1845 to 1846), was only used by C. Marx and Engels as “communication relations”. Until “the misery of philosophy” (1847), was used by C. Marx as “social relations”, the “Communist Party Manifesto” was the “production relationship”. Or the concept of “dictatorship of the proletariat”, in “The misery of philosophy” presented by C. Marx in the form of an early seed, expressed in the thesis “working class by reorganizing union to eliminate the bourgeoisie”. At the “Communist Party Manifesto”, the dictatorship of the proletariat showed “the state is a violent tool to create the government”. By March 5, 1852, in the “Letter to Veddoayay” C. Marx used the term “dictatorship of the proletariat” for the first time.

Next, V.I. Lenin applied, supplemented and developed Marxism in the scientific conditions of the rapidly developing micro-world; the transition of capitalism to the imperialist period, but it's cohesive, exploiting nature is constant; Realist socialist construction in Soviet Russia raises new and unprecedented problems in human history. In that context, V. I. Lênin applied the creation of Marxism

to the construction of socialism in Russia and supplemented and developed many theoretical points of Marxism on philosophy; political economy and scientific communism [5]. New economic policy (NEP) is one of the evidence for the manipulation, addition, and development of a very creative Marxism in the conditions of Russia by V. I. Lenin. In “Our Platform”, V. I. Lenin asserted: “We do not regard Marx’s argument as something finished and inviolable; on the contrary, we believe that argument just lays the groundwork for science that socialists need to develop more in every way if they don’t want to be backward in life. We think that the socialists in Russia in particular, it was necessary to further develop Marx’s theory by himself, because this theory only laid out the general guiding principles, and the application of that principle was considered individually, in England is unlike in France. France is not the same in Germany, in Germany is not like in Russia “. Or in Vietnam, it is not like China, etc.

Marxism-Leninism is the doctrine of liberation and development for progressive human society, it aims to liberate the whole person from enslavement and oppression. Constructed and developed based on inheriting the achievements of scientific awareness of the history of human thought, pointing out the laws that govern the entire movement and development of the material world. in general, social history in particular, an end to all errors and deviations of idealism, religion, metaphysical materialism in the process of explaining specific social and historical phenomena. Marxism-Leninism also contributes immensely and preciously to the development of many fundamental areas of the worldview of philosophy, political economy, scientific communism, and many various scientific perspectives, becoming an undeniable sustainable theoretical foundation, has great methodological significance in the development of the mindset and awareness of progressive humanity. For the first time, it provided comprehensive scientific methodology in human cognition and practical activities. It has contributed to the fundamental

change of humanity's thinking in changing and improving the world, towards building a world of man, for man. There, the development of each person is the premise for the development and freedom of all people in society.

Marxism-Leninism always requires true Communists to protect and develop creatively the basic principles following the conditions, historical circumstances, cultural traditions, etc. of every country in the world. Thus, the requirements of protection and development in the twenty-first century are the inherent characteristic nature, the intrinsic requirement of Marxism-Leninism, which is extremely important, create sustainable values, the vigorously developing vitality of the progressive humanity in our time.

## **2. Protection and development of Marxism-Leninism is a practical response to the development of science and technology**

From the principle of unification between theory and practice of Marxism, we see that the reality of life is always moving, changing, developing, therefore, human perception in general, the reasoning of Marxism-Leninism, in particular, must always be applied, supplemented and developed to suit the reality in the indispensable development. Today, there are many profound fluctuations, the world has many complicated developments; the trend of multi-polar and multi-center takes place faster; major countries adjust their strategy, cooperate to compromise, compete and control each other at the same time. The scientific and technological revolution, especially the rapid development of science and technology, has posed many challenges to the requirements of protection and development of Marxism-Leninism in a period new objective material development of human society. Along with the development of science and technology are a series of emerging problems in the development of human society such as extreme nationalism, oppressive power, and emerging populism in international relations, there are also global issues such as security of political insti-

tutions, food security, energy security, security of clean water, climate change, natural disasters, and epidemics. The disease has many complicated developments. Humanity is facing many challenges and fierce contradictions before the development of science and technology. This has had a significant impact on the process of applying Marxism-Leninism in the struggle for the progress of humankind. The development of science and technology has a strong impact on the world situation and the worker movement, and requires Marxism-Leninism to be applied, supplemented and developed to suit and adapt to the transformation situation of new practices. Right in the Preface written for the German version of the Communist Manifesto, published in 1872, C. Marx and Engels affirmed that there are some small passages and small details of this work that need to be reviewed and written differently, as the practice has changed. These rapid changes of science and technology in practice at the beginning of the 21<sup>st</sup> century are posing many theoretical and practical issues, but in order to solve them properly, we must also rely on the theory method, viewpoint, position, attitude of Marxism – Leninism must be found in the reality behind the development of science and technology today. The development of science, technology in particular and the development of reality, in general, are requiring us to continue to apply, supplement and develop creatively Marxism-Leninism. Marx and Engels himself have noted that "... communism is not a state, it needs to create, not an ideal, but reality must follow. We call it "communism is a realist movement, it abolishes the present state. The conditions of that movement are borne of the existing premises".

This situation requires genuine communists to apply, supplement and develop Marxism-Leninism scientifically and practically. Only on that basis, can we protect and develop Marxism-Leninism and meet the development practices of science and technology. The world today is experiencing many rapid and profound fluctuations, but as the Communist

Party of Vietnam has observed that “*According to the evolutionary rule of history, mankind will certainly advance to socialism*” [11]. The countries and people to achieve the goal of winning the bourgeoisie are similar, but each country must apply and adapt to complete the process of development and successful construction of communism. The specific conditions of each nation and nation are different, so it is necessary to apply the principles of communism “so that these principles are properly modified in detail matters suitably, appropriately with the ethnic and state-ethnic characteristics” [13]. This requires the communists in different countries and ethnic groups to know how to manipulate and supplement, the development of Marxism-Leninism creation. The strong development of science and technology also requires Marxism-Leninism to be applied, supplemented and developed creatively: “Every time there is an era-invention even in the field of natural- historical science, naturalism does not change its form” [14]. This is true of Marxism-Leninism. The practice has proved the correctness of this thesis of Lenin. This is because the reality changes, so the conclusions drawn from the practical review must also change according to the new reality. All of this shows that Marxism-Leninism is a doctrine that should always be protected and developed by the practical development of science and technology in the new situation of the modern world.

### **3. Several points of view that need to be mastered in the protection and development of Marxism-Leninism**

Firstly, to protect and develop Marxism-Leninism is to continue clarifying and confirming the revolutionary and scientific nature of Marxism-Leninism in new conditions.

Applying, supplementing and developing Marxism-Leninism must be based on the perseverance and steadfast Marxism-Leninism doctrine to protect, inherit and promote the inherent revolutionary and scientific nature of its owners, not bewildered, wavering and proactively preventing misalignment. It is

necessary to clearly identify and reject the abuse in the name of “manipulating, supplementing and developing Marxism-Leninism” to negate its inherent revolutionary science nature and fall into revisionism; or in the name of “defending” Marxism-Leninism so that it does not see changes in objective reality, fall into dogmatic, conservative, conservative, lagging behind natural objective development. To protect and develop Marxism-Leninism properly, it is necessary to distinguish the true positions of classical philosophers from what others have “added” to them.

Second, to protect and develop Marxism-Leninism, that is, on the standpoint of Marxism-Leninism refers to a number of issues that Marx – Engels – Lenin correctly solved in their time, but due to the changing realities of the times, new development additions are needed but must be based on its inherent persistent perspective.

Karl Heinrich Marx, Friedrich Engels, and Vladimir Ilyich Lenin are not gods, they are human beings like everyone else. Therefore, they also have the wrong time. In his preface to the work of “Marxist class struggle in France from 1848 to 1850”, Engels acknowledged that he was wrong when the socialist revolution was about to break out in Europe then. Later, Vladimir Ilyich Lenin further explained in the Preamble to the Russian translation “The Letters of I. Ph. Peter, I. Adzen, Ph. Engels, C. Mark, etc. to Ph. A. Joshua and others “as follows:” Yes, Marx and Engels made many mistakes and often made mistakes when judging the revolution would break out, while the two men hoped that the revolution will be successful (for example, 1848 revolution in Germany)”.

Vladimir Ilyich Lenin himself later acknowledged that the October Revolution had won “after we had many great failures and mistakes” and in construction and economic development “we have met the most failures and the most mistakes. “Of course, Vladimir Ilyich Lenin also emphasized that “we are not afraid to admit our mistakes, we will look at them soberly to find how to fix it”.



Protection and development of Marxism – Leninism requires the confirmation of the points of Marxism – Leninism, not only in accordance with the past or now, but also to continue to have a directional value such as: materialistic notions of history; the theory of surplus-value, material dialectic, the theory of the worldwide historical role of the working class, the doctrine of socialism, etc.

Third, the protection and development of Marxism-Leninism means that in the position of Marxism-Leninism raises the concept of some issues due to various reasons that the classics of Marxism-Leninism no conditions and opportunities to resolve.

In his letter to Iodep Bloc on September 21, 1890, Friedrich Engels pointed out that Marx and he were somewhat at fault in making young people sometimes value the economy more than necessary. Because the problem of time and specific objective conditions did not allow, Karl Heinrich Marx and Friedrich Engels have not yet mentioned all the issues that today require such as the issue of Asian production methods, the transition process ignores the stage of developing capitalist regime on socialism in poor, backward countries, etc.

Fourthly, applying, supplementing and developing Marxism-Leninism means that on the standpoint of Marxism-Leninism, it raised the concept of some urgent problems that are posed by today's life, but in the era of Karl Heinrich Marx, Friedrich Engels, and Vladimir Ilyich Lenin have not yet set or have set but not urgent.

We have all studied; Karl Heinrich Marx, Friedrich Engels, and Vladimir Ilyich Lenin are not prophets, and they cannot foresee all the specific problems that will occur in the development future reality of human. For example, they have not seen the specific

capital system capable of adjusting itself to the use of state intervention; they also could not foresee the tremendous expansion of the service sector, the field of science and technology, from which the social-class structure was also arranged and changed; or the rapid development of science and technology, especially information technology or current 4.0 technology, has created capitalism with advantages, opportunities to prevent, limit crisis, or to solve problems. Party members to do private economy; problems of building a socialist rule-of-law state; issues of cultural development as the spiritual basis of society, etc.

In short, the protection and development of Marxism-Leninism in the present era in the 21<sup>st</sup> century and beyond is an undeniable requirement in the whole process and development trend of progressive human society. By its nature, the mission of entrusted revolutionary history with the full internal properties of Marxism-Leninism is a consistent basis to continue to meet new practical requirements with the development of the science, technology, thereby also help identify more clearly the changes of capitalism in order to distract, deny the objective scientific thesis of Marxism – Leninism. The protection and development of Marxism-Leninism must be done on a principle basis, not arbitrarily in the name of “protection and development” to misrepresent and oppose Marxism-Leninism or in the name of “protect the owner.” Marxist-Leninist meaning “falls into the conservative, stagnant, not renewed, developed Marxist-Leninism, from here on will definitely be the success of the revolutionary movement in the world, the movement of liberating people from oppression, building a progressive, civilized human society that the issue of protection and development of Marxism-Leninism needs to be put first.

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## **THE US-CHINA IP DISPUTE: HOW WILL THE US RESPOND TO AND ADDRESS CHINA'S PERSISTENT VIOLATION OF INTERNATIONAL AND US IP REGULATIONS?**

**Abstract.** The US-China IP disputes are one of the main conflicts between the two leading powers, and it was also considered as an important cause of the Trade War. The US is quite unsatisfied with China's IP espionage, forced technology transfer and insufficient IP protection. At the same time, China, as a new rising power, is reluctant to give up the opportunity of taking advantage in IP. This article is going to explain the history of US-China relationships in terms of IP, then analyze the motives and policies of both sides, eventually estimate possible outcomes of the IP dispute.

**Keywords:** trade war, IP disputes, US-China relations, IR theories.

Since they first began to interact with one another, relations between China and the US have been tremendously important. However, owing to the recent trade war that has broken out between the two countries, the relationship has taken on added global significance, influencing not only the internal economies of both nations, but also the shape of international markets. Most articles that address the trade war focus largely on tariffs, assessing how the political decisions of each country relates to both bargaining power and domestic economic effects. However, the problems regarding IP theft, a significant part of the ongoing tension between the countries, has not received enough attention. In this essay, I argue that the chief force driving the trade war, and the chief problem that needs to be resolved, is the technological relationship that the two countries will have going forward. The United States has traditionally accepted China as a manufacturing center and has been willing to allow China to produce a large percentage of manufactured goods. However, as China asserts itself as a technological power, driven in part through a sustained process of intellectual property theft, the United States has become worried. The trade war is a result of IP property disputes.

Intellectual property (IP), a category of property that includes intangible creations of the human in-

tellect, encompasses two types of rights: industrial property rights (trademarks, patents, designations of origin, industrial designs and models) and copyright [1]. Although these areas of human creation are ostensibly protected, countries and companies steal IP from each other in order to gain profit and information. Each nation has its own national rule, and when it comes to international IP disputes, there has to be something to mediate disputes and restore the international order. The World Trade Organization's (WTO) Agreement on Trade Related Aspects of Intellectual Property Rights ("TRIPS") is the centerpiece of this recent wave of institutions and agreements that seek to redefine international IP law [2]. The inclusion of TRIPS in the WTO had the effect of linking IP protection to trade politics. It ushered in an era of new, powerful global IP law. Along with the various subsequent TRIPS-plus agreements – which strengthened IP protections even further – TRIPS has, in the eyes of many, solidified the importance of considering the social justice aspects of international IP rights [2]. International IP law seeks to mediate often divergent national policies toward innovation and creativity, which in turn reflect divergent underlying value frameworks. Unfortunately, although it has been successful with respect to most nations, the

WTO has proven ineffective when it comes to China. This failure has to do with the fact that China is a very special case. Since 2006, when it was ranked 6<sup>th</sup> in the world, China's economy has grown exponentially [7]. And yet, despite its rapid growth and enormous economic power, China is still considered a developing country. Internally, the country has less stringent IP laws and surveillance than most other developed nations. Because China has reached a significant size and can exert greater influence through its market, the US cannot continue tolerating its abuses of IP agreements. If the WTO can't work, then the US will figure things out on its own, and this is exactly what the current administration is proposing. In action, the US now started a trade war with China, with the accusation of IP theft as one of its excuses.

The IP dispute with China actually began during China's reformation of its economy in the 1980s. After Mao's death, China's economy adopted capitalist elements, including the opening of its markets. As foreign firms began to see China as a new and emerging opportunity to expand into, the problem of IP theft developed. Since that time, it has become a long-lasting issue that has complicated the relationship between the Chinese government and companies wishing to enter its economic territory. To quiet suspicion and discontent, China has constantly proposed policies for IP theft elimination, but none have seriously materialized. Since the mid-1990s, it has become a ritual for Chinese authorities to announce some sort of "strike hard" campaign (usually with a cool name) that is focused on wiping out copyright infringement. In the 1990s, the issue was DVDs. In the early 2000s, the issue was luxury goods. This latest program is focused on online infringement. But none of these cool-sounding campaigns have had any real impact. China remains the most significant infringer of copyright in the world. One reason why the issue has persisted is because Beijing sees IP theft as a way to accelerate its economic growth.

Since the beginning of the reformation of its economy, there have been various cases of IP theft

in China's. One well-known and common method of stealing IP is by using employees or professional agents to steal confidential and proprietary information, including trade secrets, business information, software, and even military technologies. On February 28, 2007, a Motorola engineer named Hanjuan Jin was stopped by customs agents at O'Hare Airport. Agents searching her bags found confidential Motorola documents [3]. Following her arrest, the ensuing investigation revealed that, after eight years with Motorola, Jin had taken medical leave in 2006 and had gone to China. In violation of the terms of her Motorola employment, she pursued a job with Sun Kaisens, a Chinese telecom company that does work for the Chinese military. In 2007, she returned to work in Motorola where she began to exfiltrate loads of confidential documents about cellular communication. It is evident that the engineer was instigated and bribed by the Chinese company (probably with the government behind the scenes) to commit such theft. In a separate case, a Chinese Ministry of State Security (MSS) agent was arrested when trying to steal top-secret jet engine technology from GE Aviation [4]. This case shows that the determined involvement of the Chinese government in IP theft, with one of its own government agents caught on charges of attempting to steal highly classified and extremely sensitive aviation technology, probably for the Chinese Military. It is clear that China is benefiting from both spontaneous and instigated IP theft by employees in American companies. Sometimes even the government itself gets involved in and commits such theft. The effect of these and other cases is to allow the Chinese government to facilitate its economic and technological growth. Far from being a problem that needs to be resolved, IP theft is a strategic element in Chinese planning.

In order to enter the Chinese market, American companies are required to partner with an existing Chinese firm, a state-mandated arrangement that helps facilitate the theft of American IP. Many Chinese companies use their partnership with the

American companies to steal intellectual properties during cooperation. The Chinese gained access to many technologies and trade secrets through joint venture companies or special collaboration on projects, and they simply took them without permission. Since most of these cases transpire inside of China, the court rules in favor of the Chinese firms. As a result of this unbalanced legal process, many cases of IP theft from American partners are unfairly settled. One of the most famous cases involved AMSC-Sinovel. In 2005, the Chinese government made wind power and large-scale wind farms a key strategic objective. AMSC partnered with Sinovel, a Chinese maker of wind turbine hardware to sell into the Chinese market. In 2011, AMSC discovered that Sinovel had an illegal copy of the entire AMSC software code on one of their windmills [3]. AMSC launched an investigation and found that a Serbian engineer working at their Austrian development facility, Dejan Karabasevic, had stolen the full software code and turned it over to Sinovel. In 2011, AMSC filed the largest-ever IP theft case in a Chinese court, seeking \$1.2 billion compensation for their losses [3]. Sinovel cancelled all its business with AMSC and refused to pay the \$800 million it owed AMSC. As a result, AMSC was badly damaged. Its market capitalization dropped by half, and the company had to lay off over 60% of its workforce. Despite the evidence of theft, the China case was never settled, and the severe damage caused by the disaster was never compensated. Today, Sinovel still uses stolen AMSC software to power its wind turbines. The company remains the world's second largest and China's largest provider of wind turbines. AMSC estimates that 20% of the wind turbines deployed in China today use illegal AMSC software [3].

Apparently, protection of intellectual property law that has been established by government legislations is not as effective as they've claimed to be. China has instituted new IP Courts in Beijing, Shanghai, and Guangzhou, which officially opened in late 2014. As a result, there has been significant progress

in the IP law area. Damages awarded by the specialized IP Courts have grown aggressively in the past two years. Statistics show that in 2016, the average amount of damages granted by the Beijing IP Court was RMB1.41 million (around USD 200,000) for patent infringement. In comparison, prior to 2014, the average damages were only RMB80,000 for patent infringement [7]. Damages for other types of IP infringement were even less. However, these improvements are not enough. Despite all of these improvements in the protection of IP in China, copyright violations are still very common in the PRC. The specialized IP Courts have no jurisdiction to hear IP-related criminal cases, and all non-technology-involved IP cases, such as trademark, trade dress, unfair competition, copyright (except for software related) cases now have to be brought to Basic People's Courts for trial and to the IP Courts for appeal in Beijing, Shanghai, and Guangzhou. Among these cases, some are quite sophisticated and may not be proper to be heard by Basic People's Courts. In addition, the shortage of manpower is a notable issue for all Chinese courts, and especially for the Beijing IP Court, which has exclusive jurisdiction over validity review of patents and trademarks in China. It is startling that each judge in the Beijing IP Court gets a quota of over 200 IP cases to conclude each year [7]. Such extremely heavy caseload creates barriers for judges to issue high quality decisions. As these numbers indicate, China is making some attempt at reducing IP theft, but much of this effort remains intentionally ineffective.

The American Chamber of Commerce in China surveyed over 500 of its members doing business in China regarding IPR for its 2016 China Business Climate Survey Report and found that IPR enforcement is improving, but the progress was definitely unmatched with China's rapid growth towards one of the leading powers on the planet, both economically and politically. The results show that the laws in place exceed their actual enforcement, with patent protection constantly approved, while protection



of trade secrets falls far behind. In December 2018, China announced its most serious measures since the trade war erupted, including punishments that could restrict local companies' access to borrowing and state-funding support if they are guilty of IP theft. However, Chinese law enforcers have been notorious for insufficient means of punishment. Despite new regulations, research from the Center for Strategic and International Studies in Washington has shown that IP violations have increased after the announcement of the new law [3]. There's little incentive for China and Chinese companies to stop. Under the pressure of the US, the WTO, and some innovative Chinese firms, China is improving its IP protections and making substantial progress, though still not fast enough from the US's perspective, since the enforcement of China's ambitious new plans was still inadequate.

China is using various means to steal IP from the U.S., so what strategies should the U.S. use in order to solve the problem? Before we address possible US policies to use against China, I'd like to establish some background information about the principal theories of international relations, since these will help explain the options that remain open to the U.S. as it attempts to seek fair trading practices. There are a wide range of theoretical approaches in the study of International relations, but the approach that the current administration favors is Realism. Realists sees the international system as a state of anarchy. States (nations) are sovereign and thus autonomous of each other [5]. Without any overarching authority, states are not constrained by anything other than their own self-interest. In this kind of anarchic system, state power is key, and it is also the only variable of interest, because only through power can states defend themselves and pursue their primary goal: survival. Every country is in competition with other countries, and – most importantly – the realist international order works on a zero-sum mentality: if one side wins, the other loses. There is no such thing as a win-win situation, so countries are constantly seek-

ing to coerce other countries into adhering to their own desires. Under this circumstance, states build up power to make themselves the “winner”, including building up military power and developing a strong economy, so that they can force other countries to do what they want. In distinction to this theory, Liberalism asserts that cooperation between states is possible. Under a liberal model, states no longer fight for survival. In fact, countries work together to preserve peace and enhance unity. Groups of states cooperate for mutual benefits, maximizing economic and technological growth by sharing and enabling higher levels of integration, which promotes regional collaboration and achieve more peace and stability.

Previous U. S. administrations adopted a more liberal policy toward China. Although they sought to constrain China's economic and military development, they advocated profound economic collaboration and tried to encourage the adoption of Western, liberal values of freedom of the press, freedom of religion, and more. The governing logic was that China would become more cooperative if it became more open to liberal democratic values. But following the election of Donald Trump, the U.S. government started to express greater anxiety and impatience over China's active expansion of its regional economic and military power. As such, the present administration has moved away from liberalism and towards realism. Rather than follow a path either of integration or containment and engagement, the Trump administration has been decidedly confrontational. As China grows stronger and stronger, the disputes between the two countries, including IP theft, have become more apparent. The trade war that the U.S. launched against China is the outgrowth of a realist view of international politics. A feature that clearly demonstrates the realist approach, which focuses on strong defense and on confrontational tactics, is the current policy to Huawei. One of the deciding factors that eventuated in the arrest of the CFO of the country is the dispute over Chinese IP theft. Given that the problem persists, what can the US do?

Another interesting principal theory is Institutionalism. The institutionalists believe that it is possible to have a third party to make differences. The institutionalists actually share many assumptions of Realism about the international system – there is a state of anarchy, nations are self-interested, rational actors (nations) seeking to survive while increasing their material conditions [5]. However, a radically different conclusion from Institutionalism is that cooperation between countries is possible. Institutionalists argue that institutions – defined as a set of rules, norms, practices, and decision-making procedures that shape expectations – can overcome uncertainty that undermines cooperation. Unlike a realist approach, which tends toward unilateral confrontation, institutionalists pursue meaningful resolution through institutions like the WTO. If the U.S. wishes to adopt a more institutionalist approach, it will need to limit its use of tariffs and rely more fully on the ability of international organizations to create and enforce rules for global trade.

Starting a trade war to force the Chinese to take IP theft seriously may prove successful. The present administration believes that IP theft and other economic disputes will be resolved precisely through this approach. If the administration implicitly argues, the Chinese economy faces enough harm through this trade war, it will yield to American demands. This confrontational policy uses tariffs and trade embargoes to force the Chinese to do what the Americans want, including improve IP protection, renegotiate taxations, alleviate forced technology transfer, and so on. These improvements will definitely benefit both sides, but they will favor the Americans more directly. As we can see from the current situation, China refuses to make radical change. From my perspective, China is still reluctant to relinquish the forbidden fruit of IP theft, because most of its high-tech industries are still some way behind the Americans'. Once its own technological sector has caught up to or even surpassed the U.S.'s, China might address IP theft more seriously. If this scenario is in fact correct,

then China's promises to strengthen laws against IP theft and initiatives to crack down on it must be assessed against the longer-term interest that the nation has shown in developing its technology. A trade war is something that could prevent empty Chinese promises from happening, insofar as it can create conditions in which the Chinese government is forced to act more aggressively. That being said, the trade war cannot realistically prevent all IP-stealing from happening. Instead, it can speed up the process and it can limit the direct involvement of the Chinese government in such thefts by compelling the country to become more compliant as part of an economic exchange. One thing to keep in mind is that, even if the negotiations have gone perfectly successful and China promises to eliminate IP theft completely, enforcing this agreement would be a challenge. China has floated the idea of establishing special "IP courts" to adjudicate disputes swiftly, but this proposal raises the question of the credibility of the Chinese court system. 5 years after the announcement of IP courts, today there are already 18 IP courts, located in different cities in Chinese mainland, and the number is still rising.<sup>7</sup> It is true that the IP courts made great reformations from the traditional Chinese courts, for instance, specialized IP Courts take a positive attitude towards provisional measures such as preliminary injunction and evidence preservation which are traditionally hard to secure in China. However, since a large portion of the IP theft was committed or sponsored by state-owned enterprises and organizations, and since the Chinese court system is directly controlled by the government itself, it is almost impossible to expect a fair judgement from that so-called "court". A trade war can definitely change the situation, but all it could do about IP theft is just about alleviation, not elimination.

Another alternative to deal with IP theft is to pinpoint firms that are suspected or proven to be committing IP theft and designate them as bad actors who need to be specially punished. This would also be a confrontational option, maybe even more

confrontational than a trade war, since the U.S. can take its actions unilaterally, without justification. This policy will strike violators of IP law directly and firmly. Punishments can include sanctions against entering the US market, random inspections, and even total trade embargoes. This might seem arbitrary and a bit too excessive, but from a realist approach, the primary objective is to force the Chinese back down and do what the US wants, without slow and indecisive negotiations. Following this strategy, the US can make more drastic impacts on China's attitude towards IP theft. In fact, punishments can hit unruly companies directly, without negotiating with any third-party. These severe punishments will not only make sure the violator suffer, but also call the other Chinese companies' attention. This will act as a clear warning to those who are still trying to violate IP laws. The US government cannot catch every single IP thief and punish them, but by punishing some of the most obvious ones as a warning to the others will serve as a deterrent. As the common Chinese saying goes, "kill the chicken and frighten the monkeys." This is a much easier approach towards reducing IP theft because it is up to the American government to determine its own market. Confined within the domestic legal sphere, the U.S. will be within its rights to restrict individual businesses or to stop supplying goods and products to the company that it suspects of violating the law and jeopardizing the economy.

Appealing to the WTO is also a suitable option. Unlike the two policies above, solving disputes through the WTO is a much more moderate method. Rather than taking a realist perspective, which the current administration is in favor of, settling IP disputes in the WTO is more like an institutional approach. The WTO is actually very effective in some ways, and it is also the legitimate organization to solve international disputes. According to recent analysis by the Cato Institute, between 2004 and 2018, 41 complaints were filed against China in the WTO dispute settlement mechanism (DSM) covering 27 separate issues. Five are still working their way

through the system. Of the 22 cases that have been completed, 12 resulted in a final judgement from the WTO DSM, and 10 were resolved through some kind of out-of-court settlement [2]. As we can see, WTO is not only the most trusted and convincing institution, and not only a globally-welcomed and recommended way of solving disputes, it is also quite effective indeed. By working things through the WTO, China can still change in the way the US wanted, but through a much more polite and friendly way. This can also help improve the continuously deteriorating political and diplomatic relations between the two countries, by which itself would speed up the settlement of the IP dispute.

On August 1<sup>st</sup> US President Donald Trump announced his new round of Tariffs to China, implementing an extra 10% taxation to approximately 300 billion dollars of products. Before this sudden re-outbreak everyone was expecting a trade deal from the two leaders, especially with the G20 Summit ongoing. But however, again, there seemed to be a disagreement between the US and China, which is this time, with the enforcement mechanism. U.S. officials say they got an inkling of China's second thoughts about prior commitments in talks last week in Beijing but the backsliding became more apparent in exchanges over the weekend. They wouldn't identify the specific issues involved. A sticking point is U.S. insistence on an enforcement mechanism with penalties to ensure Beijing lives up to its commitments. American officials say China has repeatedly broken past promises. Nevertheless, the Chinese negotiators insisted on their objection on the enforcement mechanism, which eventually led to the extra tariff from the US. All of a sudden, conjectures poured out from countless medias and experts, but for me, these seemingly chaotic events are actually indicating a secret plan from the Chinese, with even more significance than it seemed to have. The Chinese Government is now using a strategy to avoid as much concessions to the US as possible, by a tactic called "Running out the clock". What China is doing,

from the very beginning of the outbreak of the Trade war, is to run the time out until it gets to 2020, which is the year of another presidential election. The Chinese are expecting Trump to lose the election, so that they could get away with the whole Trade-negotiation thingy or at least get a deal that is made of more American concessions. Even if they were wrong and Trump gets re-elected, the Chinese has nothing to lose but to sign an identical deal that should have been signed years ago. That is the reason why China unexpectedly claimed the re-negotiation of all terms in May 2019, which caused another round of intense economic warfare. By the time the negotiation is already “80 percent done”—according to US government officials, and that’s when China came up with their Run-out-the-clock tactic. As a matter of fact, China’s strategy has been working very well – they’ve

already ran out more than half of the clock now, the 2020 presidential elections are only 10 months to go. The Chinese are slyly using the presidential election as a soft spot of the US to grab as much advantages from the trade talks as possible.

For several millennia, the world has experienced constant power transition between the hegemony and rising powers, which in most cases result in creating huge frictions, with the incumbents trying to protect their ‘natural order’ and the insurgents resentful of always delayed recognition of their rising power and status. The US-China Trade conflict right now is technically a typical case of Power Transition-triggered dispute. The competition between the two countries will last as long as they occupy the first two seats, regardless of the outcomes of the Trade Conflict or the IP Disputes with China.

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## Section 7. Psychology

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### **THEORETICAL REVIEW OF STATISTICAL VALUES OF PATIENTS DIAGNOSED WITH CHRONIC PANCREATITIS IN HEALTH PSYCHOLOGY**

**Abstract.** The article discusses the statistical significance of epidemiology and mortality of patients diagnosed with chronic pancreatitis, a retrospective review of several decades in the Russian Federation. Very popular topics are psycho-emotional disorders and psychosomatic diseases, which have attracted specialists from different areas (doctors and psychologists from the areas of health psychology). Psycho-emotional stress as a predictor of gastroenterological diseases combined with eating disorders causes various alimentary-dependent diseases, such as a very broad group of diseases of the digestive system.

**Keywords:** statistics of gastrointestinal diseases, gastroenterology, health psychology, chronic pancreatitis, eating disorders, psychological factors.

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### **ТЕОРЕТИЧЕСКИЙ ОБЗОР СТАТИСТИЧЕСКИХ ДАНЫХ БОЛЬНЫХ С ДИАГНОЗОМ ХРОНИЧЕСКОЙ ПАНКРЕАТИТ В ПСИХОЛОГИИ ЗДОРОВЬЯ**

**Аннотация.** В статье рассматриваются статистические данные эпидемиологии и летальности больных с диагнозом хронической панкреатит, полученные в результате ретроспективного обзора нескольких десятилетий на территории Российской Федерации. Весьма актуальной темой являются психоэмоциональные нарушения и психосоматические заболевания, привлекающие внимание специалистов разных направлений (врачей и психологов направления психологии здоровья). Психоэмоциональное напряжение как предиктор гастроэнтерологических

заболеваний в сочетании с нарушением пищевого поведения вызывает различные алиментарно-зависимые заболевания, такие как весьма широкая группа заболеваний органов пищеварения.

**Ключевые слова:** статистика заболеваний ЖКТ, гастроэнтерология, психология здоровья, хронический панкреатит, нарушения пищевого поведения, психологические факторы.

С каждым годом увеличивается число психосоматических расстройств. Данная тенденция влечет за собой ряд проблем в учреждениях здравоохранения. Одной трети больных, которые обращаются за медицинской помощью, на самом деле в первую очередь необходима помощь психологического характера. Психология здоровья как молодая отрасль психологических наук представляет собой перспективное решение для людей с психосоматическими заболеваниями. Так как психологические факторы играют большую роль на разных этапах заболевания (на возникновение заболевания, в процессе лечения, реабилитации и профилактики) (Касаткин В. Н., Бочавер А. А., 2010), то работа психолога с больными разных соматических отделений представляется очень значимой и важной.

Психологические причины заболеваний органов пищеварения в гастроэнтерологии могут быть экзогенными и эндогенными. Экзогенные предикторы заболевания и нарушения работы желудочно-кишечного тракта (ЖКТ) могут быть следующими: нарушение пищевого поведения, чрезмерное употребление алкоголя, психоэмоциональный стресс, длительное употребление лекарственных препаратов. Эндогенные факторы: нарушение обмена веществ, заболевания эндокринной системы, аутоиммунные заболевания, генетические и наследственные факторы. Информация, полученная из научных источников, указывает на то, что почти 80% всех болезней связано с расстройствами психики и стрессом [1; 2].

Для оценки психического здоровья необходимо сначала понять, что представляет собой психически здоровый человек. Под психическим здоровьем понимается состояние психической сферы человека, характеризующееся душевным

комфортом, адекватной регуляцией поведения и обусловленное потребностями биологического и социального характера [3]. Это означает, что все компоненты – психологические, социальные и биологические – должны быть в равновесии, и если какой-то из компонентов здоровья нарушен, то человек начинает страдать.

Эмоциональный фактор имеет огромное значение во всех психосоматических заболеваниях. Негативные эмоции, такие как психоэмоциональное напряжение, подавленность, длительные стрессовые ситуации, тревога, депрессия, агрессивное поведение, нетерпимость и другие, в сочетании с социальными факторами, такими как нарушение семейных взаимосвязей, финансовое неблагополучие, культурно-этнические традиции и многие другие, могут повлиять на разные органы и системы, в первую очередь на органы пищеварения. Каждый раз, когда эмоции подавляются, не имея возможности быть выраженными с помощью произвольного поведения, они создают остаточное напряжение и могут тем самым оказывать хроническое негативное влияние на различные фазы пищеварительного процесса [4].

По итогам обзора литературы за несколько предыдущих десятилетий путем сопоставления данных можно заключить, что с 1940 по 2018 год данные, касающиеся болезней органов пищеварения, варьируют. Для понимания масштабности заболеваний органов пищеварения (желудочно-кишечного тракта) представлен обзор статистических значений по заболеваниям без учета онкологических заболеваний ЖКТ на примере городского населения России за несколько десятилетий.

До начала Великой Отечественной войны (ВОВ) в 1939 и 1940 годы по данным П. М. Козлова [5] на 1000 человек жителей городского

населения России среди всех заболеваний на первом месте находились заболевания органов пищеварения: из 1000 человек страдали 310,8 человек, на втором месте инфекционные заболевания (245.3) и на третьем месте болезни кожного покрова (110.8) (Паевский В. В., 1970; Ткаченко Е. И., Успенский Ю. П., 2006).

Спустя десять лет после ВОВ, в 1955 году, по статистическим данным на 1000 человек городского населения России число заболеваний органов пищеварения составляло 53.9 человек [6]. Среди всех заболеваний алиментарного происхождения они и далее на первом месте. На втором месте заболевания сердечнососудистой системы (болезни органов кровообращения) – 42.9 человек. Уменьшение числа больных с заболеваниями органов пищеварения также может быть связано с новой номенклатурой заболеваний, утвержденной в 1952 году (Большая медицинская энциклопедия, 1959).

В 1960 году структура заболеваний городского населения СССР указывает на то, что из 1000 заболеваний первое место (в 110.6 случаях) занимает язвенная болезнь желудка и 12-перстной кишки, второе – гипертоническая болезнь (55.0) и третье – атеросклероз коронарных сосудов (34.8) (Ткаченко Е. И., Успенский Ю. П., 2006). На основе представленных статистических данных можно заключить, что характеристика заболеваний изменилась и увеличилось число алиментарно-зависимых заболеваний, что в дальнейшем в последующие годы выведет на первую позицию среди всех заболеваний заболевания сердечнососудистой системы (ССС). Можно также заключить, что индустриализация изменила структуру питания, пища стала более доступной. Из углеводной пищи, которая до того составляла более 70% всех питательных веществ, в питании в первую очередь увеличилось количество жирной пищи, что и стало причиной увеличения заболеваний как следствие неадекватного и измененного питания.

С 80-х годов XX века как в России, так и во всем мире по статистическим показателям можно определить, что на первом месте оказались болезни ССС (болезни системы кровообращения), на втором месте онкология (злокачественные заболевания) и на третьем месте болезни органов пищеварения. Данная ситуация сохраняется и на сегодняшний день.

На основе анализа статистических данных в период с 1990 года по 1998 год среди населения России на 1000 человек по основным классам болезней были выявлены следующие данные: среди всех заболеваний болезни органов пищеварения в 1990 году составляли 27,2 случаев на 1000 человек, а в 1998 году 32.6 (Ткаченко Е. И., Успенский Ю. П., 2006), что указывает на постепенное увеличение впервые диагностированных заболеваний ЖКТ среди населения. В период с 1999 по 2003 год количество диагностированных впервые заболеваний на 1000 человек составляло 35.3 человек. В 2010 году на 1000 человек населения России заболевания ЖКТ составляли 32.3 случая, в 2015 году 35.3, а в 2017 год 34 случая (Российский статистический ежегодник 2004 и 2018 года). За последние 15 лет нет значительных изменений статистических данных по впервые диагностированным заболеваниям органов пищеварения.

На основе оценки процента летальности при заболеваниях ЖКТ выявлено, что после приступа выживают примерно 9 из 10 больных [7], но функции поджелудочной железы, такие как ферментная секреция, остаются значительно сниженными после проведения лечения и требуют длительного комплексного лечения, соблюдения рекомендаций и режима питания.

В 1970 году летальный исход среди больных с заболеваниями органов пищеварения составлял 23.2 человека на 100000 человек населения России. В 1995 году – 46.1 человек, в 2003 году – 56.8 человек, в 2010 году – 64.4 человека, в 2015 году – 69.6 человек и в 2017 году – 63.3 человека (Россий-

ский статистический ежегодник 2004 и 2018), что указывает на увеличение летального исхода за последние 15 лет на 13% у больных с заболеваниями органов пищеварения (без учета онкологических заболеваний ЖКТ). В среднем летальность при неосложненном панкреатите составляет 19–30% (Хорошилов И. Е., Панов П. Б., 2009).

На сегодняшний день в мире процент гастроэнтерологических заболеваний составляет 20–30% [8]. Если рассматривать заболевания поджелудочной железы в рамках гастроэнтерологических заболеваний, то получают следующие статистические данные. В 1992 году на 100000 населения 51,0 (2%) человек страдали различными заболеваниями поджелудочной железы. За период с 2000 по 2005 год среднее значение составило 69.5 человек (2,8%), в 2006 году 95.9 (3.9%) (Дмитриева Т.В, Дмитриев В. Н. 2010). Это указывает на увеличение числа заболеваний поджелудочной железы на 91.5% в период 1992–2006 г. [9].

На основе данных, опубликованных ФГБУ «Центральный научно-исследовательский институт организации и информатизации здравоохранения» (ЦНИИОИЗ) Минздрава России за период 2003–2016 годов [10], в группе взрослого населения было выявлено, что острым панкреатитом (К85) страдает 35.7 человек на 100.000 населения, что составляет 3.3%. Хроническим панкреатитом алкогольной этиологии (К86) страдает 127.08 человек, процентная доля составляет 11.9% в перерасчете на 100000 населения. Количество других хронических панкреатитов (К86.1) составляет 703.95 человек на 100000 населения России, в процентном соотношении к заболеваниям поджелудочной железы диагноз «другие хронические панкреатиты» составляет 65.8%. В статистических данных есть большие различия при сопоставлении данных мужчин и женщин. Распространенность диагноза «другие хронические панкреатиты» на 100.000 населения России среди мужчин составляет 473.02 человека, среди женщин 885.94 (Ширинская Н. В., 2018).

В возникновении заболеваний поджелудочной железы важнейшими факторами являются питание (нарушение пищевого поведения) и психоэмоциональное состояние индивида. Самыми частыми эмоциональными проявлениями у больных с хроническим панкреатитом являются депрессия и тревога, которые могут проявляться на всех стадиях заболевания. В клинических рекомендациях по диагностике и лечению хронического панкреатита нет алгоритма работы психологов. Многочисленные психосоматические проявления обуславливают необходимость обязательного введения работы психологов (в первую очередь медицинских психологов и психологов, работающих в направлении психологии здоровья) с больными в отделениях гастроэнтерологии.

Статистические данные по летальному исходу в младенческом возрасте (до 1 года жизни) в период с 2000 по 2017 год указывают на значительное уменьшение смертельных исходов при заболеваниях органов пищеварения. В 2000 году количество летальных исходов у младенцев составляло 117, а в 2017 году 47 человек, что указывает на уменьшение смертельных исходов при заболеваниях ЖКТ до 1 года жизни в 2,5 раза (Российский статистический ежегодник 2018 года).

В России наблюдается увеличение числа заболеваний органов желудочно-кишечного тракта среди детей школьного возраста в 3 раза (Ямолдинов Р. Н. 2003; Голева О. П., Закоркина Н. А., Лопушанский В. Г., Блинова Е. Г., Сагитова Г. Р., 2005; Нураденов Х. П., 2014). На сегодняшний день граница возрастной категории людей, страдающих заболеваниями поджелудочной железы, снизилась с 50 до 39 лет (Степанов Ю. М., Гравировская Н. Г., Скирда И. Ю., Петишко О. П., 2014). Это может быть обусловлено изменением условий жизни, прежде всего нарушением пищевого режима человека. Первичная инвалидность составляет 15% [11].

В заключение необходимо подвести итог, что на сегодняшний день диагноз «другие хронические



панкреатиты» в России имеет 703.95 человека на 100000 населения. Женщины болеют в два раза чаще (на 100000 населения количество мужчин составляет 473.02 человека, а женщин 885.94). Биологические, психологические и социальные факторы имеют большое значение в возникновении заболеваний органов пищеварения. Необходим комплексный подход к лечению, так как на всех этапах заболевания требуется психологиче-

ская помощь. В качестве решения проблемы можно предложить обязательную практику работы психолога, специализирующегося в направлении психологии здоровья, с больными, страдающими заболеваниями ЖКТ. Также необходимо учесть, что человек обладает феноменологически индивидуальными, личностными особенностями, набором свойственных только ему черт, создающих неповторимую уникальность каждого [12].

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## PSYCHOLOGICAL VIOLATION IN WORKING WOMEN AND ITS RELATIONSHIP TO SOME PSYCHOLOGICAL VARIABLES (A COMPARATIVE STUDY BETWEEN WOMEN IN BOTH SAUDI AND EGYPTIAN SOCIETY)

**Abstract.** This study compares between Saudi women and Egyptian women in both psychological violation and psychological hardness and independence. It also aims to identify the existence of a relationship between psychological violation and both psychological and independent hardness. The sample consisted of 57 Egyptian women 56 Saudi women. Measures of psychological violation, rigidity and independence were used. The results indicated that Egyptian women were more sensitive to psychological violation compared to Saudi women, and that there were no differences between the two samples in commitment dimension as one of the dimensions of psychological rigidity, while Saudi women were more controlling compared to Egyptian women who were in turn more challenging. Of Egyptian women. There was also an inverse correlation between psychological violation and psychological hardness in Saudi women, while there was no correlation between the two previous variables among Egyptian women. There was no correlation between psychological violation and independence in Saudi women and Egyptian women.

**Keywords:** violation, hardness, independence, Saudi women, Egyptian women, comparative study.

### Introduction

Over the past decades, the woman was seen as a follower. The girl depends on her father while she is in her father's house as an unmarried girl. After her marriage and move to the marital home, she is relies on her husband. At all events, mother, daughter or wife are sacred roles that should be seen with great respect. The Prophet (peace and blessings of Allah be upon him) honored the woman, saying: "Compassionate with the bottles" means the women, as the Prophet (peace and blessings of Allah be upon him) recommended the importance of the mother when a man asked him. (who deserves my companionship? the Prophet said: your mother, he said: then who? the Prophet said: your mother, then he said: then who?, the Prophet said: your mother, then said who, said: your father (Al-

Bukhaari [8]). God Almighty also recommended to the wife and the importance of friendliness, love and compassion between the spouses, the wife is caring for the husband and interested in him and his children. (One of his verses is to create for you from yourselves couples to dwell in it and make love and mercy among you) The Holy Quran (Al-Rum:21). However, despite the appreciation of religion for the importance of women, and with a lot of life pressures, women have become a lot of pressure and violation in addition to not to respect some of the husbands or children of the teachings of the Islamic religion and even at times is considered what women do towards their family members is a duty imposed on them, It is an acquired right for them that does not deserve any reward or praise or even a word of thanks.

Humans practiced violence against each other. In so far as is known, no time or system was free of it (Walker [22]). resolution WHA49.25 of the forty-ninth World Health Assembly declared violence a “leading worldwide public health problem” (Florence, 2006).

The present study aims to identify the psychological violation toward women and its relationship to both psychological rigidity, and independence in both Saudi Arabia and the Arab Republic of Egypt, especially because of the importance of women in the current era and the importance of their role in society, and with the presence The current political leaderships in both countries and calling for the importance of the status of women, and the need to empower women is essential in the vision of 2030 in the Kingdom of Saudi Arabia, and the term empowerment of Saudi women has become a reality as Saudi women entered all areas of work and were given all of its rights as an effective partner in the wheel of progress and development, and has already proved its efficiency in all positions assigned to it Empowerment of Egyptian women has also become a fundamental necessity in Vision 2030, reflected in all areas, be it political, economic, social or legal, but nonetheless women in our Arab societies still feel more psychological violation.

The term “battered woman syndrome” was introduced to the public ambit in the 1970s to promote awareness of minority rights (Biggers [2]). Simms also knew, that “psychological violence is much more difficult to stop than physical violence,” because psychological violence is usually underplayed by both victims and offenders. Lenore Walker has identified three phases in the cycle of violence in battering relationships: 1) tension building; 2) the acute battering incident, and; 3) loving contrition In the battered woman syndrome (Shillingsburg [17]).

Psychological Theories Referred to that three major psychological theories that are adopted to interpret the psychological violence towards women (*a* a subcategory of posttraumatic stress disorder

(PTSD), (*b*) ecological theory that is incorporating both trauma and other situational factors that include a patriarchal societal structures which tolerates if not actually to facilitate men’s violence committed against women, and (*c*) a system’s approach to psychological interactions putting blame on men and women together for their addition to the violence in relation. The 3<sup>rd</sup> approach, using system’s theory, which involves little similarity to the model psychiatric theories of masochism (Walker 2006).

Diagnostic categories of domestic violence that turn from psychosocial disorder and acute injuries to a chronic and physically overwhelmed condition, there are two logic based on diagnoses of domestic violence, body and victim blame: 1) the logic of injury (from 70s until 80s); and 2) the logic of health (late 80s–up to date). (McIntosh, N. R2013: 6). The concept of Battered Women Syndrome (BWS) is designed as a subclass of PTSD. It consists of the each of the following signs: (a) re-experience of beating as if it were repeated even if this did not happen; (b) trying to avoid the psychological impact of beating by avoiding actions, individuals and emotions; (c) excessive arousal or excessive alertness; (d) disruption Interpersonal relationships, (e) deformation of the body or other physical concerns, and (f) sexual and intimate issues (Walker [22]). In cases where battered women who kill their abusive partners and advocate for self-defense are subjected to an expert testimony to help female entrants actually understand the experiences and context in which some battered women resort to lethal force (Terrance et al.[21]).

Schuller, Regina A., et al. [12] noted that the presence of testimony of violence against women who killed her abuser led to greater leniency when sentenced. (Cheryl A. T. et al. 2013) pointed out that men particularly seem to be differential in being influenced by the alternative types of experts testimonies.

Rothenberg B., [15] analyzed research in the social sciences, news papers, legislative and judicial decisions, we conclude that there are multiple argu-

ments for harming women in particular, which we call the syndrome of women who are subjected to violence.

One of the most discussed components of intimate partner violence is related to attachment theory. Therefore, the purpose of (Nathan A. L. [14]) study was to determine to what extent the attachment pattern exists in the Battered Woman Syndrome, the study sample consisted of 137 females who were declared previous experiences of domestic violence. The data collection instruments were represented by the Battered Woman Syndrome Questionnaire (BWSQ, The theory of learned helplessness (Seligman, 1975) which was adopted as a conceptual framework to understand the reason forcing battered women to continue in an abused relationship.

Individuals who think that they are entitled to easy comfort and safety tolerate to deal with stressful situations by ignoring them as they are considered threatening situations to their senses of what life has to be all about. You try to “look the other way (Maddi S. 2013: 5). Sri Lanka’s Prevention of Domestic Violence Act (PDVA) remains a remedy of last resort for female survivors of intimate partner violence (Kodikara C., 2018:901)

Violence against females continues a major obstacle to achieving objectives of human-centered growth. In almost every sphere of women’s life and in most community spaces, domestic violence in specific has restricted alternatives. It also compromises their kids and families’ good growth and well-being. However, domestic violence in all areas, classes and cultures is prevalent (Seela A., Ram A., 2011). Battered woman syndrome had been adopted in the criminal justice system. (Couture A. & Ammar N., 2014). A nonrandom sample of battered woman who contacted social service agencies contributed to the initial findings of Walker’s studies (1979, 2009) involving the Battered Woman Syndrome Questionnaire (BWSQ). Walker’s three-step theory, developed as a result of her findings, hypothesizes the cyclical nature of the victimization and its effect on

the female that psychologically is trapping her in the relationship (McIntosh, 2013).

Battered woman syndrome (BWS) is a psychiatric and legal concept that is referring to the constellation of psychological impacts experienced by abused females and is designed for explaining, for instance, why a female stays with her abusive partner and why abused female in some cases kill their abusive partner (Michalski & Shackelford, 2006) for as Garcia-Moreno, Heise, Jansen, Ellsberg, and Watts (2005) have deduced, violence against women and girls is rampant. Their review of the epidemiological literature suggests that one in three women or girls across the globe have been victimized in childhood, adolescence, or adulthood. In some societies that rate is greatly exceeded (Florence et al., 2006).

Research illustrate that men are the predominant perpetrators of violence against women. (Loakes M. E., 2017). Most women experience violence perpetrated by someone they know, most often a current or former male partner (Sutherland; Eastal, 2019). there are innumerable variables accounting for domestic violence that includes to cultural, environmental, circumstantial as well as interpersonal and intra psychic factors (Nathan, 2011).

An estimated 1.3 million women report experiencing intimate partner violence (IPV) in their lifetime (National Coalition Against Domestic Violence, 2010) large majorities of battered women still attempt to hide the abuse behind lies and make-up. A study conducted by Hamberger, Saunders, and Hovey (1992) found between 20–35% of women who are admitted into emergency rooms or make appointments with community physicians have injuries. Along with the visible bruises, these women also suffer from emotional scars (McIntosh & Namadhjlah [12]).

The second concept in this study is (Hardiness). It is the pattern of attitudes and abilities that offers the bravery and strategies that help resilience by converting future disasters into possibilities for develop-



ment and satisfaction, thereby improving efficiency, satisfaction, and health Maddi S. R. [11].

The third concept in this study is the independence, which appears in the form of an independent behavior that is unique to the individual and distinguishes it from others in making decisions and freedom of opinion, choice and expression (EL Anazi [7]).

#### Study Hypotheses:

1. There are significant differences in psychological violation dimensions between both Saudi women and Egyptian women.

2. There are statistically significant differences in the psychological rigidity of the three dimensions of both Saudi women and Egyptian women.

3. There are statistically significant differences in the independence between Saudi women and Egyptian women.

4. There is a relationship between psychological violation dimensions and psychological rigid-

ity dimensions of both Saudi women and Egyptian women.

5. There is a relationship between psychological violation dimensions and the feeling of independence of both Saudi women and Egyptian women.

#### Method

##### Participants and Procedure:

The methodology used in this research is the descriptive analytical approach, and the descriptive approach is the most suitable for many educational problems more than others, and is aimed at quantitative or qualitative description of the phenomenon of human, social, administrative or a set of interrelated phenomena. The study sample.

The research sample consists of two groups as (113) women (57 Egyptian women) (50.4%) of the study sample and 56 and Saudi women (49.6%) of the study sample.

Table 1. – Distribution of the study sample according to nationality and their percentage to the total sample

Nationality	Number	Percentage
Egyptian	57	50.4
Saudi Arabia	56	49.4
Total	113	100%

#### Measure:

First: the psychological violation measure resulting from partner violence against women, written by Abu Nujila 2005, reworked and translated by Walaa Labib, 2018 and consists of 81 items divided according to several dimensions are:

A) The first dimension / psychological violation: from paragraph 1 to paragraph 48 This dimension itself is divided into three sub-dimensions are: – verbal and emotional harm: items from 1 to 18.

- Controlling, items from 19 to 36;
- After physical harm, items from 37 to 48.

(B) The second dimension / physical violation,, items from 49 to 63 and this same dimension is divided into sub-dimensions are: – Physical light viola-

tion and items from 49 to 54. Severe physical violation and its provisions of item from 55 to 63.

C) Third Dimension / Marital Violence, items from 64 to 72.

D) Fourth Dimension / Violation and Economic Violence, items from 73 to 81.

Participants were asked how much they agreed (Strongly agree (5 degrees) – Agree (4 degrees) – Neutral (3 degrees) – Disagree (2 degrees) – Strongly disagree (1 degree), and a high score on the scale indicates a high level of psychological in violation women.

- The validity of the scale was calculated in several ways where the researchers initially relied on the apparent sincerity and the sincerity of the arbitrators by presenting the scale to three experts specialized in psychol-

ogy to determine the suitability of the scale to measure what was prepared to measure, has been modified a number of items based on The opinions of the arbitrators were also reformulated some of the phrases and became the final form of the 81-item. Items were also verified the validity of the paragraphs and linguistic integrity and validity of application. The validity of the internal consistency of the measurement terms was calculated by the correlation coefficient between the rationing sample scores and the total score on each dimension of the scale.

- The stability of the scale was achieved after applying it to the rationing sample by 0.92% using alpha Kronbach stability factor.

Second Scale: psychological rigidity Scale Prepared and Developed by Maryam EL Anazi, and translated by Walaa Labib.

A) first dimension: (commitment): It is a kind of psychological contracting committed by the woman towards herself and her goals and values and others around her, items from 1 to 10.

B) The second dimension (control): refers to the extent to which woman believes that she can have control over the events she receives, and takes personal responsibility for what is happening to her, and includes the ability to make a decision and interpret and confront stressful events, items from 11 to 20.

C) The third dimension: (challenge) is the belief that a woman is changing what aspects of her life is more necessary for growth than a threat, which helps her to initiate and explore the environment and know the psychological and social sources that enable her to effectively face the pressures, items from 21 to 30.

The validity of the scale was calculated in two ways: a) the validity of the faculty members and specialists in the Kingdom of Saudi Arabia and the Hashemite Kingdom of Jordan and the adoption of the consensus of 10 arbitrators to judge the validity of paragraphs; b) the internal validity of the scale was calculated and the correlation coefficients ranged

between the dimensions of each other and the total score Between (62.9%: 96.9%).

Stability was calculated by retesting method and the total stability coefficient of the scale was 0.81% and the stability coefficients in the sub-dimensions ranged between 0.80: 0.84%.

Participants were asked how much they agreed: Always (take 5 degrees) – often (take 4 degrees) – sometimes (take 3 degrees) – rarely (take 2 degrees) – absolutely (take degrees) for items 1, 2, 5, 6, 8, 9, 11, 14, 16, 17, 18, 19, 21, 24, 26, 27, 28, 29, 30 While the rest of the items are corrected in reverse manner, where the high degree indicates the high level of psychological rigidity in women.

The third measure is independence: It is concerned with measuring the degree of independence in general in women in terms of making fateful decisions, and take responsibility for the home and children, and manage financial matters, and manage emotions during anger and its items from 1: 21.

The validity of the scale was calculated in two ways: a) the validity of the faculty and specialists in the Kingdom of Saudi Arabia and the Hashemite Kingdom of Jordan and the adoption of the consensus of 10 arbitrators to judge the validity of paragraphs; b) the internal validity of the scale was calculated and the correlation coefficients ranged between the dimensions of each other and the total score Between (67%:88%).

Stability was calculated by retesting method and the total stability coefficient was 86%.

Participants were asked how much they agreed: Always (take 4 degrees) – Often (take 3 degrees) – Sometimes (take 2 degrees) – Rarely (take 1 degree) For items 1, 2, 3, 4, 5, 6, 7, 9, 10, 12, 17, 18, 20, 21, while the rest of the items are corrected inversely where a high score indicates a high level of autonomy in women and vice versa.

– The researchers then conducted the study on a sample of 113 women inside the governorate of Qurayyat, Saudi Arabia, and the governorate of Menoufia in the Arab Republic of Egypt. They pre-

sented the scales of the tests through direct application to some, and sent to each other through e-mail.

Fourth: The statistical methods used: a number of statistical methods were used such as calculating the frequency, percentages, averages and standard deviations, and calculating the value of the significance of the differences between the two study samples in the study scales. Each sample of the study also used the correlation coefficient to identify whether there was a correlation between psychological violation dimensions, psychological rigidity dimensions, and

independence of both Saudi women and Egyptian women.

#### Results and discussion:

The first hypothesis: There are statistically significant differences in psychological violation in its dimensions between Saudi women and Egyptian women. T-test was used to identify the significance of differences in the responses of the study sample to the scale of psychological violation dimensions between Saudi women and Egyptian women according to nationality.

Table 2. – Value (T) and the significance of differences between the two study samples on the scale of psychological violation

The hub	Type	The number	SMA	Standard deviation	The value of T.	Sig-nificance level	Signifi-cance	Favor
The first dimension	Egyptian Saudi	57	3.91	0.481	17.21	0.001	Function	Egyptian
		56	1.88	0.744				
The second dimension	Egyptian Saudi	57	4.09	0.573	16.21	0.001	Function	Egyptian
		56	1.69	0.965				
third dimension	Egyptian Saudi	57	4.00	0.590	10.13	0.000	Function	Egyptian
		56	2.12	1.265				
The fourth dimension	Egyptian Saudi	57	3.79	0.563	10.41	0.000	Function	Egyptian
		56	2.03	1.136				
Scale as a whole	Egyptian Saudi	57	3.95	0.501	14.60	0.000	Function	Egyptian
		56	1.93	0.910				

Table 3. – Test for the significance of differences in the responses of the study sample to the scale of psychological rigidity in its three dimensions for both Saudi and Egyptian women

The hub	Type	The number	SMA	Standard deviation	The value of T.	Sig-nificance level	Signifi-cance	Favor
Commitment	Egyptian Saudi	57	3.65	0.561	2.39	0.155	Non Function	-
		56	3.42	0.447				
Control	Egyptian Saudi	57	3.58	0.476	-0.318	0.007	Function	Saudi
		56	3.61	0.338				
the challenge	Egyptian Saudi	57	3.92	0.574	1.90	0.038	Function	Egyptian
		56	3.74	0.452				
Scale as a whole	Egyptian Saudi	57	3.72	0.481	1.64	0.011	Function	Egyptian
		56	3.59	0.345				

It is clear from the table that there are significant differences between Egyptian and Saudi women on the scale of psychological violation in favor of Egyptian women, ie, Egyptian women are more feeling of psychological violation than Saudi women.

**The second hypothesis**

There are statistically significant differences in psychological rigidity in all three dimensions for both Saudi and Egyptian women.

**The third hypothesis**

There are statistically significant differences in independence between Saudi women and Egyptian women.

It is clear from the value of T in the previous table that there are significant differences in the autonomy variable for the benefit of Saudi women and this shows that Saudi women are more independent and self-reliant than Egyptian women.

Table 4. – Test (T) for the Significance of Differences in the Response of the Study Sample to the Scale of Independence between Saudi and Egyptian Women

Favor	Significance	Significance level	The value of T.	Standard deviation	SMA	The number	Type	The hub
Saudi	Function	0.031	-1.34	0.396	2.72	57	Egyptian	Independence
				0.273	2.81	56	Saudi	

**The fourth hypothesis**

There is a significant correlation between psychological violation in its dimensions and psychological hardness in both Saudi and Egyptian women. To

verify this hypothesis, the correlation coefficient was calculated between the average scores of the psychological violation in its dimensions and the average scores of the psychological hardness scale.

Table 5. – Correlation coefficient the correlation coefficient between the mean scores of the psychological violation scale and its mean scores

Statement	Nationality	Correlation coefficient	Significance level	Significance
Psychological Violation – rigidity	Egyptian	0.193	0.150	Is a function
	Saudi	0.465**	0.000	Function

It is obvious from the results presented from the table that:

There is no significant correlation between psychological violation and psychological hardness in Egyptian women.

There is a partial negative correlation (incomplete inverse relationship) between psychological violation and psychological hardness in Saudi women, where the correlation coefficient – 0.465 is a statistically significant correlation at the level of significance 0.01 where it is indicated by two marks \*\* and means that the increase in one variable is offset by a decrease in the variable The other but not the same degree or percentage, and the decrease in one

variable is offset by an increase in the other but not the same degree or percentage.

**The fifth hypothesis**

There is a relationship between the psychological violation of its dimensions and the feeling of independence of both Saudi women and Egyptian women. To verify this hypothesis, the correlation coefficient was calculated between the mean scores of the psychological violation scale in its dimensions and the average scores of the independence scale.

According to the table there in on significant correlation between psychological violation and independence in both of samples Saudi and Egyptian women.



Table 6. – The correlation coefficient between the mean scores of psychological violation in its dimensions and the average scores of the independence scale

Statement	Nationality	Correlation coefficient	Significance level	Significance
Psychological Violation – Independence	Egyptian	0.098	0.750	Is a function
	Saudi	0.173	0.202	Is a function

**Recommendations:**

Reducing women's sense of violation and abuse can be reduced by:

Marital guidance for newly married couples:

- Resort to religion and to treat women and try to alleviate them;
- Conducting counseling and awareness sessions for couples and children to raise

awareness of the importance and virtue of the mother, sister and wife;

- Conducting rehabilitation courses for women who feel violated;
- Media appeal for the role of women in society and the importance of not feeling violated.

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## EFFECT OF MENTAL HEALTH PROBLEM ON ACADEMIC PERFORMANCE AND THE MEDIATION EFFECT OF SLEEP DURATION

### Abstract

**Background:** One critical part of children's growth and development is mental health. In this study, we evaluated if children's mental health affect their academic performance, and explored if the effect was mediated through sleeping duration.

**Methods:** Data from the Youth Risk Behavior Surveillance System (YRBSS) was used. Logistic regression analysis was used to examine the association between child's mental health problem and academic performance. Mediation analysis was used to test if the average length of sleep partly explains the association.

**Results:** We found that mental health problem negatively affects child's academic grades, with one-point higher mental health problem score associated with 1.3 times higher likelihood of child having grades below A/B. Around 18% of the effect of was explained by sleep hours.

**Conclusion:** Mental health problem negatively affects children's performance at school. This association is partly mediated through effect of sleep hours.

**Future scope:** Future studies may explore other mechanisms of how mental health issue affects children's academic performance.

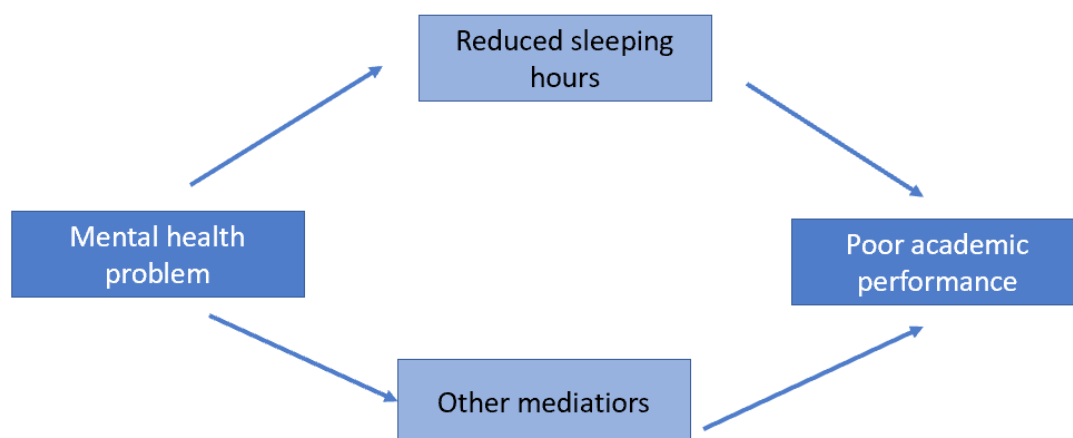
**Keywords:** mental health; mediation effect; academic performance.

### 1. Introduction

Mental health, like its physical counterpart, has important and long-lasting effect on one's wellbeing.

This study aimed to evaluate the effect of children's mental health problem on their academic

performance. We also studied if the effect is mediated through the effect of average sleep hours. Our hypothesis is that it may be partially mediated through the effect of sleeping duration by reduced concentration.



## 2. Study Methods

### 2.1 Data source

The Youth Risk Behavior Surveillance System (YRBSS) was developed in 1990 by the Centers for Disease Control and Prevention (CDC), aiming to monitor health-related behaviors that contribute to deaths and disabilities among youth and adults. It includes national, state, territorial, tribal government, and local school-based surveys of representative samples of students in 9<sup>th</sup> through 12<sup>th</sup> grade. These surveys are conducted every two years.

YRBSS monitors six categories of health-related behaviors:

- Behaviors that contribute to unintentional injuries and violence;
- Sexual behaviors related to unintended pregnancy and sexually transmitted diseases, including HIV infection;
- Alcohol and other drug use;
- Tobacco use;
- Unhealthy dietary behaviors;
- Inadequate physical activity.

At the time of this study, the most recent data of YRBSS was from year 2017. In this year's data, 14,765 students in 9<sup>th</sup> through 12<sup>th</sup> grades were surveyed.

### 2.2. Variables of interest

#### Academic performance

In the survey, students were asked "During the past 12 months, how would you describe your grades in school?"

- A. Mostly A's;
- B. Mostly B's;
- C. Mostly C's;
- D. Mostly D's;
- E. Mostly F's;
- F. None of these grades;
- G. Not sure.

We created a dichotomous variable "below\_average": below\_average=1 if a student reported C/D/E, and below\_average=0 if a student reported A/B.

#### Sleeping hours

Students were asked "On an average school night, how many hours of sleep do you get?"

- A. 4 or less hours
- B. 5 hours;
- C. 6 hours;
- D. 7 hours;
- E. 8 hours;
- F. 9 hours;
- G. 10 or more hours.

#### Mental health problem

Students were asked the following questions:

- "During the past 12 months, did you ever feel so sad or hopeless almost every day for two weeks or more in a row that you stopped doing some usual activities?"
- "During the past 12 months, did you ever seriously consider attempting suicide?"
- "During the past 12 months, did you make a plan about how you would attempt suicide?"

Responded are: A. Yes B. No

We added the responses to create a "mental health problem" score. A higher score indicates worse mental health. The score ranges from 0 to 3.

### 2.3 Data Analysis

#### 2.3.1 To assess the effect of mental health problem on academic performance

Logistic regression analysis was employed. It is a type of generalized linear regression when outcome variable is dichotomous (i.e., 0 or 1). The general format of the model is:

$$\ln(\text{odds of event}) = \ln(P/P-1) = \beta_0 + \beta_1 * X_1 + \beta_2 * X_2 + \dots + \beta_n * X_n$$

In this study, the outcome/event is if a student has below average grades. P is the probability of an event which is convertible with odds.  $X_1, X_2, \dots, X_n$  are explanatory variables.  $\beta$  is regression coefficient for a specific X. Logistic Regression modeling also generates Odds Ratio (OR). The relationship between OR and  $\beta$  is  $OR = e^\beta$

- If  $\beta > 0$ ,  $OR = e^\beta$  will be larger than 1, meaning that the predictor is related to a higher



probability/odds of the event, which, in this study, is “having depression”.

- If  $\beta < 0$ ,  $OR = e^\beta$  will be smaller than 1, meaning that the predictor is related to a lower odds of the event.

**2.3.2 To assess the mediating effect of sleeping duration**

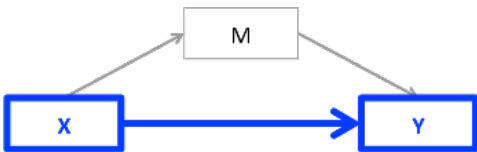
According to our hypothesis, poor mental health leads to reduced sleep hours and then lead to poor academic performance:

- **X** (mental health problem);
- **M** (reduced sleep hours);
- **Y** (poor academic performance).

In other words, reduced sleep hours is a mediator that (partly) explains the underlying mechanism of the relationship between mental condition and reduced child’s academic performance.

Mediation analysis is used to test this hypothesis. It is comprised of 4 steps.

**Step 1. To test the relationship between X and Y**



The model is  $Y=b_0+b_1X$ . A statistically significant  $b_1$  is expected as we would expect to see a relationship between X and Y.

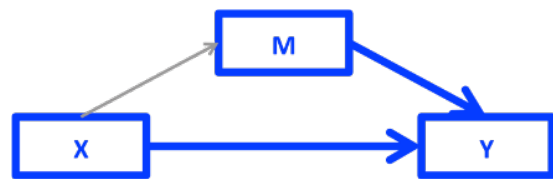
**Step 2. To test the relationship between X and M**



The model is  $M=b_0+b_2X$

A mediation makes sense only if X affects M. Therefore, we would expect to see a relationship between X and M, meaning that a statistically significant  $b_2$  is expected.

**Step 3. To test the effect of X after including M**



The model is  $Y=b_0+b_4X+b_3M$

If a mediation effect exists, the effect of X on Y will disappear or weaken when M is included in the regression. Therefore, A significant  $b_3$  and a non-significant or smaller- than-before  $b_4$  are expected.

**Step 4. To test if the mediation effect is statistically significant**

If there seems to be a mediation effect from steps 1 to 3, we will further test if this mediation effect is statistically significant. The bootstrapping approach is employed for the mediation effect test.<sup>1</sup>

**3. Results**

**3.1 Characteristics of the final study sample**

Among the 19,487 students, 51% were males and 49% were females. Average age was 16 years. Distribution of grades:

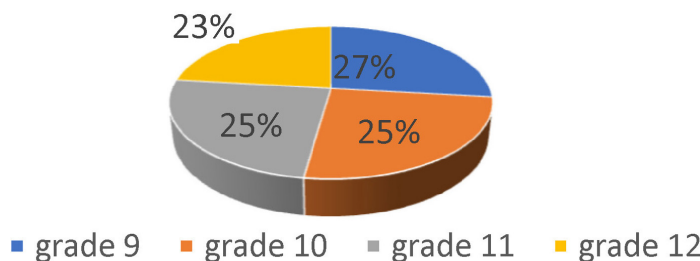


Figure 1. Proportion of studets in each grade

Source: 77% students reported grades mostly As or Bs, and 23% reported mostly C/D/E

**Comparison by gender:**

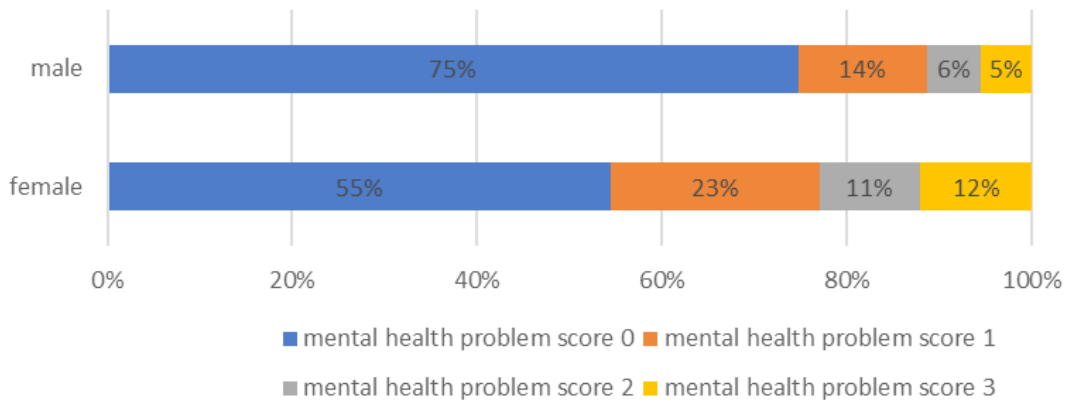


Figure 2. Comparison of mental health by gender

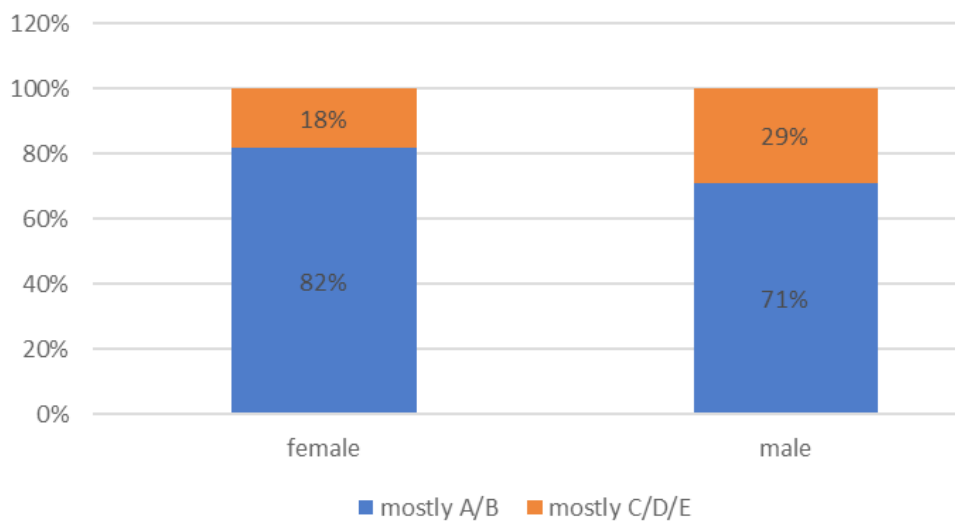


Figure 3. Comparison of mental health by gender

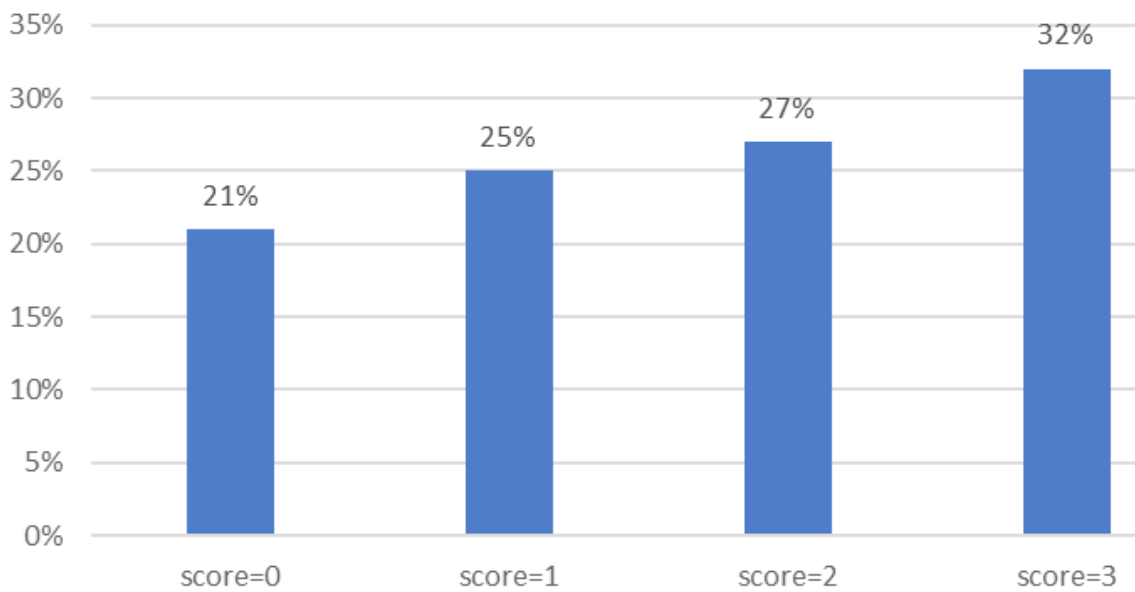


Figure 4. % of students having lower grades by mental health problem scores

Table 1.

	sleeping hours						
	<=4 hours	5 hours	6 hours	7 hours	8 hours	9 hours	>=10 hours
female	8%	14%	26%	28%	18%	4%	1%
male	8%	11%	25%	30%	20%	5%	1%

The percentage of students with lower grades in each level of mental issue score is presented in the table below. It is apparent that as mental health prob-

lem score increases, the percentage of lower grades increases.

Meanwhile, average sleep hours decrease as mental health problem worsens:

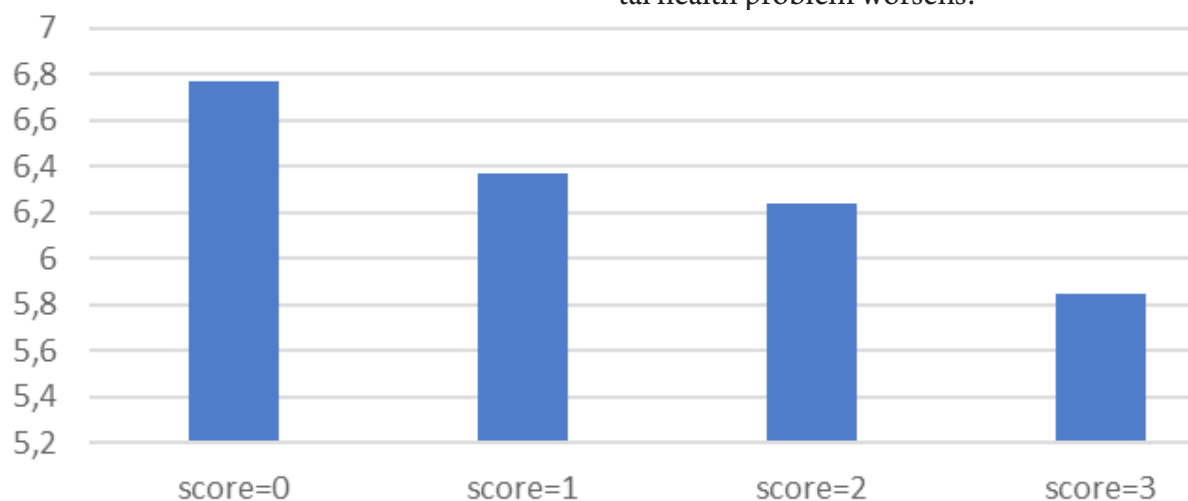


Figure 5. Average sleep hours by mental problem scores

### 3.2 Effect of mental health problem on child academic performance

The Logistic regression coefficient for mental health problem score is 0.257, meaning that it is associated with a higher probability of poor academic performance. The p-value for this regression coef-

cient is < 0.001, meaning that the relationship is statistically significant.

Meanwhile, the Odds Ratios from logistic regression analysis are as below:

Table 2.

	Logistic regression coefficient	P-value
mental health problem score	0.257	< 0.0001
age	0.205	< 0.0001
male	0.709	< 0.0001
grade	-0.181	< 0.0001

Table 3.

	Odd Ratio	Confidence Interval of the Odds Ratio	
		lower end	Upper end
mental health problem score	1.294	1.233	1.357
age	1.228	1.13	1.335
male	2.032	1.84	2.244
grade	0.834	0.761	0.914

This means that, a one-point higher mental health problem score is associated with 1.29 times higher likelihood of having poor academic performance.

### 3.3 mediation analysis

Step 1. To test the relationship between X (mental health problem) and Y (poor academic performance). This is same as results in section 3.2

Step 2. To test the relationship between X (mental health problem) and M (sleep hours)

	<b>Coefficient</b>	<b>P-value</b>
mental health problem score	-0.300	< 0.0001
age	0.002	0.923
male	-0.011	0.665
grade	-0.181	< 0.0001

The linear regression coefficient is -0.3, meaning that mental health problem is negatively related with length of sleeping. The p-value for this regres-

sion coefficient is less than 0.001, meaning that the relationship is statistically significant.

Step 3. To test the effect of X (mental health problem) on Y (poor academic performance) after including M (sleep hours)

	<b>Coefficient</b>	<b>P-value</b>
mental health problem score	0.213	< 0.0001
sleep_hour	-0.153	< 0.0001
age	0.205	< 0.0001
male	0.711	< 0.0001
grade	-0.208	< 0.0001

When including both X (mental health problem) and M (sleeping duration) in the model, the coefficient for X (mental health problem score) is 0.213,

which is smaller in magnitude than in step 1 (0.30), meaning that adding M reduces the effect of X.

Step 4. To test if the mediation effect is statistically significant

	<b>Coefficient</b>	<b>Confidence Interval of the estimate</b>		<b>P-value</b>
		<b>lower end</b>	<b>Upper end</b>	
ACME (control)	0.007	0.005	0.01	< 0.001
ACME (treated)	0.008	0.006	0.01	< 0.001
ADE (control)	0.035	0.028	0.04	< 0.001
ADE (treated)	0.036	0.028	0.05	< 0.001
Total Effect	0.043	0.037	0.05	< 0.001
Prop. Mediated (control)	0.168	0.115	0.21	< 0.001
Prop. Mediated (treated)	0.187	0.132	0.24	< 0.001
ACME (average)	0.007	0.005	0.01	< 0.001
ADE (average)	0.036	0.028	0.04	< 0.001
Prop. Mediated (average)	0.177	0.123	0.22	< 0.001

“Prop. Mediated (average)” in the output table is the proportion of effect of X that is explained by M. It

can be seen that 18% of the effect of mental health problem on reducing poor grades is explained by sleeping



duration. The p-value for this index is less than 0.05, meaning that the mediation is statistically significant.

**4. Discussion**

Throughout this study, we found that mental health problem is negatively related to child academic grades.

Some previous studies have linked mental condition such as anxiety, depression, and suicidality with children’s performance at school. For example, Slap G et al. found that adolescents who have attempted suicide in the previous twelve months show significantly lower levels of school performance and school connectedness than those who did not attempt suicide.<sup>3</sup> Other studies found that high depression scores were associated with low academic achievement, increased school suspensions, decreased ability or desire to complete homework, concentrate, and attend class.<sup>4</sup> Therefore, this study is consistent with previous studies in showing that poor mental health negatively impact the children’s performance at school.

About 18% percent of the association can be explained by reduced sleeping duration. Other

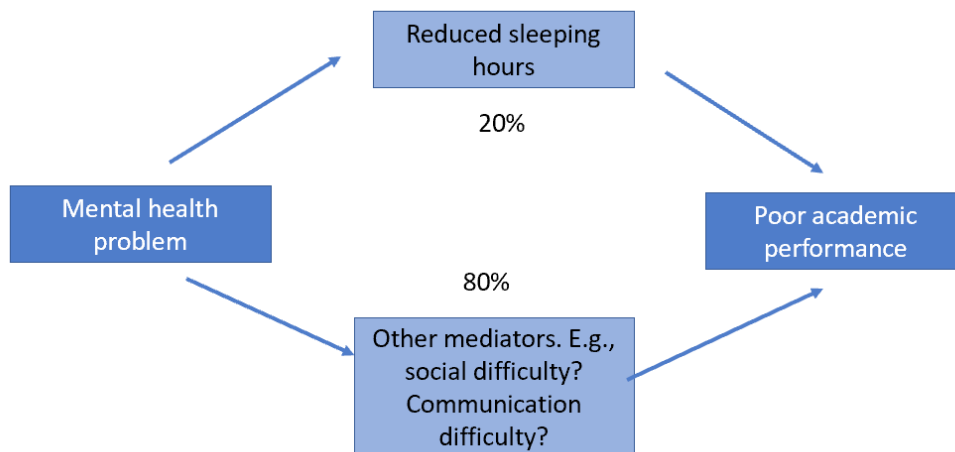
pathways that may explanation how mental condition impacts academic performance may include social difficulty, communication difficulty, attention problems, delinquency, and substance use etc. Studies have shown that such social difficulty and behavioral problems negatively affect academic performance [2].

**Advantages of this study:**

Firstly, the students included in the survey are from all over the country, representing a wide range of demographic backgrounds. As a result, the sample can greatly represent middle school students in the U.S.. In our analysis, we also adjusted for age, grade, and gender, eliminating as much confounding factors as possible.

**Limitations of this study:**

The mental health problem score was based on four questions only, and may not fully reflect a student’s mental health status. Meanwhile, information on sleeping from the YRBSS suevey only include sleeping duration. The quality of sleeping was not asked in the survey.



Future research: there are about 80% of the effect that can be explained by other factors/pathways. Future research may explore which factors play a role as mediators, for example, social and communication difficult.

**5. Conclusion**

We found that mental health problem negatively impact students’ academic performance. This association is partly mediated through effect of reduced sleeping duration.

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## Section 8. Philology and linguistics

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### SEMANTIC VALENCY IN THE KAZAKH LANGUAGE

**Abstract.** The article discusses the concept of valency as a phenomenon located at the intersection of syntax and lexical semantics. The paper also presents the types of valence, the directions in which the theory of valence is considered. Valency in the broad sense of the word refers to the ability of a language unit to enter into communication with other units of a particular order. Semantic valency is based on the logical semes of the semantics of a word. These meanings are consistent with the logical semes of the meanings of another word, as a result, the given word shows the possibility of combining with another word. This is considered its semantic valency. We have attempted to identify and investigate a peculiar kind of valence in the Kazakh language. The concepts of valence and compatibility are used by us as synonymous, but in a number of works they are differentiated. Thus, compatibility is regarded as a realized valence, and valency as a potential compatibility of elements of the same language level.

**Keywords:** valency, compatibility, language, word semantics, syntagmatic, logical, lexical, grammatical connection.

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## СЕМАНТИЧЕСКАЯ ВАЛЕНТНОСТЬ В КАЗАХСКОМ ЯЗЫКЕ

**Аннотация.** В статье рассматривается понятие валентности как явления, находящегося на стыке синтаксиса и лексической семантики. В работе также представлены виды валентности, направления, по которым рассматривается теория валентности. Семантическая валентность основывается на логических значениях семантики слова. Эти семы согласуются с логическими семами значения другого слова, в результате у данного слова проявляются возможности сочетания с другим словом (на основании согласованных сем). Это считается его семантической валентностью. Нами предпринята попытка определить и исследовать своеобразный вид валентности в казахском языке – т.е. опосредованную валентность.

**Ключевые слова:** валентность, сочетаемость, язык, семантика слова, синтагматика, логическая, лексическая, грамматическая связь.

**1. Введение.** Сочетаемость – основное свойство языковых единиц, основанных на синтагматических связях. Синтагматические связи – это способность языковых единиц соединяться друг с другом в речевой последовательности в составе текста, предложения, слова в соответствии с законами языка. Сочетаемость – лингвистическая категория, пронизывающая все сферы языка. Правило, которое гласит «Сочетаемость – это сочетание слов со словами, предложения с предложением» является стереотипным и признается только на грамматической уровне. Звуки в языке имеют возможность сочетаться или же не сочетаться друг с другом. Аффиксы присоединяются к корню выборочно в соответствии с законами языка. Слова также сочетаются друг с другом в зависимости от плана содержания и плана выражения. Если так, то явление сочетаемости является той категорией, которая играет важную роль в определении фонетических, лексических, морфологических, синтаксических законов языка. В работе понятие сочетаемости считается эквивалентным понятию валентность, так как валентность яв-

ляется основным показателем, определяющим способность всех языковых единиц, начиная со звуков языка до текстов, сочетаться друг с другом.

**2. Методы.** С. Д. Кацнельсон, ученый, признавший, что явление валентности встречается во всех областях языкознания и внедривший понятие валентности в язык, писал в своих исследованиях: «Различают два вида валентности в языке: один из них – формальный, второй – содержательный. Формальная валентность связана с определенной словоформой и определяется элементами синтетической морфологии, а содержательная сторона напрямую зависит от значения слова» [1, 21 с.]. Ученые, в дальнейшем исследовавшие понятие валентности в языке, говоря, что виды сочетаемости не ограничиваются этим, различают несколько типов. По мнению немецкого ученого Г. Хельбига: «Валентность в языке бывает трех уровней: логический, семантический, синтаксический. Здесь под логической валентностью рассматривается внеязыковой уровень сочетаемости между понятиями, семантическая валентность – сочетание семантических компонентов (вещь или



же предметы явления и их свойства) в составе слова, а также их способность сочетаться по смыслу. А синтаксическая валентность – «это возможность отдельных слов сочетаться (свободные словосочетания, фразеологические сочетания и др.) в обязательных и факультативных (дополнительных) отношениях отдельных слов» [2, С. 157].

Представление о том, что, нашедшее отражение в структурной лингвистике, понятие сочетаемости познается только на грамматическом уровне, начало меняться. Доказано, что функция сочетаемости слов по смыслу является основой для формирования фоносемантических, морфосемантических полей. В последующих исследованиях ученых виды и типы сочетаемости только увеличивались. По заключению В. Гака: «Грамматическое сочетание слов указывает на его отношение к определенной части речи, а лексическая сочетаемость – это выбор и использование слов в соответствии с его значением, семантическая сочетаемость рассматривает взаимную семантическую связь двух компонентов» [3, С. 483].

Ученый Н. З. Котелова определяет «синтаксическую сочетаемость слов как совокупность и свойства потенциальных слов, способных образовывать синтаксические связи, а лексическую сочетаемость как совокупность и условие реализации словосочетания, способных сочетаться по смыслу и различает 2 вида сочетаемости: абсолютную сочетаемость и относительную сочетаемость. Абсолютная сочетаемость – это сочетаемость, не требующая от слов взаимозависимости компонентов. А относительная сочетаемость – сочетание значимых понятий, которые непосредственно взаимодействуют друг с другом [4, С. 8].

В казахском языкознании до появления теории валентности грамматическая сочетаемость определялась на основе форм связи слов.

В работах профессора Р. Амира большое внимание уделяется сочетанию единиц синтаксических структур и синтаксических значений: «Синтаксическое значение – это значение, передающее абстракт-

ные грамматические, обобщающие отношения между словами и синтаксическими единицами» [5].

Что касается исследования теории валентности казахскими учеными, то Ы. Маманов писал: «Чтобы слова сочетались друг с другом между ними должна быть общность смысла» [6]. В своих исследованиях С. Исаев писал: «На семантическом уровне различают лексическую сочетаемость, на грамматическом – синтаксическую сочетаемость» [7]. М. Оразов, специально занимавшийся исследованием лексической сочетаемости слов, писал: «В казахском языке в отдельных работах хоть и упоминаются о синтаксической валентности, однако логическая и семантическая валентность так и не стали объектами исследования»

**3. Результаты.** Словосочетания и валентность (сочетаемость) не всегда равнозначны. Например: В словосочетаниях *Қызғыл сары орамал* (розовый платок), *бойы ұзын қыз* (высокая девушка) имеются 2 валентные связи (қызғыл сары – 1-валентность, қызғыл сары орамал – 2-валентность; бойы ұзын – 1-валентность, ұзын қыз – 2-валентность). В казахском языкознании сочетаемость рассматривается в составе грамматики. А фонетическая валентность, лексическая валентность только-только становятся объектами исследования. Так например, специфический звук казахского языка – «қ» никогда не сочетается с мягкими гласными. В казахском языке отсутствуют сочетания «қθ», «қе», «қә», «қі», «қу». Со звуком қ сочетаются только твердые гласные. А в слове «қи» – это не сочетание звуков, а сочетание букв. Хоть и пишется қи, а читается – «қый». Таким же образом в исконно казахских словах после сонорных согласных никогда не пишутся глухие согласные. Слова, заканчивающиеся на глухие согласные, требуют после себя аффиксы начинающиеся с глухих согласных, в казахском языке в начале слова не могут одновременно стоять две глухие согласные (не Сқақ, Ысқақ или Сықақ), в корне слова не могут стоять одновременно две гласные – таковы законы сочетаемости казахских звуков.

Необходимо строго соблюдать и специально исследовать законы сочетаемости и на лексическом уровне. Например, слово «*зіңгіттей*» (здоровенный) является образным сравнением, поэтому он не может сочетаться с любым словом, т.к. изначально это слово употреблялось по отношению к мужчине богатырского телосложения. Соответственно, нельзя сказать *зіңгіттей қыз*, *зіңгіттей әйел*. Вот другой пример: и собака, и волк воют. Однако собака лает, а волк не лает. Поэтому не встречается сочетание *волк лает*.

Поэтому законы лексической сочетаемости необходимо учитывать и при переводе с слов других языков. Так например, понятия *живая*, *неживая природа* переводятся на казахский язык как *тірі және өлі табиғат*. В понимании казахов «*өлі*» (неживой) это прекращение жизни живого организма, которая раньше находилась в постоянном движении. А это значит, что явление неживой природы, хоть и является безжизненным, но все-таки имеет право на существование. Поэтому эквиваленты слов *живая*, *неживая природа* в казахском языке *тірі және өлі табиғат* прочно вошли в язык как правильное сочетание слов.

Таким же образом необходимо особое внимание уделять лексическим сочетаниям слов при переводе слов, не имеющих эквивалентов на других языках. Например и в казахском, и в русском языках очень много слов сочетаются со словом «*қара*» (черный). *Қара қағаз* – это извещение о гибели военнослужащего в годы Великой Отечественной войны. Это сочетание – этнокогнитивное понятие казахов. Хотя дословный перевод «*черное письмо*», но на русский язык передается словом «*похоронка*». Другой пример: *қара қыз* переводится не как «*черная девушка*», а как «*смуглая девушка*», «*ржаной хлеб*» передается словосочетанием «*қара нан*», а словосочетание «*черный ход*» на казахском языке будет «*жасырын жол*». Таким образом, слово «*қара*» не всегда переводится на русский язык как «*черный*». Или же сочетание *кір сабын* переводится не как «*грязное*

*мыло*», а как хозяйственное мыло («*шаруашылық сабыны*»). Поэтому при сочетании слов всегда нужно учитывать правила сочетаемости, семантическую сочетаемость слов.

Для соблюдения правил казахского языка важны и правила морфологической сочетаемости. Особенно это необходимо учитывать при составлении словосочетаний с определяющими словами на -ған, -ген, -қан, -кен, -гіш, -ғыш, -гі, -ғы, -дік, -дық. Например, *сүзеген сиыр* (а не *сүзгіш сиыр*), *қабеган ит* (а не *қапқыш ит*), *түнгі жаңбыр* (а не *түндік жаңбыр*), *тарихи құбылыс* (а не *тарихтық құбылыс*), *әйелдік мейірім* (а не *әйели мейірім*). Однако имеются способы морфологической сочетаемости, которые не подчиняются правилам. Например, *күзгі жапырақ* (осенний лист), *күздік киім* (осенняя одежда); *өлшегіш циркуль* (циркуль измеритель), *қысымөлшеуіш құрал* (прибор для измерения давления); *астарлы ақиқат*, *астарлық мата* (ткань для подклада). Как видим из примеров, суффиксы синонимы не всегда порождают слова-синонимы, а служат для различения смысла слов. Так например, суффикс -*гі* (*күзгі*) образуют слова, обозначающие природные явления, а суффикс -*дік* в слове *күздік* обозначает время года, сезон. Суффиксы -*гіш* и -*уіш* в словах *өлшегіш* и *өлшеуіш* служат для различения смысла слов. -*гіш* указывает на качество, -*уіш* называет слово.

**4. Обсуждение.** В казахском языке написание слов, которые пишутся слитно и отдельно вызывают трудности, так как язык всегда находится в развитии. Современный казахский язык претерпевает серьезные динамические изменения. Развитие техники, производства, промышленности, бизнеса способствовало проникновению в казахский язык большого количества иностранных слов, вследствие чего в языке появилось много новых названий, образованных сочетанием слов, поэтому повсеместно наблюдаются отклонения от орфографических норм языка, т.к. правила остались прежними, а новые правила разрабатываются медленно. Проникновение в язык новых

слов требует новых правил. И мы считаем, что необходимы орфографические правила написания слов пишущих слитно и раздельно. Так как новые слова в основном образованы сочетанием двух, трех компонентов языковых единиц. Например, название инструмента сапожника – *ақсақтемір* (инструмент мастера изготовленный из стали хорошего качества, имеющий острый наконечник и две рукоятки) образованы внутренней валентностью слов *ақсақ* и *темір*. И не имеет ничего общего со словами *біз* (шило), *жіп* (ника), *қайшы* (ножницы), *пышақ* (нож), которые названы так по внешнему сходству. Семантическое поле слова

*ақсақ* не имеет никакого отношения к ремеслу сапожника. Однако это не послужило препятствием и слово как название прочно вошел в язык и пишется слитно. А имя известной исторической личности «Ақсақ Темір» пишется раздельно. Таким образом, мы считаем, чтобы точно определить название то или сочетание, нужно уточнить решающие моменты правил сочетаемости.

**5. Заключение.** Правила сочетаемости должны рассматриваться на всех уровнях языка (фонетика, лексика, грамматика, орфография, культура речи). Только это будет способствовать упорядочению правил сочетаемости в казахском языке.

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## **THE EXISTENTIAL SEARCH OF PAVEL SANAEV IN THE NOVEL-DIOLOGY "CHRONICLES OF THE GOUGING"**

**Abstract.** The article is devoted to the peculiarity of the existential perspective and philosophical problems in the novel-dilogy of P. Sanaev "Chronicles of the Gouging". As well as the establishment of techniques and strategies implemented by the author in the process of modeling the "hero of the time".

**Keywords:** hero of the time, existential consciousness, generation, transitional consciousness.

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## **ЭКЗИСТЕНЦИАЛЬНЫЕ ПОИСКИ ПАВЛА САНАЕВА В РОМАНЕ-ДИЛОГИИ "ХРОНИКИ РАЗДОЛБАЯ"**

**Аннотация.** Статья посвящена своеобразию экзистенциального ракурса и философской проблематики в романе-дилогии П. Санаева "Хроники Раздолбая", установлению приемов и стратегий, реализованных автором в процессе моделирования "героя времени".

**Ключевые слова:** герой времени, экзистенциальное сознание, поколение, переходное сознание.

Новый роман Павла Санаева "Хроники Раздолбая", вышедший после длительной творческой паузы писателя (с момента первой публикации «Похороните меня за плинтусом» прошло почти десять лет) поклонники писателя, критики и литературоведы ждали с большим нетерпением. «Хроники» – это роман-дилогия, что может свидетельствовать о масштабной задумке автора – предложить портрет не только своего современника, героя 90-х, но и создать портрет поколения, которому выпало пережить сложные времена, крушение прежних идеалов, и далеко не всем суметь найти себя в новых жизненных обстоятельствах. Автор изображает судьбу молодого человека в широком социальном и историческом контексте.

В «Похороните меня за плинтусом» этот широкий контекст отсутствовал. Следовательно, новым романом и в рамках дилогии автор намеревается выйти к важным художественным обобщениям, возможно, очертить образ поколения.

Цель данной статьи: показать особенности изображения экзистенциального сознания в дилогии Павла Санаева, проанализировать связь этого важнейшего ракурса с иными аспектами создания образа героя, образа поколения, установить приемы и стратегии, реализованные в процессе моделирования "героя времени".

У главного героя нет имени, лишь прозвище Раздолбай, что уже намекает на обобщающие интенции романа. Создавая образ, писатель вновь



обращается к приему его сознательного и провокационного понижения. Изображается неуверенный в себе подросток (но уже не ребенок, как в первом произведении), склонный к саморефлексии (что очень важно), ленивый, эгоистичный и инфантильный. Очень показательны характеристики и самохарактеристики героя, содержащие авторецепцию. Ее отличительной характеристикой является ирония. На то, что ирония становится сознательной писательской стратегией, указывает и аттестация Санаевым в интервью стилиевой принадлежности романа: «эта книга <...> в чем-то похожа по стилю (ироничный реализм) – по той простой причине, что мне нравится этот стиль» [1].

Основа «Хроник Раздолбая» – это история о нравственном поиске молодого героя, который пытается найти себя в новом непонятном ему мире цинизма, бесправия, шальных денег, времени без идеалов и веры. Показательно, что эти терзания героя касаются мира материального и мира духовного. «... Раздолбая сокрушала растерянность. Он ехал в гости к новым друзьям, чувствуя себя взрослым и наслаждаясь «своей» жизнью, а уезжал от них раздавленный чувством неопытности. <...> Раздолбай вынужден был признать, что не может общаться с новыми друзьями на равных – строить витиеватые фразы с мудреными терминами и цитатами и свободно говорить о девушках... А главное, он совершенно потерял ориентиры, что хорошо, а что плохо!» [1, 78]

Герой – вчерашний школьник – чувствует себя не готовым к трудностям взрослой жизни, в которой он постоянно оказывается в ситуациях сложного этического выбора. «Как он поступит? <...> Честнее сразу отбросить лицемерные приличия, не притворяясь перед собой. Зачем удерживаться от маленького зла, зная, что способен на совершить большое?» [1, 79]. Герой способен не только на добрые, но и на злые поступки. Писатель пытается показать сложный путь духовных и идейных поисков молодого человека на фоне сложных

аксиологических и исторических перемен в жизни всего общества. Именно они моделируют ассоциации с героями Достоевского. «Основные герои Достоевского – это герои, в которых душа сражается с помыслами» [2, 219]. «В его произведениях многие герои утратили связь с миром, религиозное чувство, – все то, что легло в основу философии экзистенциализма [3, 393]. Санаев также пытается акцентировать свое внимание на внутреннем мире героя, освещает пути его нравственного становления, и, идя по стопам Достоевского, стремится показать этапы этого становления, в том числе сквозь призму отношения к Богу. При этом, сам образ Раздолбая является заведомо сниженным, и внутренняя борьба, бунтарство, свойственные героям Достоевского, показаны в ироничном ключе, что, с нашей точки зрения, позволяет расширить границы интерпретации темы в современной литературе.

М. Черняк отмечала, что «классика «золотого века» является для современной литературы неиссякаемым резервуаром, откуда она черпает мотивы, сюжеты, и темы <...> Жанровые поиски современной литературы оказались в значительной степени связаны с игровыми использованием классического наследия Литература обнаруживает склонность к созданию вторичных произведений: заимствуются названия, имитируется стиль, жанр пишутся продолжения» [4, 46]. Нам кажется, что Санаев не стремится обыгрывать, переиначивать Достоевского, здесь, скорее речь идет о желании продемонстрировать глубокий психологического анализ героя в свете экзистенциальной и философской проблематики. Опираясь на авторитетные традиции, именно Достоевский является автором термина «двойные мысли», которые лишали покоя человеческую душу. И именно Достоевский был тем классиком, который показал героя «в противоречиях», чем, по мнению Е. Мелетинского [6], значительно обогатил сам архетип двойника. При этом, некоторые исследователи отмечают, что «двойничество героев Достоевского означает спор

«внешнего» и «внутреннего» человека, в основе которого лежит противопоставление плотского и духовного начал» [4, 404]. Фесенко в своей работе пишет, что «с осмыслением своеобразия психологизма Ф. М. Достоевского связана не только тема двойничества, которая постоянно присутствует в его произведениях, но и мотив двойных мыслей, часто мучивших героев.» [4, 404].

В своем романе Санаев тоже обращается к теме и стратегии «двойных мыслей», пытаясь продемонстрировать всю сложность и противоречивость характера главного героя. Раздвоенность Раздолбай становится основным предметом изображения в романе.

Проблема двойничества освещается в романе путем изображения диалога героя с внутренним голосом. Со стороны внешней реальности в борьбе за «душу» Раздолбай сталкиваются два героя – антагониста: музыкант Миша и представитель «золотой молодежи» Мартин, чьи мировоззрение и нравственные ориентиры являются диаметрально противоположными. Примечательна и символика имен героев антагонистов, раскрывающая интертекстуальную игру с творчеством Достоевского: носителем нравственности (совести) является мальчик с библейским и очень русским именем Михаил, ему противопоставляется западное имя Мартин. «Дилеммы Мартина снова крутились у него в голове. Оне не мог поверить, что новый приятель прав и доброе отношение людей друг к другу, которое Раздолбай всегда считал нормой, на самом деле лишь притворство, сохраняемое до поры до времени. <...> Эти вопросы разрывали Раздолбай голову. Он вдруг понял, что жил раньше в тепличном детском мирке с плакатиками «Айрон Мейден», а теперь взрослая жизнь будет сталкивать его с разными людьми, и когда-то придется решать «этические проблемы» [1].

П. Санаев обращается к теме столь характерной для классической русской литературы и столь непривычной для современной литературы – теме Бога. Известный современный писатель и журна-

лист Дмитрий Быков в своей статье для «Новой газеты» замечает: «Религиозная (для атеистов скажем: метафизическая) тематика придает литературе объем и многоцветность, уводит повествование за границы грубой и скучной реальности – и с этим в России наблюдается какой-то убийственный, многолетний швах, хотя именно Россия подарила миру трех величайших религиозных прозаиков: Толстого, Достоевского и Чехова <...> Роман, где описывалось бы духовное перерождение героя, в которого ударила молния внезапного откровения, – в современной России попросту немислим: для такой книги требуется дерзость, поскольку посещение Бога – не визит вежливости» [5]. Нам кажется, Санаев попытался дерзнуть и коснулся «вечной темы» богоискательства. Именно Достоевский в русской литературе, «исследуя внутренний мир человека пришел к убеждению, что становление его как личности не могло произойти без определения этического отношения к Богу, к миру, к другому человеку, без стремления к духовному совершенству» [4, 393] В его произведениях человек без Бога приходит не только к душевному краху, но и зачастую к физической гибели. П. Санаев пытается показать, поиск героем дороги к Богу в атмосфере абсолютного безверия, в мире агрессивном, где все обуяны гордыней и потеряли нравственные связи с людьми. Примечательно, что в «Хрониках Раздолбай» системообразующими чертами остаются, как и в его первом романе, игра и ирония. В самом начале романа, есть сцена, в которой Раздолбай, ожидая поезда, берет почитать «Спидинфо» (желтую газету о сексе для подростков, популярную в 90-е), он наталкивается на священника, который сразу начинает вызывать в герое сильное раздражение и желание поглумиться. Показательно, что в описании священника отсутствует ирония, что может свидетельствовать об авторской морализаторской позиции с самого начала романа. Интересна и первая реакция героя на него. «Существование попов, которые изредка встречались на улице или в метро, Раздолбай считал

необъяснимым феноменом. «Сколько лет объясняют людям, что религия – эта сказка, которой цари до революции одурманивали народ, чтобы держать его в повиновении, – думал он, – надо же, до сих пор находятся чудики, которые продолжают всерьез разыгрывать этот спектакль. Да это как если бы Деда Морозы с новогодних утренников продолжали ходить в длинных красных шубах, кричать «хо-хо-хо!» и обещать подарки. И еще требовали бы считать себя настоящими Сантами!» [1, 37]. Некоторое время спустя, именно Михаил рассказывает о «голосе Бога внутри» и историю о чудесном спасении от грабителей, которая и привела его к вере в Бога. «Но вот интересно, после крещения у меня было потрясающее чувство. Ощущение, что тебя очень-очень любят. Как в детстве, когда тебя прижимает мама и ты знаешь, что ты – самый любимый. Голос Бога внутри слышался так отчетливо – казалось, можно спрашивать о своем будущем, просить о чем хочется. Было чувство абсолютной защищенности, чистоты, счастья» [1, 139]. Раздолбай берет у Михаила почитать Библию, но не потому, что ему действительно хочется ее прочесть, а он просто желает произвести хорошее впечатление на Михаила. Потом он начинает ее стыдиться и прячет книгу сначала в корзине с бананами, а потом в шкафике пожарного шланга, «как поступал с сигаретами, чтобы родители не обнаружили их в кармане куртки, но ценность книги и данное обещание не потерять ее предполагали более бережное обращение, чем с пачкой «Родопи» [1, 145]. И спустя еще некоторое время он оказывается в сложной для себя ситуации (сама сцена пародийно обыгрывается автором и тоже подается в сниженном ключе). Именно в сцене общения с новой знакомой, с которой у героя возникает шанс лишиться девственности, впервые Раздолбай слышит этот «голос». « – Господи! – невольно взмолился он. – Только бы все обошлось и получилось нормально! И тут он услышал внутри себя мысли, трезвые и рассудительные настолько, что их можно было ожидать только от дяди Володи во

время воспитательной беседы, но никак от самого себя. <... > Раздолбай не сомневался, что ведет мысленный спор сам с собой, но сразу понял, что именно такой внутренний диалог подразумевал Миша, когда говорил про «голос Бога» внутри» [1, 189]. Герой осознает, что в момент, когда он услышал этот голос, внутри появилось чувство абсолютной уверенности, в правильности решения. Послушавшись совета голоса, герой получает то, чего он хочет. И тогда появляются первые сомнения в его душе: «Может, правда Бог есть? – подумал он, замирая от восторга, как перед грандиозным открытием» [1, 192]. « Я не могу поверить. Эти мысли... они мои и словно не мои... Господи, неужели ты есть и помог мне? <... > – Бог есть думал он. – Бог есть и помог мне. Теперь я знаю, что на свете есть Бог.» [1, 196]. Так начинаются «двойные мысли» героя. « Он и раньше вел мысленные беседы, обдумывая ту или иную проблему, но это было, как играть в одиночку в шахматы, поворачивая доску туда-сюда. Теперь же за другую сторону как будто играл опытный шахматист, каждый ход которого был неожиданностью» [1, 197]. Как у героев Достоевского, у которых душевная болезнь развивается вместе с духовной болезнью, мотив безумия звучит и у санаевского героя, но он вновь подан в игровом, ироническом ключе: «Внутренний голос, призывающий слушаться, показался Раздолбаю шагом к сумасшествию, и он испуганно приказал ему замолкнуть. Голос исчез, словно его никогда не было. Сознание Раздолбая снова стало единым, и все мысли принадлежали только ему» [1, 198]. Осознание того, что он еще себя может контролировать, героя временно успокаивает.

Набоков подметил, что «своих героев Достоевский характеризует с помощью ситуаций, этических конфликтов, психологических и душевных дряг». В герое Санаева тоже «душа сражается с помыслами» и он постоянно оказывается в ситуации этического выбора. Причем, в первой части этой диалогии, чаще всего результатом этого выбора оказывается нравственное поражение героя. От-



крытый финал первой части диологии подчеркивает нахождение героя на очередном перепутье, но оставляет надежду на нравственное не перерождение, а именно становление главного героя.

Что касается авторской позиции, то она оказывается вполне морализаторской по духу и в русле традиций русской классической литературы. Автор моделирует контраст, где агрессивной идеологии нуворишей 90-х противопоставляется идеология «светлых», положительных героев, решивших для себя проблему этического выбора (Это и Михаил, и большая первая любовь главного героя Диана). Поколение родителей тоже показано хоть и растерявшимися перед новыми жизненными реалиями, но не потерявшими своих нравственных ориентиров. При этом отметим, нежелание писателя морализаторствовать открыто, скорее моделируется ситуация самостоятельных раздумий читателя.

Можно сделать следующие выводы: В «Хрониках Раздолбая» Санаев явно стремится к созданию не просто портрета типичного героя 90-х, а к созданию коллективного портрета молодых людей 90-х, а экзистенциальный ракурс и философская проблематика в целом углубляют поставленные писателем художественные задачи. При этом главная проблема дается в восприятии под-

ростка – среднего по своим способностям героя. И в этом проявляется игра автора на понижение, что остается главной стратегией Санаева на протяжении всего произведения..

Очевидно присутствие единой центральной проблемы, характерной для писателей современной русской литературы, это – поиск героем, оказавшимся в ситуации смены социальных и культурных парадигм, своей идентичности. При этом, в своем новом романе Санаев так же, как и в «Похороните меня за плинтусом», явно нацелен на углубление психологизма произведения. Главными стратегиями автора становится, как и в его первом романе, игра и ирония.

И, безусловна, отчетливо проявляется установка на интертекстуальность. Автор ориентирован на игровую реинтерпретацию классики, ее мотивов, образов, эпизодов и структурных принципов. Наиболее ярким ориентиром в интертекстуальном поле «Похороните меня за плинтусом» являются произведения Ф. М. Достоевского. В частности, актуализируются: мотивы двойничества, «двойных мыслей», контраст веры и безверия, моделируется острое столкновение героев-идеологов. Поиски собственного «я» подростком становятся ракурсом изображения экзистенциального сознания молодого поколения.

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## THE MYTH OF CHINA IN THE MODERN PROSE

**Abstract.** The article identifies variants of the myth of China in the modern prose, describes the sign code of the phenomenon. The material of the research is the works of the Russian-American writer A. Genis (“A Ticket to China”) and Russian writers A. Alekhin (“Letters from the Middle Kingdom”), M. Bazhenov (“Happy Hour”), A. Ustimenko (“Chinese Cherubin masks de Gabriak”), G. Novozhilova (“Moscow Bisei”), V. Kislova (“U-Wei Short Course”), V. Tuchkova (“Russian I Ching”), M. Panin (“The Corpse of Your Enemy”). The creation of the myth of China is seen as a manifestation of the general process of mythologization characteristic of transitional thinking. The process is stimulated by the awareness of the cultural crisis, the desire to overcome it, the revision of self-identification guidelines in the context of large-scale geopolitical shifts and historical challenges. The connection between the peculiarities of the myth of China and the authors’ orientation towards a Western or Russian reader is traced. A common feature of the myths is the reflection and comparison of the features of two types of cultures – the western dynamic and the eastern traditional. Two dominant vectors of interpretation can be traced: the creation of contrasting myths about the West and the East and the utopia of the “marriage of the East and the West”, the interpenetration of two sides of the world soul. The circle of traditional structures on the basis of which author’s myths are created is described. It points to the strengthening of metadiscourse, the interweaving of myths about the East and the mythologization of art, the image of the creator. The system of basic symbols is revealed, which are considered by the authors as keys to the “secret” of the East.

**Keywords:** myth, transitional artistic thinking, the image of the Other, symbol, modernism, postmodernism.

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## МИФ О КИТАЕ В СОВРЕМЕННОЙ ПРОЗЕ

**Аннотация.** В статье определяются варианты мифа о Китае в современной прозе, описывается знаковый код феномена. Материалом исследования являются произведения русско-американского писателя А. Гениса («Билет в Китай») и русских писателей А. Алехина («Письма из

Поднебесной»), М. Баженова («Нарру Ноур»), А. Устименко («Китайские маски Черубины де Габриак»), Г. Новожилова («Московский Бисей»), В. Кислова («Краткий курс У-Вей»), В. Тучкова («Русский И Цзин»), М. Панина («Труп твоего врага»). Создание мифа о Китае рассматривается как проявление общего процесса мифологизации, характерного для переходного мышления. Процесс стимулируется осознанием кризиса культуры, стремлением его преодолеть, пересмотром ориентиров самоидентификации в условиях масштабных геополитических сдвигов и исторических вызовов. Прослеживается связь между особенностями мифа о Китае и ориентацией авторов на западного или русского читателя. Общей особенностью авторских мифов является рефлексия и сопоставление черт двух типов культур – западной динамичной и восточной традиционной. Прослеживается два доминантных вектора интерпретации: создание контрастных мифов о Западе и Востоке и утопия «брака Востока с Западом», взаимопроникновения двух сторон мировой души. Описывается круг традиционных структур, на базе которых создаются авторские мифы. Указывается на укрепление метадискурса, переплетение мифов о Востоке и мифологизации искусства, образа творца. Выявляется система базовых символов, которые рассматриваются авторами как ключи к «тайне» Востока.

**Ключевые слова:** миф, переходное художественное мышление, имидж Другого, символ, модернизм, постмодернизм.

**Цель** настоящей статьи – выявление различных вариантов мифа о Китае, активно складывающегося в современной литературе, описание доминантных знаков мифологического кода.

Феномен рассматривается в рамках изучения переходного художественного мышления, отразившего глобальный культурный кризис конца XX – начала XXI веков. Важнейшей чертой такого типа мышления является мифологизация. Она становится способом концептирования перемен, новой, не устоявшейся картины мира, является медиатором неразрешимых противоречий.

Явление схожим образом интерпретируется в рамках культурологии, социальной психологии, литературоведения: усиление мифологизации именно в переходные эпохи рассматривается как процесс адаптации, преодоления хаоса разрушившейся картины мира [12, 226; 3, 1994]. Литература XX века этот механизм адаптации и преодоления кризиса постоянно использует [4; 10]. Возможно, появляются и дополнительные специфические причины актуализации мифотворчества именно на рубеже XX – XXI веков, когда современный мир испыты-

тывает информационную перегрузку, а способное к «авторегенерации мифологическое пространство» «становится спасением от энтропии» [6, 5].

Современная литература обращается к конкретным традиционным структурам, интерпретируя культурный кризис. Доминантными являются трансформированный эсхатологический миф, миф о вечном возвращении, «конце истории», «иронии истории», культурным героем переломной современности признается творец [11]. Переживание исторической «смуты» актуализирует также ориентир Блудного сына [9].

Выявление всего комплекса заново востребованных мифов, изучение векторов их интерпретации и трансформации является актуальной научной задачей. Ее решение уже предложено в некоторых аспектах: обновления культурной традиции в новом самоопределении национальной литературы и ее связях с европейскими ориентирами [8], жанровых преобразований и обновления связей мифа и драмы [5].

Обращение же европейских, русских и американских писателей к Востоку и, конкретнее,

к Китаю, создание мифа о нем именно в период культурного кризиса отражает интерес к Другому, пересмотр ряда устойчивых ранее ориентиров: европоцентризма, прогресса, христианского универсализма, стратегии повышенной динамики, свойственной западным культурам. Интерпретация Другого, скорее всего, служит механизмом остранения себя, переосмысления собственной культурной идентичности, поиска путей к обновлению или же, как провокационно заявляет Чхартишвили, к осознанию собственных комплексов [13]. В этом отношении показательно заявление повествователя в повести А. Алехина: письма из Поднебесной «не только о Китае, но и о себе самом, меняющемся по мере погружения в диковинный поднебесный мир» [13, 1], то есть подчеркивается экзистенциальный аспект размышлений. Интерпретация Другого служит основой нового мифа о культуре, новых цивилизационных возможностях.

Особенности авторского мифа, то есть тех черт культуры Другого, которые отбираются и интерпретируются, зависят от ракурса художественного исследования. Можно выделить их три.

Самый широкий ракурс у Александра Гениса в его знаменитом эссе «Билет в Китай». Миф о Китае складывается в контексте глобального культурного кризиса рубежа XX – XXI веков (резонирующего с предыдущим кризисным переходом конца XIX – начала XX) и соотносится с распутием, на котором ощущает себя вся западная цивилизация. «Центральной проблемой нашего времени» называется именно отсутствие универсального мифа. «Без него миру не избежать душевного одиночества и духовного одичания. Миф – это карта бытия, дающая каждому ответы на все вопросы. Мир, истолкованный мифом, можно охватить мысленным взглядом, его можно понять, в нем можно жить. Заменившая миф наука лишила вселенную общего знаменателя. Она дала нам фрагмент вместо целого <...>» [7, 244]. Следовательно, обосновывается необходимость

«коллективного труда» по созданию такого мифа, объединяющего усилия Запада и Востока, то есть всего человечества.

Более конкретный ракурс – Россия и Китай в условиях геополитических и культурных вызовов 1980–1990-х, проблема выхода из него с учетом разности традиций и типов мышления. Подобное видение отражено в культурологическом путешествии Алексея Алехина «Письма из Поднебесной», повести М. Баженова «Нарру Ноуг».

Следующий ракурс отражает, переосмысление и обыгрывание отдельных знаков кода китайской культуры (мифологем, символов, мифологизированных фигур и образных моделей, мировоззренческих установок и элементов верований), делая их механизмом остранения собственной идентичности. В таком ключе созданы модернистские произведения («Китайские маски Черубины де Габриак» Алексея Устименко, «Московский Бисэй» Геннадия Новожилова) и провокационные постмодернистские тексты («Краткий курс У- Вэй» Валерия Кислова, «Русский И Цзин» Владимира Тучкова, «Труп твоего врага» М. Панина и др.).

На особенности авторского мифа влияет также ориентация на определенный круг читателей.

Эссе А. Гениса ориентировано на широчайший круг адресатов, и прежде всего, на западных читателей. Центральной установкой произведения становится следующая – во все времена (с момента открытия Другого) Китай является объектом мифологизации, «полигоном для европейской фантазии» [7, 216]. В сюжете мысли эссе «собеседниками» автора становятся те, кто так или иначе «открывал» для себя Восток, они рассматриваются как сотворцы мифа. Заметим, подавляющее большинство – это творческие личности, осмысливающие возможности диалога между Западом и Востоком, и принадлежат они европейской и американской культурам (среди русских названы лишь писатели И. Гончаров, Л. Толстой, О. Мандельштам и режиссер С. Эйзенштейн). В рамках эссе свои «реплики» подают: путешественник,

ценитель и «первооткрыватель» для европейцев восточных культурных ценностей Эрнст Фенелоза, считавший именно Китай «родиной будущего объединенного мира» [7, 222] и истоком других восточных культур; Йетс, внесший принципы пьес театра Но в свой мистический театр; Бергман и Феллини; Ван Гог, Ж.-П. Орвелл, Эзра Паунд как создатель глобального литературного мифа о «Китае» (т.е. Дальнем Востоке в целом, объединяющем эстетику Китая и Японии), С. Оуэн, Ф. Кафка, Дж. Роули, Г. Гессе и др.

Путешествие А. Алехина и повесть М. Баженова ориентированы, прежде всего, на русского читателя. В них акцентированы те реалии и проблемы, которые актуальны для переживающей глобальные потрясения страны и могут быть соотнесены с кризисными явлениями в жизни Другого, то есть, творится миф о переходе, инициации вызовами рубежа веков, интерпретируется выбор разных путей, связанный с типами культур. В повести М. Баженова высвечивается кризисный исторический контекст: ввод Войск в Афганистан, Олимпиада (как вершина «застоя» перед переломом), события на Тяньаньмэнь, распад Югославии. Однако историческая конкретика размывается мифом о всеобщем регрессе, как бы отменяющем время. Кризисные события достаточно провокационно интерпретируются в китайском ключе, в рамках мифа об упадке цивилизации (в восприятии читателя он может соотноситься с концепцией Шпенглера о «закате Европы», а более общем плане – с эсхатологической моделью). В ироничной и провокационной интерпретации героя повести (знаменательно, что автор дал ему свое имя, усиливая эффект достоверности и доверие читателя) – человека, вовлеченного в хаос конца 1980–1990-х, выброшенного из привычной ниши (переводчика, вынужденного заниматься бизнесом), конкретная ситуация видится в рамках китайского мифа об истории. Заметим, что образ героя также ориентирован на одну из китайских моделей поэта, от-

раженную, в частности, в стихах Ли Бо и Ду Му (она же всплывает и в интерпретациях и переводах А. Гениса). Это странник, философствующий за чашей и обретающий прозрение в созерцании. «После пяти – шести кружек пива приходилось соглашаться с когда-то показавшимся абсурдным представлением китайцев об истории человеческой цивилизации как о сплошном регрессе, последовательном нисхождении от идеального, безупречного порядка прошлого к несовершенству и хаосу будущего. И знали они об этом испокон веков! У них даже в языке время течет сверху вниз: прошлый раз дословно переводится как «верхний раз», а следующих год как «нижний год»... Но каким образом было ведомо им то, что забылось или потерялось на долгом пути от их первобытного ясновидения до нашего просвещенного невежества?» [1, 46].

В путешествии А. Алехина также воспроизводится близкий русскому читателю кризисный контекст – это столкновение старой и новой культурной парадигмы в 1980–1990-е, например, былых социальных (для россиян) и философских (конфуцианских) установок, с одной стороны, и реалий дикого капитализма – с другой. Общность переживаний и стремления выжить показаны, в частности, в изображении субкультуры русских и китайских челночников, в контрасте правил паломничества к монастырям и туристического бизнеса, в сопоставлении «витрины» (небоскребов) и глубинного, таинственного, как бы закрытого от туриста Китая (последнее характерно и для повести М. Баженова). В подтексте описания впечатлений от странствий лежат размышления о разных типах культуры – динамичной и традиционной. Создается миф о Китае-драконе углубленном в таинственную мистическую древность, но поставленного перед новыми вызовами.

Названные модернистские и постмодернистские тексты, отталкиваясь от отдельных знаков китайской культуры, предлагают актуальные именно для русского читателя трактовки глобальных



перемен (западный читатель здесь нуждался бы в комментариях, подобную ситуацию сложной «переводимости» проиллюстрировал в своем эссе и А. Генис на примере «Москвы – Петушков» Венедикта Ерофеева). Тем не менее, историческая конкретика абстрагируется более высоким планом – столкновением установок западной динамичной культуры и восточной традиционалистской. Например, герой романа М. Панина размышляет над тем, что же будет эффективнее: сопротивляться хаосу и действовать или же войти в гармонию с переменчивым миром и ждать, когда, в соответствии с китайской мудростью, мимо тебя проплывет труп твоего врага. Повествователь в ироничном и провокационном «Кратком курсе У- вэй» В. Кислова, заостряет эту же проблему разных типов культур и полюсов национального мышления, доводя до крайности восточную созерцательность и философию «неделания». В романе-гипертексте В. Тучкова остраиваются китайские представления о переменных, сталкиваясь с реалиями кризисной современности и резонируя с высокими образцами личностного самоопределения в иные периоды русской истории. В «Китайских масках Черубины де Габриак» А. Устименко миф о Китае создается с опорой на кризисный исторический контекст – перелом рубежа веков, гибель поэтического мира Серебряного в условиях репрессий. Он строится на столкновениях противоречий, возникающих в воображении героини – поэтессы Лилии Дмитриевой. Это, с одной стороны, близкий «Запад» (Санкт-Петербург, маска аристократки-католички Черубины, поэтическая свобода, игра, жизнелюбие поэтов, «подобных античным богам». А с другой – непонятный Восток (воображаемые сотни китайских революционеров, якобы пришедших осуществлять перемены, архетип нищего поэта-изгнанника, оказавшийся ближе к жизни и вечности). Учитывая конкретные реалии национальной истории, писатели поднимаются на высокий уровень обобщения, создавая миф о культурах и их возможном диалоге.

В произведениях разных авторов, независимо от ракурса изображения, ориентации на западного или русского читателя, жанра, присутствует ряд общих моментов в процессе создания мифа о Китае, его сюжете и базовых акцентах.

Так, во многих произведениях реализуется сюжет странствия, в результате которого происходит «открытие» Другого. Путешествие может быть реальным и совершенным либо повествователем, либо же иным героем. Например, путь Фенелозы на Восток в эссе А. Гениса, впечатления Марко Поло и первое знакомство с другой культурой «северным дикарем» в «Письмах из Поднебесной» А. Алехина; интерпретации странствующего «посвященного», знакомого с культурой и языком в «Нарру Ноур» М. Баженова. Странствие может быть и воображаемым (у повествователя «Билета в Китай»), вынужденным (ссылка «Черубины» в Ташкент и столкновение с китайцем, вдохновившим на смену маски). В путешествии акцентируется момент «открытия» «закрытой» культуры. В эссе А. Гениса этот момент мифологизируется. Так, Фенилоза, в представлении автора, чувствует себя новым Шлиманом, открывшим Трою, а его собирание восточных древностей соотносится с мифом о спасении и перезапуске старого космоса. На личном уровне такое «открытие» совершает каждый из творцов-собеседников в эссе. Знаменательно, что этот процесс дополнительно мифологизируется сюжетом прозрения и диалога поэтов в стихах, избранных А. Генисом для перевода. Это стихи Ду Му «Размышляя о прошлых странствиях», посвященные путешествию Ли Бо к храму и его прозрению – на третий день горы «открылись» посреди дождя. Стихи мифологизируют путь и поэта, выполняют функцию медиатора, снимающего противоречия: «между автором и читателем: Ду Му читает Ли Бо, а мы читаем обоих, удвоение авторства снимает вопрос о нем», «противоречие между подвижным и неподвижным», «искусственным и естественным» «долгим и кратким: что живет

дольше – ветер или горы человек или дерево, стихи или цветы?» [7, 240]. В качестве ключа, входа, запускающего путь к открытию, избираются китайские символы. В путешествии А. Алехина – это старинные разворачивающиеся китайские картины-свитки, они подсказывают и позицию наблюдателя и форму записок. В повести М. Баженова и Г. Новожилова – это медитация над иероглифом, в гипертексте В. Тучкова – гексограммы И-Цзина.

Сюжет открытия подчинен созданию образа Другого и его мифологизации. В этом процессе используется комплекс общих стратегий: позволяющих высветить базовые противоречия между Своим и Другим. Этот аспект интерпретации нуждается в отдельном исследовании.

Общим в авторских мифах является признание культуры Китая глобальным явлением, но при этом векторы интерпретации, модальность и смысловая нацеленность мифа оказываются различными. Наиболее контрастные позиции демонстрирует эссе А. Гениса и путешествие А. Алехина.

А. Алехин в рамках авторского мифа акцентирует глобальные отличия между восточной и западной культурами, подчеркивая контраст системообразующих черт. Например, противопоставляются традиционность и повышенная динамика. Китай интерпретируется как ойкумена, живая античность, которая «не имеет аналогий в «нашем» мире», как сохранившаяся Атлантида, «единственная завершенная постройкой империя мира», сохраняющая целостность с 221 года до нашей эры, с объединительных усилий императора Цинь Хуана и тем реализовавшая то, «что не удалось ни Александру Македонскому, ни Риму». «Ойкумена» сцементирована традицией, воспроизводимой памятью, историческим мифом. «<...> жители поднебесной ощущают себя древними китайцами. Не потомками, а младшими братьями философов, императоров, обратившихся в прах тысячелетия назад» [1, 13]. Базовыми символами этой части мифа становятся: «машина времени», как бы возвращающая обитателей

ойкумены назад, в прошлое; ее действие противоположно часам и отражает мифологическую вечность; «бронзовый якорь» традиции; «мраморный пароход» в Летнем дворце, не предназначенный для путешествий; язык, в котором «у глаголов нет времени»; мифологизированная фигура Конфуция, «остановившего время» и объявившего идеалом прошлое; символические фигуры рыбаков – старика и старухи, плывущих «из вечности в вечность»; актуальные герои и декорации пекинской оперы; «музей» и др. [1, 22, 33, 5, 34].

В рамках мифа высвечивается также оппозиция коллективного, государственного начала и западного индивидуализма. Центральным образом этого аспекта авторского мифа становится дракон. В широком смысле он трактуется как символ всей страны, мифологический родоначальник («Я долго ломал голову над загадкой моего дракона» [1, 17]), то есть над тайной Китая. А в более узком плане дракон понимается как вечное, обожествленное государство. Повествователь провокационно заявляет: «Жаль, что Гегель не был знаком с Поднебесной. Здесь в стране победившего дракона, а не в жалкой Пруссии идеально воплотилась абсолютная государственная идея» [1, 31]. Провокационные символические смыслы видятся и в образе праздничного карнавального дракона – внешняя оболочка поражает яркостью и мощью, а внутри находятся скромные исполнители, приводящие в движение все сооружение, что знаменует подчинение единичного коллективному началу, противопоставление внешнего праздничного внутреннему (это резонирует с часто описываемыми контрастами дворцов и бедных переулков). Вне власти «дракона», по мнению повествователя, находится лишь поэтическая лирика, то есть то, что максимально отражает личностное начало. В рамках такой интерпретации мифологизированная фигура Конфуция оказывается на одном полюсе, а Ли Бо и Ду Фу на другом полюсе авторского мифа.

Мифу о Китае противостоит достаточно противоречивый миф о Западе, отражающий не только

контраст культур, но и авторские сомнения. В его основе лежит идея динамики и поиска новых путей, отягченная смыслами жертвы и очень высокой цены за инновации. В рамках этого мифа Господь Бог специально «топит» Атлантиду, чтобы освободить «место» для нового проекта, противоположного сцементированному единству и достигнутому идеалу (подобно восточной империи). Вспоминается и «окно в Европу» Петра I, но с пониманием высокой цены реформ, радикального разворота в жизни государства. Противопоставление двух мифов не конфронтационное, а, скорее, заостряющее проблему. Повествователь с самоиронией относится к собственному мифотворчеству, осознавая зыбкость позиции того, кто пытается разгадать тайну «инога мира». Не случайно приводится легенда о несчастном переводчике «Сна в красном тереме», который, якобы, сошел с ума от сложности работы, так и не завершив свой труд. Повествователь осознает себя внутри «дракона», пытается воплотиться в образы традиции, например, примеряет маску придворного писца низкого ранга, в своем воображении становится участником торжественной церемонии выхода императора, соотносит свои впечатления со стихами странствующего Ду Фу, входит в медитативное состояние, созерцая «рай» китайских садов и др. Повествователь спорит с «драконом», но и восхищается и «примиряется» с его величием. Наиболее ярко смысл сложного образа, рожденного «путешествием по иному миру», а также роль мифа как медиатора отражены в финале. В завершающем описании сконцентрированы образы сакрального (Будды, сад и павильоны, соотносимые с раем), временного и вечного (традиционный символ бабочки, воплощающий смыслы быстротечности жизни, ее красоты и иллюзорности), а также про образцу китайских картин и стихов в вечный и величественный пейзаж вписывается фигурка человека, в данном случае – самого повествователя, поэтически переживающего удивление, восторг, трепет и «примирение» «с нескончаемостью Китая» [1, 41]. Сравним с ком-

ментарием А. Генисом стихотворения Ли Бо, высвечивающим специфику китайского художественного видения: «<...> поэт увидел то, что всегда было – до нас и после нас. Горы стоят на своих местах, мы – нет. Дождь может идти или нет, но горы от этого не меняются – меняемся мы, единственная переменная величина в пейзаже. Поняв это сто лет назад, Ли Бо изменил пейзаж. Он вписал свои стихи о нем в сам пейзаж» [7, 238]. Схожее описание и оформление подобной позиции в финале путешествия А. Алехина отражает ироничное отношение к критическим замечаниям повествователя (он ощущает свою временность и малость в вечном поле иной культуры), демонстрирует снятие оппозиции Запад Восток в авторском мифе и выход на новый уровень интерпретации диалога культур.

Именно это становится движущей силой мифотворчества А. Гениса: переосмыслению подвергаются не отличия Китая и Запада, а перспективный диалог, который может дать новое качество мировой цивилизации. А. Генис подхватывает эстафету тех художников и мыслителей, которые создавали подобные утопические проекты «брака Запада с Востоком» (Э. Фенелоза) или же искали на Востоке те идеи, которые могли бы подсказать новые образцы построения Западной цивилизации, отличные от тех, что уже привели к «закату». «Мечты», «фантазии» о Китае, по утверждению повествователя, возникали у европейцев и американцев в каждую эпоху, отражая самих мифотворцев, их потребность в недостающем. Критическое самосознание становилось толчком к созданию мифа о Востоке как «империи разума», «руднике метафизических представлений», воплощении «гармонии человека с природой, которая упраздняла необходимость властей» [7, 216, 230, 217].

А Генис создает свой миф о «новом Ренессансе», основанном на синтезе восточной и западной культуры. В качестве соединяющихся оппозиций, презентующих полюса разных культур, избираются: западный прогресс и восточная религия, соответственно, тело и дух, богатство и красота,



мужское начало и женское. Центральными мифологемами становятся те, что воплощают гармонию («рай», «новая Греция») или же универсальность, синтез (Ренессанс). А доминантной традиционной структурой оказывается спасение, возрождение после «заката». Базовыми символами избираются: «Китайская стена» со смыслом внутреннего сплочения (вслед за рассказом Ф. Кафки «Как строилась Китайская стена»), она же становится фундаментом новой Вавилонской башни, призванной на сей раз быть успешным проектом общего культурного возвышения. Символический смысл обретает также «иероглиф» как механизм соединения (прошлого и настоящего, вещиности и абстрактности, языков, диалектов), а также переключения картин мира. Символический смысл обретает поэзия. Стихи провозглашаются «рычагом утопии», «в них – ключ к шифру, отмыкающему врата земного рая» [7, 230]. Квинтэссенция мифа о гармонии культур предложена в финале и воплощена в китайском символе, который соединяет смыслы различия и взаимосвязи, гармонии: «Сегодня восточный миф так глубоко проник в недра нашей культуры, что мы уже перестали замечать те судьбоносные перемены, которые соединили Запад и Восток, дав им стать тем, чем они были всегда: ян и инь мировой души» [7, 256].

Выводы. Произведения отражают черты переходного мышления: мифотворчество, моделирование новой картины мира с учетом пересмотренных имиджей Себя и Другого, стремление преодолеть культурный кризис («закат»), обозначить перспективы общего культурного развития.

Авторы ориентируются на широкий круг европейских, американских, русских читателей.

Выделяются следующие векторы мифотворчества. Миф о Китае создается в контексте осмысления культурного кризиса рубежа XX – XXI веков и соотносится с обозначением западной цивилизацией перспектив обновления. Миф отражает писк русской культурой своей идентичности в условиях геополитических сдвигов. Миф актуализирует отдельные стороны китайской культуры, остроя процесс поисков собственной идентичности. Общим во всех произведениях является переосмысление и сопоставление разных типов культур – западной динамичной и восточной традиционной. Выделяются и остраиваются оппозиции системообразующих черт этих типов культур. Миф становится медиатором между противоречиями.

Новый миф строится на основе традиционных структур: апокалиптической модели (варианты «Закат Европы», затонувшая Атлантида), китайских историсофских представлений об упадке цивилизации; мирового хаоса; воскресении, возрождении («новая Греция», Ренессанс, ойкумена, живая античность); рождения нового космоса, рая. Мифологизируются фигуры Конфуция, Ли Бо, Ду Му, Ду Фу, усиливая метадискурс, повествователи ориентируются на фигуры китайских поэтов и каллиграфов. Выделяется общий архетип поэта – странника, изгнанника, философа.

Складывается общая система символов: Дракон, Китайская стена, новая Вавилонская башня, иероглифы; китайские глаголы без категории времени; древние картины, гексограммы И-Цзина; искусство как ключ к тайне и шифру другой культуры.

Общая интенция мифотворчества – гармонизирующая, преодолевающая культурный кризис.

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## Section 9. Philosophy

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### AN INDIVIDUAL IN THE CONTEXT OF SOCIAL RELATIONSHIPS

**Abstract.** Moral values existing in society, norms, etc. are the result of the interaction of individuals, which then, being adopted, affect the norms, values, traditions and patterns of behavior that exist in society. This means that society and the individual act on an interdependent and interrelated basis.

**Keywords:** Individual, society, interdependence, social relations, culture.

In modern conditions, the processes of globalization, the huge information flow and other similar factors, having a strong influence on these relations, cause serious tension between them. This situation makes it necessary to create a new balanced condition, a qualitatively new relationship between the individual and society. Azerbaijani society is no exception in this regard.

Society, as a system of long-term relationships between people, has a direct impact on individuals. First, we note the features that characterize society. It is:

- is a social system that provides cohabitation of people;
- is a kind of organism that has certain temporal and spatial boundaries;
- acts as a consistency of the forms of joint activity of people that arose as a result of historical development;
- affects the individual, and the individual, in turn, the society;
- characterized by a common culture and plays an irreplaceable role in the socialization of each individual, etc.

Society performs several functions. So, each society must ensure the replacement of its members (for example, due to death, migration or loss of ability to work); create conditions for the assimilation of existing values and behaviors in order to ensure the normal life activity of each member of society; each society should offer the desired goods and services and ensure their distribution; any society should protect itself from internal and external threats; people should be interested in staying alive and working in their society, and society itself, in turn, should create the conditions for them to be able to realize their desires and goals. This means that society, being an abstract concept, denotes the totality of relationships between group members. These social relations, being unclear, do not have a specific meaning and, therefore, are abstract. At one time, Aristotle, calling a person “zoon politikon”, that is, a “political animal”, considered society a free and equal community of people acting according to a certain system of order.

A person, both from a biological and a psychological point of view, is doomed to live in society for the sake of his existence and well-being. Society does not exist separately from man, and man also lives and

acts in society. Society exists to serve people. And this creates the conditions and opportunities for the comprehensive development of the individual. Despite occasional conflicts and tensions, society provides harmony and cooperation between people. If society helps people in many ways, great people also contribute to society with their wisdom and experience. Thus, society and people are connected by a close and harmonious relationship, and conflicts between them are obvious and short-lived. In a well-organized society, there will be lasting harmony between them.

Society is a set of individuals united by certain relationships or methods of communication. From this we can conclude that society is an integral complex of social behavior and a network of social relations [1, 119].

Society combines the whole spectrum of interindividual relations. Social relations have such a physical element as cognition of existence, adoption of forms of interests and common interests of others [2, 21–23]. On this basis, it can be argued that society is a union of individuals living together on the basis of formal relationships. So in the broad sense of the concept, human life is a group life. As it is impossible to understand individuals outside their relations with each other, so these relations cannot be understood outside this unit of relations. Society gives freedom to people and limits their activities, and this acts as the main condition for each member of the society to fulfill their needs. Man depends on society. Only in society is an individual surrounded by a culture that acts as a social force. And within this culture, he must behave according to generally accepted norms, have his own status and be a member of the relevant groups.

An individual is a product of the social environment and the differences between individuals belonging to the same social groups is explained by the fact that each individual feels a certain part of social pressure on himself, which includes the diversity of the social environment, a diverse combination of these influences, etc. [3].

The less developed a society is culturally, the more its members will be similar to each other. This is correct from both a physical and psychological point of view. On the contrary, as a society achieves high cultural achievements, the greater the difference between its members from both physical and psychological points of view. Emil Durkheim explains this: “Today, the distance between the French and the British is much smaller than before. However, this does not prevent today’s French from differing more than before [4, 105–109]. Georg Simmel, on this occasion, notes: “In periods of a lower cultural level, individuals belonging to the same tribe were more uniform and more alike; on the contrary, tribes oppose each other as strangers and enemies: the denser the synthesis inside their tribe, the sharper the antithesis with another tribe; as the culture progresses, differentiation between individuals grows and rapprochement with other tribes accelerates [5, 66].

Social life depends on various aspects, which include religion, politics, economics, etc. For example, in Western societies, individual-society relations are reflected in the struggle between Catholicism, which subordinated religious faith in the authority of the church, and Protestantism, which supported the idea of freedom of conscience. On the political plane, relations between society and the individual turned into a polemic between the absolute power of the state, forcibly subjugating subjects and individualism, which brought to the forefront the principles of personal freedom of every citizen. In the economic field, this problem is represented, on the one hand, by socialism, which imposed labor obligations on everyone, and, on the other hand, by liberalism, supporting the idea of the individual providing his own material **existence**.

Relations between an individual and society can be approached from three theoretical perspectives: functional, interactionist, and cultural-personal relations.

1) So, from the point of view of functionalists, the individual in society is formed under the influence of such institutions as the family, school and place of

work. Herbert Spencer, Emil Durkheim and other functionalists analyzed society in isolation from the individual. According to Durkheim, the content of society is a much richer reality than the individual. The relations of individuals in society were shown as relations within associations, giving rise to a new quality – social life. He described the relationship between individuals and society as the relationship between the whole and its parts. Particularly focusing on the supremacy of society, Durkheim tried to show the moral superiority of society to the individual. Unlike Auguste Comte, who considers the individual as an abstract creature, Durkheim showed him as a creature that can influence a group and has its own social inheritance [6, 87].

2) For interactionists, society is the result of the interaction of people. The main proponent of this approach is Max Weber. In his thoughts, society is built on the basis of interpretations of individuals. If functionalists tend to relate to the individual's relations with society in terms of the influence of society on the individual, then interactionists, on the contrary, believe that society is created by the individuals themselves.

Talcott Parsons, put forward the general concept of society entitled "concept of action". This concept is based on the methodological principles of voluntarism and the epistemological principles of analytical realism. Parsons offers the concept of social evolution and a concrete explanation of the "driving forces" and trends in world history. According to Parsons, the structure of society determines the roles and norms, and the cultural system determines the ultimate values of goals. However, another well-known sociologist George Homans, criticizing this position of Parsons, put forward the idea of the importance of studying individual social relationships. The English sociologist Anthony Giddens opposed the idea defended by many about the superiority of society over the individual. He writes: "The activities and reactions of people are the only reality and we cannot consider societies or systems above individuals [7, 43–46]."

3) In fact, not society or the individual, but society and the individual create the opportunity for cognition of reality. Researchers have long abandoned the categorical attitude towards a person or society: the individual and society cannot exist without each other. This position is defended by Margaret Mead, Cardinier and others. In their opinion, the culture of a society influences a person or an individual and, in turn, a person helps to shape a culture of a society. In their opinion, as a society forms and controls individuals, so people (individuals) create a society and change it. From this one can express the idea that relations between society and the individual are not one-sided. Since each of them is interdependent, these relationships are important for their mutual understanding.

However, the formation in a social environment does not mean that all actions of an individual are a consequence of the same environment. Because individuals have different opportunities for the assimilation of social norms and values. For example, the activities of an individual with wide possibilities of influencing the public environment receive public support for the common good. However, we cannot deny the same thing about individuals who cannot reconcile personal interests with public interests. On the other hand, the choice of an individual should also not be limited. In such conditions, the individual, based on qualities prioritized by heredity and upbringing, will act on the basis of personal choice.

Thus, although the influence of society and its various institutions over the individual is great in the individual-society relations, the influence of individuals on society cannot be discounted. Moral values existing in society, evaluations, etc. are the result of the interaction of individuals, which then, being adopted, affect the norms, values, traditions and patterns of behavior that exist in society. This means that society and the individual act, being interdependent and interdependent, and all this together ensures the development of each of them.



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## Section 10. Economics

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### FINANCIAL WORRIES AMONG ADULTS OVER MAINTAINING A STANDARD OF LIVING 2017

#### **Abstract.**

##### ***Aim***

This study aims to examine the predictors of adults' financial worries over maintaining a sustainable standard of living in 2017 and to build a predictive model for these financial worries by using an artificial neural network and comparing its performance to a logistic regression model.

##### ***Method***

Data for the analysis was gathered from the National Health Interview Survey (NHIS) in 2017. All eligible participants from the survey were randomly assigned into 2 groups: the training sample and the testing sample. For both the training sample and testing sample, two models were built – one artificial neural network and one logistic regression for each. Finally, receiver operating characteristics (ROC) were calculated and compared for these two models in order to gauge discrimination capability.

##### ***Results***

From the data, it can be gathered that about 35.8% of the 26,029 adults experienced financial worries over maintaining standard of living, about 38.2% among females and 32.9% among the male.

According to the logistic regression, several variables contributed to likelihood of experiencing financial worries over standard of living. Males were 22.84% less likely than females to have financial worries over maintaining standard of living. The non-Hispanic adults were 39.51% less likely to have financial worries over maintaining standard of living than Hispanic adults. The married adults were 14.38% less likely to have financial worries over maintaining standard of living. The black population was 37.10% more likely to be worried. Compared to unemployed workers who were still looking for employment, people who were employed or unemployed but not looking were 29.62% and 48.80%, respectively, less worried. Similarly, according to the neural network, the most important predictors were age, working status, marital status, and race.

For the training sample, the ROC was 0.58 for the logistic regression and 0.66 for the artificial neural network. In the testing sample, the ROC was 0.58 for the logistic regression and 0.65 for the artificial neural network.

## Conclusions

In this study, we identified several important predictors for adults' financial worries over maintaining a standard of living in 2017. The most prominent factors were gender, race, marital status and working status. As a culmination of the project, we built a predictive model using both an artificial neural network and a logistic regression to serve as a potential tool for early detection.

## Keywords:

### Introduction

Being an essential factor in people's lives, the cost of living represents the amount of money needed to sustain a certain standard of living by affording basic expenses such as housing, food, taxes, and health care [1].

According to a GOBankingRates' analysis of the Bureau of Labor Statistics' Consumer Price Index, the cost of living in America has climbed 14 percent over the past three years. The Consumer Price Index measures the change in prices paid for goods and services including food, shelter, energy, transportation and medical care, all of which are essential for living a sustainable lifestyle [2]. Thus, a rise in the Consumer Price Index could indicate an overall rise in cost of basic living, which could impose an increased burden on significant portions of the population.

With these considerations in mind, this study aims to examine the predictors of adults' financial worries over maintaining standard of living in 2017 and build a predictive model for these financial worries using an artificial neural network and comparing its performance to a logistic regression model.

### Data and Methods

#### Data

The National Health Interview Survey (NHIS) is the principal source of information on the health of the civilian noninstitutionalized population of the United States. It is one of the major data collection programs of the National Center for Health Statistics (NCHS), which is part of the Centers for Disease Control and Prevention (CDC) [3].

The National Health Interview Survey (NHIS) Data for 2017 was used as the primary source of data in this study.

### Models

We used logistic regression models as one method of calculating the predicted risk. Logistic regression is a part of a category of statistical models called generalized linear models, and it allows one to predict a discrete outcome from a set of variables that may be continuous, discrete, dichotomous, or a combination of these. Typically, the dependent variable is dichotomous and the independent variables are either categorical or continuous.

The logistic regression model can be expressed with the formula:

$$\ln(P/P-1) = \beta_0 + \beta_1 * X_1 + \beta_2 * X_2 + \dots + \beta_n * X_n$$

Additionally, a package called "neuralnet" in R was used to conduct neural network analysis. The "neuralnet" package focuses on multi-layer perceptrons which are well applicable when modeling functional relationships.

### Variables

Table 1.– Variables used in this Study

SEX	1: Male 2: Female
ORIGIN_I Hispanic Ethnicity	1: Yes 2: No
RACRECI3	1: White 2: Black 3: Asian 4: All other race groups*
AGE_P	1: Age >18 years old 2: 0–17
Region	1: Northeast 2: Midwest 3: South 4: West

The outcome variable is the percentage of “How worried are you right now about not having enough money for Maintaining Standard of Living?” (ASIRETR)

**Results**

According to the data sample, about 35.8% of the 26,029 adults surveyed had financial worries over maintaining standard of living, about 38.2% among the female and 32.9% among the male. Below we have included a thorough description and analysis of the data, providing a more detailed portrayal of the results.

The first model we used to display results in a corrgram. Foundationally, a corrgram is a graphical representation of the cells of a matrix of correlations. The graph is intended to display the pattern of correlations in terms of their signs and magnitudes using visual thinning and correlation-based variable ordering. Moreover, the cells of the matrix can be shaded or colored to show the correlation value. In the figure below, the positive correlations are shown in blue, while the negative correlations are shown in red; the darker the hue, the greater the magnitude of the correlation.

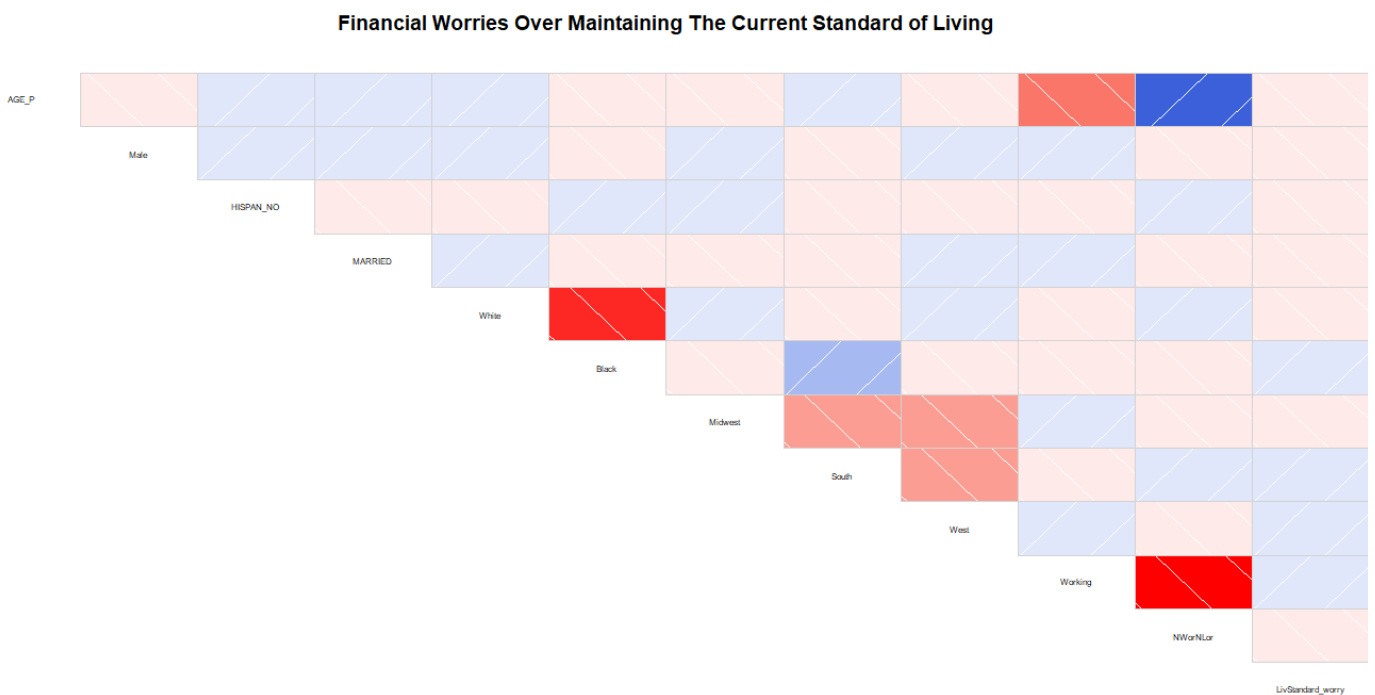


Figure 1. Matrix of Correlations Between Variables

Table 2. – Logistic Regression for Having Financial worries over Maintaining Standard of Living

	<b>Estimate</b>	<b>Std. Error</b>	<b>z value</b>	<b>Pr (&gt; z )</b>	
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
(Intercept)	0.361	0.091	3.946	0.000	***
AGE P	0.000	0.001	0.489	0.625	
Male	-0.259	0.027	-9.748	0.000	***
HISPAN NO	-0.503	0.040	-12.665	0.000	***
MARRIED	-0.155	0.027	-5.770	0.000	***
White	0.074	0.052	1.419	0.156	
Black	0.316	0.064	4.934	0.000	***
Midwest	-0.067	0.043	-1.577	0.115	



	1	2	3	4	5	6
South		0.015	0.039	0.391	0.696	
West		0.079	0.043	1.848	0.065	.
Working		-0.351	0.055	-6.413	0.000	***
NWorNLor		-0.669	0.058	-11.514	0.000	***

According to the logistic regression, males were 22.84% less likely than females to have financial worries over maintaining standard of living. The non-Hispanic adults were 39.51% less likely to have financial worries over maintaining standard of living than Hispanic adults. The married adults were 14.38% less likely to have financial worries over

maintaining standard of living. The black population was 37.10% more likely to be worried. Compared to unemployed workers who were still looking for employment, people who were employed or unemployed but not looking were 29.62% and 48.80%, respectively, less worried. These results can be seen in the data demonstrated by (Table 2) and (Figure 2).

Table 2. – Odds Ratio and Risk Increase Based on the Logistic Regression

	Estimate	Odds Ratio	Risk Increase
AGE P	0.000	100.04%	0.04%
Male	-0.259	77.16%	-22.84%
HISPAN NO	-0.503	60.49%	-39.51%
MARRIED	-0.155	85.62%	-14.38%
White	0.074	107.69%	7.69%
Black	0.316	137.10%	37.10%
Midwest	-0.067	93.51%	-6.49%
South	0.015	101.55%	1.55%
West	0.079	108.21%	8.21%
Working	-0.351	70.38%	-29.62%
NWorNLor	-0.669	51.20%	-48.80%

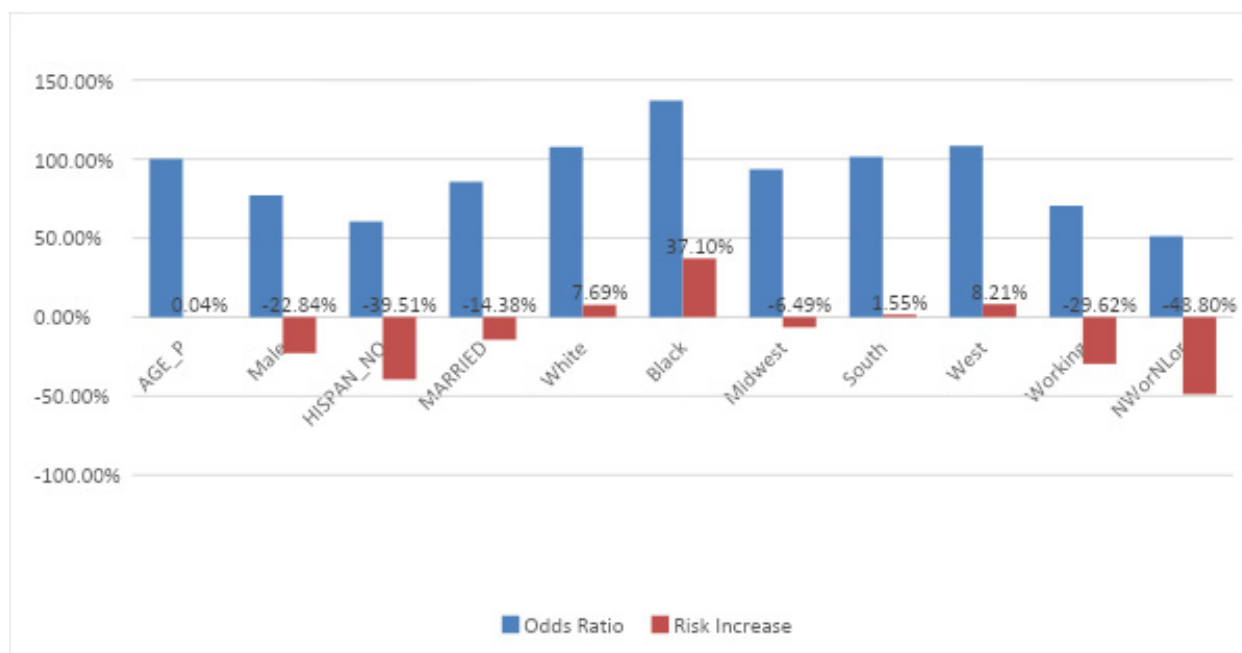


Figure 2. Odds Ratio and Risk Increase Based on the Logistic Regression

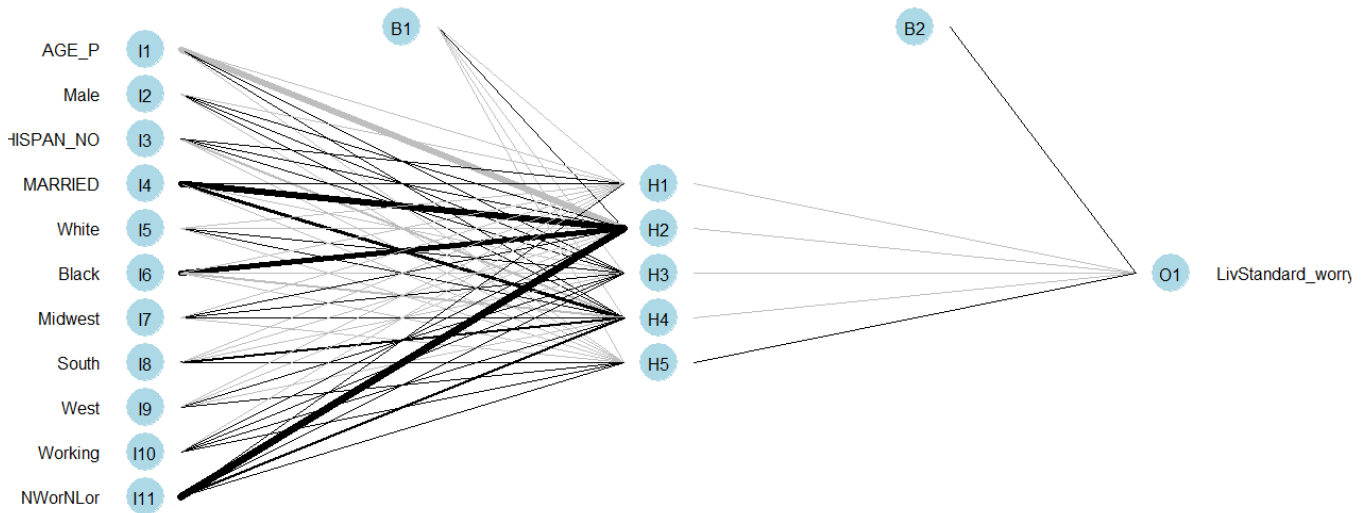


Figure 3. Artificial Neural Network in the training sample

In the above plot, line thickness represents weight magnitude, and line color represents weight sign (black = positive, grey = negative). The net is essentially a black box, so it is difficult to make claims

regarding the fitting, the weights and the model. However, it is suffice to say that the training algorithm has converged, and therefore the model is sufficiently ready for use.

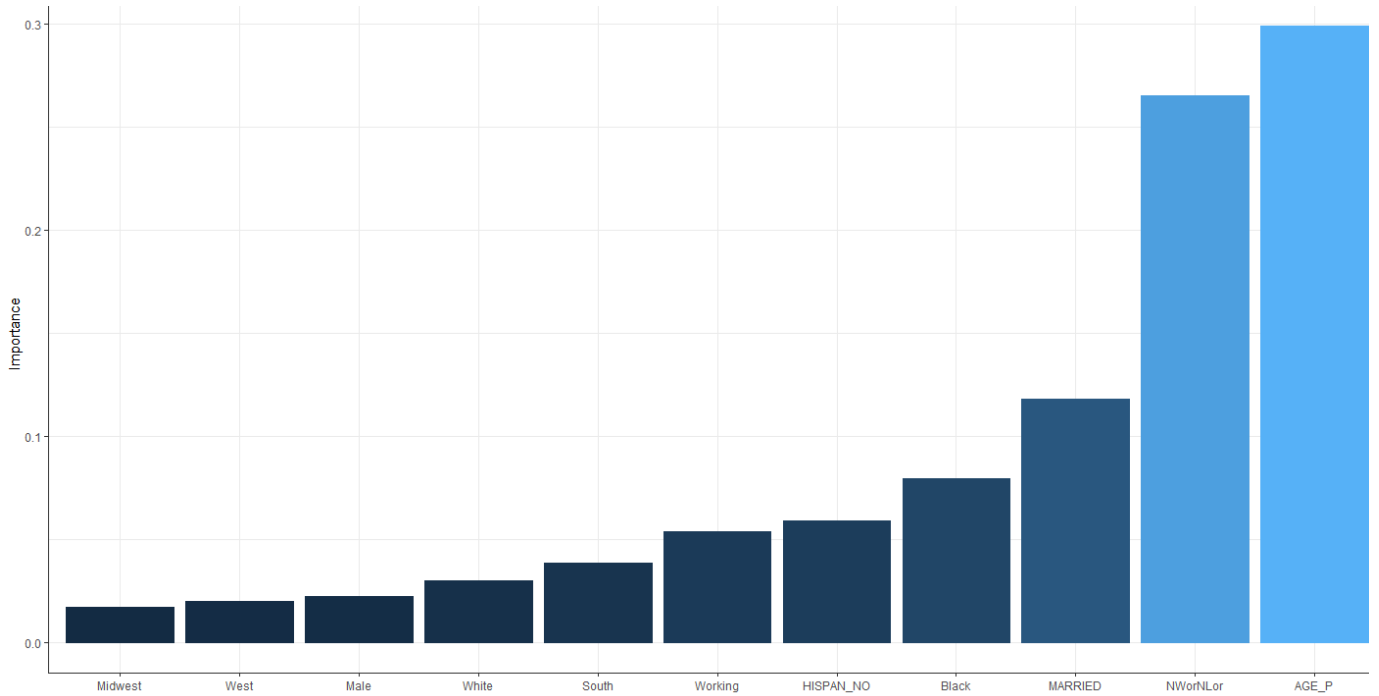


Figure 4. Variable Importance in Artificial Neural Network

As demonstrated by the distributions in (Figure 3), according to this neural network, the most important predictors was age, working status, marital status, and race.

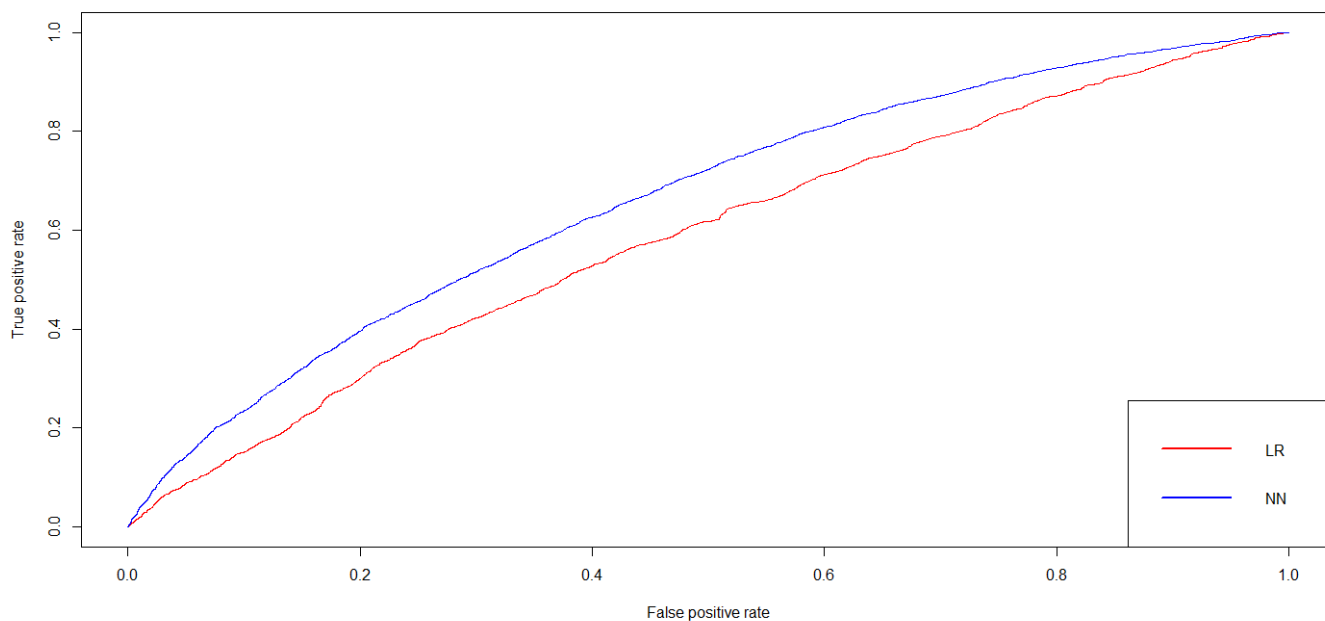


Figure 5. ROC in training sample for Logistic Regression (Red) vs Neural Network (Blue)

Figure 5 reveals the ROC in the training sample for both the logistic regression and the neural network. The ROC was 0.58 for the logistic regression and 0.66 for the artificial neural network. In the

testing sample, as demonstrated by Figure 6 below, the ROC was 0.58 for the Logistic regression and 0.65 for the artificial neural network.

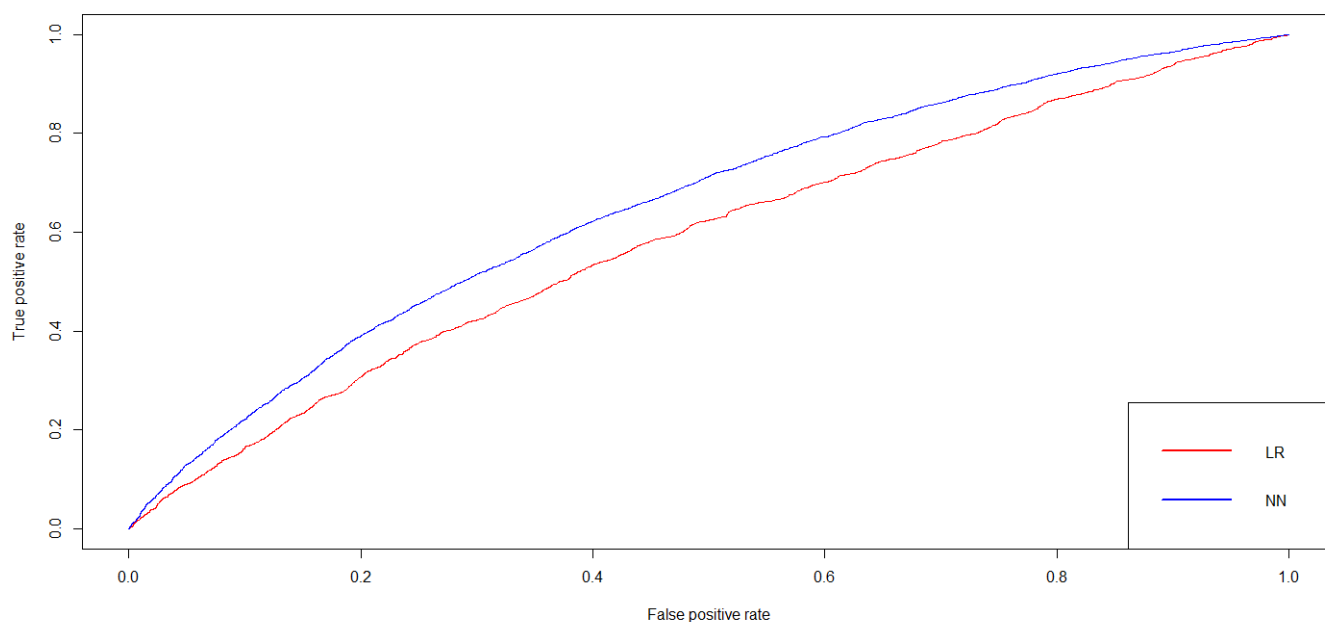


Figure 6. ROC in testing sample for Logistic Regression (Red) vs Neural Network (Blue)

## Discussion

This study aimed to first examine the predictors of adults' financial worries over Maintaining Standard of Living in 2017 and then build a predictive model for adults' financial worries over Maintaining Standard of Living. This involved using an artificial neural network and comparing its performance to a logistic regression model.

Upon processing the data, it was revealed that about 35.8% of the 26,029 adults involved in the data collection had financial worries over maintaining standard of living, about 38.2% among the female and 32.9% among the male.

Next, through data analysis, we discovered a range of associations between different factors and likelihood of having worries over maintaining a standard of living. As detailed in the results of this study, according to the logistic regression, factors such as gender, hispanic origins, marital status, and state of employment were key factors in likelihood of having those financial worries. The neural network suggested the involvement of similar factors. According to the network, the most important predictors were age, working status, marital status, and race.

In both the training sample and testing sample, the ROCs were similar for the logistic regression and neural network, suggesting that they both had similar functionality in regards to prediction accuracy. The neural network in both cases had a slightly higher ROC, however, meaning that the network may in fact be slightly more accurate than the regression.

In this study, we identified several important predictors for adults' financial worries over maintaining standard of living in 2017. Some of the most important factors included gender, race, marital status and working status. We built a predictive model using artificial neural network as well as logistic regression to provide a tool for early detection, and discovered that while both have similar degrees of accuracy, the neural network may give a slight advantage.

Using these models, and keeping the relevant factors in mind, perhaps early detection could help identify more potentially prominent areas of need at a faster rate. This way, federal or private organizations seeking to provide assistance to those in financial need could allocate resources more effectively.

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## Section 11. Science of law

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### **REFUSAL TO RETURN A CHILD TO THE STATE OF HIS HABITUAL RESIDENCE (ANALYSIS OF JUDICIAL PRACTICE OF THE RUSSIAN FEDERATION)**

**Abstract.** The article is devoted to decisions of Russian courts on the applicability of the 1980 Convention on Civil Law Aspects of International Child Abduction. Some reasons for refusals to return the abducted child are given.

**Keywords:** The Hague Convention, wrongful child removal, wrongful child's retention, return of abducted child, Russia, international child abduction, kidnapping, habitual residence.

Misuse of rights in respect to a child by one of the parents “and complete helplessness of another parent in this regard is extremely relevant at present” [1]. The most vulnerable form of such misuse is an unlawful abduction and / or detention of a child, which today can be overcome only based on the Convention on Civil Law Aspects of International Child Abduction dated 10.25.1980. [2] (hereinafter referred to as the 1980 Convention). Although Russia acceded to this Convention relatively recently – in 2011 – nevertheless, certain approaches to uniform application of reason for refusing to return a child to the state of the permanent (habitual) residence have already been developed in the practice of Russian courts. The statistics on the resolution of such disputes allow us to state that in the vast majority of cases the court rejects the claim. Thus, according to the data posted on the official website of the Moscow City Court, for the period of January 1, 2018 – June 1, 2019, the Tver District Court of Moscow examined 22 claims filed under the 1980 Convention. The results of their consideration are as follows: satisfied

(fully or partially) – 2 claims; discontinued – 2 cases; claims denied – 18 cases [3].

Prior to considering an application submitted in accordance with Section 22.2 of the Code of Civil Procedure of the Russian Federation (hereinafter – the CCP RF), Russian courts make a decision on the applicability of the 1980 Convention itself.

One of the reasons for refusals to return the abducted child is the provisions of Art. 35 and paragraph 4 of article 38 of this Convention: the 1980 Convention does not apply between Russia and the state, which demands return of a child. For example, on this basis, the Kanavinsky District Court of Nizhny Novgorod dismissed the lawsuit dated October 26, 2017 with regard to case No. 2–4633 / 2017 and a lawsuit dated February 11, 2019 with regard to case No. 2–948 / 2019, although in both cases there were all material grounds for satisfying the demands: the child's place of residence was determined with his father (respectively, in Germany and Georgia); both children were taken to Russia by their mothers without consent of their fathers. But, if in the first case the child was

abducted before the 1980 Convention entered into force in relations between Russia and Germany (until 04/01/2016), then in the second case, Georgia did not recognize Russia's participation in the Convention at all. Perhaps it would be fairer, with regard to interests of juveniles, to completely exclude the reservation on the need for State-parties to recognize the participation of a new state from the 1980 Convention.

The absolute grounds for refusal in the application of the 1980 Convention is when the child reaches the age of 16 years (Art. 4). Meanwhile, according to the Convention on the Rights of the Child of November 20, 1989 [4]. As a general rule, all persons who are under the age of 18 are referred to as children (Art. 1). If a teenager, who is between 16 and 18 years old, corresponds to the usual level of development, they can quite clearly express their thoughts about the place of their residence. The situation is different in cases where the juvenile has any developmental disabilities and for this reason is indifferent to the place of their stay, therefore the persons responsible for them decide their fate. Based on this, we believe that application of the 1980 Convention is unjustifiably narrowed; and thus – it must be brought in line with the Convention on the Rights of the Child, that is, should apply to all juveniles.

Plaintiffs in cases of cross-border protection of guardianship rights and access rights sometimes cite various circumstances confirming, in their opinion, the fact of the child's permanent residence in the country, which the child was transferred to. But the courts demonstrate sufficient thoroughness in the study of the documents submitted in this regard. As an example, we would bring a verbatim excerpt from the decision of the Central District Court of Novosibirsk dated September 18, 2017 on case No. 2–4444 / 2017: "Documents submitted by the defendant for a juvenile Z. Yu. concerning his registration at the place of residence [*auth.*: within the territory of the Russian Federation, where he was illegally moved], registration at the medical establishment, school enrollment ... obtained by the defendant after October 2016, i.e. after moving

of the child from the territory of the Republic of Kazakhstan ... The above indicates the short duration of the child's presence on the territory of the Russian Federation" [5]. Similar arguments – this time against the defendant – were also provided in the Decision of the Pyatigorsk City Court of the Stavropol Territory dated June 13, 2017 on case No. 2–1965 / 2017, which ordered the child to be returned to Kazakhstan by his father, who was illegally keeping him in Russia [6].

However, not all courts approach the understanding of the state of usual residence in this way. Thus, the Dzerzhinsky District Court of St. Petersburg, by its decision of March 30, 2018, satisfied the claims of a citizen of Spain M. A.V.A. on the return of the child to Spain – the state of his permanent residence. But the defendant, the mother of the child, did not agree with such a verdict and appealed for review of this decision to the St. Petersburg City Court. Her appeal was examined on June 13, 2018, and the decision of the trial court was cancelled. As a justification, the Appeal definition notes the following: the 1980 Convention "does not contain a definition of the concept of a "state of permanent residence" and does not exclude the need to take into account various circumstances in its determination, not only the child's residence in this place at the time of displacement". These circumstances included "preservation of Russian citizenship and registration at the place of residence by the defendant, which confirm that the defendant has sufficient and serious ties with the Russian Federation"; the child's young age, "which usually requires continued presence of mother" (the court relied on Principle 6 of the Declaration of the Rights of the Child of November 20, 1959 [7], which, as we should note, is advisory, but not obligatory, since it is not an international treaty), etc. Moreover, and such a court decision raises certain questions: the 1980 Convention "allows refusal to return a child on grounds related to both the right (Art. 20, 38) and the fact (Art. 12, 13), in connection with which the provisions of this Convention cannot be considered as the provisions of international law generally recognized in the Russian

Federation”. As a result, this court concluded that the return of the child “to his father into the Kingdom of Spain would be contrary to the child’s best interests and could harm the child”, thus cancelling the decision of the trial court [8]. In our opinion, the qualification of the term “state of habitual residence” by the court of appeal is quite controversial: despite the fact that the child was moved from Spain at the age of 6 months upon consent of his father for the child’s temporary (and not permanent!) departure, his stay on the territory Russia was regarded as permanent residence. If this path is to be followed, it is quite possible to come to a point, where courts will recognize any actions of the kidnapper-parent for creating a new place of a child’s residence by illegally abducting (or retaining) and isolating the child from the other parent. Which is, of course, unacceptable, since it totally contradicts the idea of the 1980 Convention itself.

When applying for a child’s return before one year has elapsed since the child was illegally removed or detained, the court “is required to order the child to be returned immediately” (paragraph 1 of Article 12 of the 1980 Convention). If more than one year has passed, the court has the right to refuse to return him in cases where the child “has adapted to the new environment” (paragraph 2 of Article 12 of the 1980 Convention). In denial cases, for this reason, usually all facts that argue for adaptation must be confirmed. For example, in case No. 02–0507 / 2019, examined by the Tverskoy District Court of Moscow on 05.02.2018, evidence of the adaptation of two children to the Russian Federation was: a certificate from an ambulatory pediatric clinic about their medical supervision; positive characteristics of the daughter from the school where she is studying (with the attachment of letters with which she was awarded for participating in various competitions and Olympiads); positive characteristics of a son from a preschool educational institution; family inspection certificate; records of conversation with each of the children. The plaintiff (the mother of children living in Ukraine) appealed the decision to the Moscow City Court, but it was not cancelled [9].

Another reason for refusing to return a child is the reluctance of a displaced or detained child to return to their country of habitual residence. The position of the child is taken into account by the court or other body in case if the child “has already reached such an age and degree of maturity, at which their opinion should be taken into account” (Article 13 of the 1980 Convention). But, at the same time, a situational approach to taking into account the views of the child should be noted: when the child objects to the return, the court has the right, but is not obliged to refuse to satisfy the claim. For example, in the Decision on case No. 2–5968 / 2016, examined on June 16, 2016 by the Central District Court of Khabarovsk, the following explanation was recorded: the child’s objection “is due to the fact that she likes to live with her mother ... she made friends, and she doesn’t want to return to her father, who often scolded her “. Accordingly, having evaluated the child’s statement and other circumstances in aggregate, the court decided to return the girl to Ukraine, where she was illegally moved from [10]. We believe that the words spoken by the child were correctly assessed by the court, not as an objection to returning to Ukraine, but as an opinion that must be taken into account at the discretion of the court.

A refusal to return the child may also be caused by such independent reasons as: there is a serious risk that, in case of returning to the country of habitual residence, unbearable conditions will be created for the child, including in the form of a threat of “causing the child physical or psychological harm” (point (b) of Article 13(1) of the 1980 Convention); return of the child “is contrary to the fundamental principles of the requested State regarding protection of human rights and fundamental freedoms” (Article 20 of the 1980 Convention). As a positive trend in the practice of Russian courts, it should be noted that they, on their own initiative or at the request of the parties to the process, examine all possible reasons for the refusal to return the child; the results are mandatorily reflected in the decision on the case. Thus, the Central District



Court of Novosibirsk, in its Decision of September 8, 2016 on case No. 2–5702 / 2016, substantiated both of the above reasons for refusal: “the return of children to the place where they lived before the displacement could lead to a serious threat of physical harm (in view of the circumstances established by the court of the aggressive behaviour of father T ... F. in relation to them)”; “Forced return of children who are citizens of the Russian Federation impedes their freedom of choice to reside in the territory of their state, which contradicts the fundamental principles of human rights and fundamental freedoms in the Russian Federation” [11].

The Preamble to the 1980 Convention emphasizes that “the interests of children are a matter of paramount importance in issues relating to child custody”. In our opinion, the courts of the Russian Federation approach consideration of cases relating to cross-border protection of guardianship rights and access rights quite variably, but in any case, they proceed from the need for priority observance of the interests of the child. Thus, the Central District Court of Novosibirsk, when considering case No. 2–2387/2017 on April 21, 2017, stated the following circumstances as a justification for the interests of the child: “the plaintiff did not provide evidence regarding, who specifically will look after A., who is less than 4 years old, in the case of her return, in the absence of the father and, especially, the mother, who will take care of her upbringing and personal hygiene, control the relationships of half-sisters born from different mothers and having a difference

of more than 6 years”; the court “proceeds solely from the interests of the child, since her return may lead to a serious threat of causing her psychological and physical harm, connected precisely with breaking of a strong emotional connection with her mother K ... OS, since, actually, her separation from her mother would occur, as in the case of the child’s return to the territory of France, the defendant [from the author .: i.e. the mother] is at real risk (Article 396 of the Civil Code (Code Napoleon) [12]), that custody of her daughter will become impossible” [13]. In general, this decision is consistent with the law, but, in our opinion, the court had to, nevertheless, provide more detailed reasons for refusal to return the child, or at least adapt it to the specific ground of refusal specified in the 1980 Convention.

Thus, on the whole, Russia has developed a uniform positive practice of resolving cases based on the norms of the 1980 Convention. But at the same time, there are also negative aspects due to the fact that “insufficient attention is paid to the training of judges ... in the field of international Family Law and International Mechanisms for Protection of Children’s Rights” [14]. A study of judicial practice has shown that in part this statement is true. In order to avoid errors in resolving the considered category of cases, we believe that, firstly, judges of the authorized courts of Russia should undergo a retraining as necessary, and secondly, it is advisable for the Supreme Court of the Russian Federation to provide specific clarifications on the application of the 1980 Convention.

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## **DOMESTIC VIOLENCE IN ALBANIA: THE APPLICABLE LAW**

**Abstract.** Domestic violence is not a new phenomenon in Albania because it has deep roots, has cultural roots, deep-seated in traditions and customs such as strict gender identities and roles, patriarchal authority, adherence to an honour and shame system, and customs of hierarchical ordering within the family.

Domestic Violence is a pervasive violation of human rights and a global public health problem of epidemic proportions, it manifests in various forms of physical, sexual, psychological, and economic violence that occur in public and private spaces. The aim of this paper is to explore the legal and social impact of the Instruments of Law against Domestic Violence in Albania.

International experts, researchers in this field say effective intervention in domestic violence cases involves inter-agency efforts to institutionalize procedures that centralize victim safety, improve offender accountability, and change community climate to be intolerant of domestic violence, although for many people in Albania being violent toward others is normal. Under the changes and improvement of legislation domestic violence victims need to receive free legal assistance and free lawyers from the National Chamber of Advocacy, because in the EU countries shows that much needs to be done to improve this Situation against of domestic violence.

**Keywords:** Domestic Violence, Albania Legislation, Human Rights, Social Phenomen, Abuse.

### **Introduction**

Domestic violence directed against women by their intimate partners (current or former spouses or boyfriends) is an epidemic of global proportions that has devastating physical, emotional, financial and social effects on women, children, the family and the community. Critical to efforts to combat domestic violence has been growing recognition of domestic violence as a violation of women's human rights.

The consequences of domestic violence, both physical and psychological, are so devastating that some consider it a form of torture. Domestic violence affects not only battered women and their children, but also entire community. Due to prevalence and pervasiveness of domestic violence in nearly every part of the world, communities must react with a comprehensive strategy incorporating advocacy, legal form, and education to combat the problem.

In 2013, the World Health Organization estimated that nearly one-third of all women worldwide who had been in a relationship had experienced physical or sexual violence by their intimate partner [3]. Among myriad short and long term health effects, research has shown that women who experience domestic violence are more likely to experience depression, more likely to have abortions and low birth rate babies, and in some regions are more likely to acquire HIV [3]. In addition, it is estimated that 38% of women murdered worldwide are killed by an intimate partner [3].

Research on domestic violence indicates that abuse of women is a complex and multi-dimensional issue. Factors behind it include cultural, social, family and individual aspects that influence the probability for women to become victims of violence. Given its levels, frequency, and social costs, gender based

violence remains a major concern in Albania, as one of the most serious and recurrent types of human rights violation in the country.

Victims of gender based violence are women and girls of all ages, social groups, educational levels and professions. However, the most vulnerable groups remain: women coming from poor households, women who are heads of families and girls. This applies in particular, to girls who are part of internal migration communities, who have come from different areas to the outskirts of Tirana and Durrës. This also includes, students, and women living in the North of the country where the patriarchal traditions are even more dominant in the rural areas. In the majority of the cases the abusers are men, who the victim knows: family members, relatives, neighbors, and colleagues. Domestic violence remains one of the most common forms of violence in Albania, which accounts for most of lives lost among the survivors of violence against women.

#### **Forms of Domestic Violence in Albania**

According to the definition of the State Department Office on Violence against Women through their main resources such as [13]: the National Hotline on Domestic Violence and the National Center for Victims of the Crimes of Domestic Violence, domestic violence “is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.”

Batterers use a wide range of coercive and abusive behaviors against their victims. Some of the abusive behaviors used by batterers result in physical injuries. Other techniques employed by batterers involve emotionally abusive behaviors. While these behaviors may not result in physical injuries, they are still psychologically damaging to the victim. Batter-

ers employ different abusive behaviors at different times. Even a single incident of physical violence or the threat of such violence may be sufficient to establish power and control over a partner. This power and control is then reinforced and strengthened by non physical abusive and coercive behaviors.

Forms of domestic violence in the study of INSTAT [5]. “On domestic violence in the society” can include physical violence, sexual violence, economic control, psychological assault (including threats of violence and physical harm, attacks against property or pets and other acts of intimidation, emotional abuse, isolation, and use of the children as a means of control), and emotional abuse.

**Emotional abuse** is any treatment that may diminish the sense of identity, dignity and self-worth of an individual. This may include: continuous criticism, demeaning behavior, contempt about the abilities of a person, insults, degradation and damaging of the relationship with somebody’s children.

**Psychological abuse** refers to causing fear by intimidation; threatening physical harm, to self, partner, children, or partner’s family or friends; threatening with abandoning; destruction of pets and property; threatening about taking custody of children; forcing isolation from friends, or school or work and withholding money or financial support for a partner.

**Physical abuse** includes, but is not limited to: striking, punching, pushing, slapping, pinching, hitting, strangling, striking, kicking, biting, pulling of hairs, twisting the arm, burning, slaughtering and drowning. Physical abuse may also constitute use of size and physical strength of a person, using guns, knives, or any other object to gain and retain control over another person. Physical abuse often leads to different forms of harm, while it could also lead to eventual death.

**Sexual abuse** is the forcing of unwanted sexual activity by one person on another, as by the use of threats of coercion. Sexual abuse includes but is not limited to: marital rape, assault on sexual body organs, forcing the partner to engage in sexual re-

lationship following physical abuse, or treatment of a person in a sexually demeaning way. Sexual abuse is perpetrated by intimate partners and family members within the marriage context, love affair or household context.

**Economic abuse** involves making or attempting to make the victim financially dependent on the abuser. Examples of economic abuse include preventing or forbidding an intimate partner from working or gaining an education, controlling the financial resources, and withholding access to economic resources.

Not all forms of domestic violence are criminalized and, in fact, drafters of legislation are encouraged to consider limiting intervention in cases involving physical and sexual violence, the threat of such violence, and extreme acts of coercive control from which the victim can not easily escape. While some countries include psychological and economic abuse in criminal law, doing so can create a risk that violent abusers will manipulate the system to enforce actions against their partner or to justify physical violence as an appropriate response to their partner's insults.

#### **Effects and Factors of Domestic Violence**

The effects of violence on a victim's health are far reaching and devastating. Women who are battered may suffer from a variety of medical problems. From depression to chronic pain. They may also be at an increased risk of sexually transmitted infections or unplanned pregnancies [6]. They may need to miss significant amounts of work due to medical problems [14]. Domestic Violence may be fatal. Worldwide, the World Health Organization estimates that around 40% of all female murder victims are killed by an intimate partner [15]. Victims of domestic violence are more likely to commit suicide [6]. Domestic violence also contributes to other forms of violence against women. Women who experience violence at home may be more willing to look for an uncertain and potentially risky job abroad, placing them in danger of being trafficked.

**Health effects** consist of injuries from the assault, battered women may suffer from chronic pain,

gastrointestinal disorders, psychosomatic symptoms and eating problems. Domestic violence is associated with mental health problems such as anxiety, post traumatic stress disorder, and depression. Women who are abused suffer an increased risk of unplanned or early pregnancies and sexually transmitted diseases, including HIV/AIDS. As trauma victims, they are also at an increased risk of substance abuse. According to a U.S study, women who experience intimate partner abuse are three times more likely to have gynecological problems than non abused women [7].

**Effects on children** in families where domestic violence occurs may be exposed to intimate partner violence and abuse in a number of ways. They may be direct witnesses to abuse, may suffer harm incidental to the domestic abuse, may have their lives disrupted by moving or being separated from parents, may be used by the batterer to manipulate or gain control over the victim, and they themselves are more likely to be abused. Exposure to domestic violence is widespread internationally and it is associated with other forms of child maltreatment, according to a 2006 UNICEF World Report on Violence Against children. They may be direct witnesses to domestic violence, often seeing abusive incidents or hearing violence as it happens in their homes and families. As witnesses, children may be considered secondary victims and can be harmed psychologically and emotionally. According to a study published in 2013, over 15 million children live in families where intimate partner violence had occurred [8].

**Effects on community** of domestic violence including costs of healthcare services consumed as a result of domestic violence (including emergency room and clinic visits, hospital stays, mental health services, medication, and physical therapy) is one of the most significant cost components. Recognizing the pervasive nature of the problem, researchers increasingly have begun to examine the economic effects of domestic violence, both in terms of financial costs to victims as well as the broader impact on national economies [9].



Domestic Violence is recognized as both a cause and consequence of gender inequality, and is a major obstacle to women and girls' enjoyment of human rights and their full participation in society and the economy. There is no single factor that causes Domestic Violence [10, 4]. Rather, there are a combination of elements operating at different levels of the 'social ecology' that perpetuate and reinforce gender discriminatory and biased attitudes, norms, and practices that contribute to the pervasive imbalance of power that exists between men and women within societies and contributes to Domestic Violence [10, 4]. These elements include:

**Individual factors** – person's attitudes or beliefs that condone VAWG, and a person's developmental history, agency, and self-efficacy [10, 4; 16].

**Social factors** – a person's social relationships and household dynamics, and harmful social and gender norms [10, 4; 16].

**Material factors** – household poverty and lack of economic opportunities for women and girls.

**Structural forces or macro-level factors** (Gender ideologies are "a world view of what gender relations should be like.") [10, P. 7] – weak or discriminatory legal and institutional frameworks, racism, rules about who can own and inherit property, and gender ideologies that underpin gendered differences in power and social status that affects realities at all the other levels.

#### **Domestic Violence Against Women in Albania**

The Albanian society has a history of male dominance, this being a reflection of the strong patriarchal traditions in the Balkans. Women have long given up and are used to being subjected to submissive roles. During Communism a serious gap existed between the emancipation of women from a theoretical perspective, and the circumstances of daily life and living conditions. Since the fall of the communist regime in 1991, Albania is going through a period of radical and often times dramatic political, social and economic changes. These have substantially impacted the livelihoods of many Albanians. Gender equality is a newly introduced concept for the Alba-

nian society, and it has not yet been embraced by a significant part of the population.

Violence Against Women is not a new phenomenon in Albania, it has deep roots in Albanian society that has long been shaped by patriarchal traditions and customs, including strict gender identities and roles, patriarchal authority, adherence to an honour and shame system, and customs of hierarchal ordering with the family and inter-generational family control. Since 2007, Albania's Institute for Statistics has conducted two National Domestic Violence Surveys. In 2007, with technical assistance and support from UNDP and UNICEF, INSTAT conducted the first National Domestic Violence Surveys [11] and consisted in interviews with 2590 women, the ages of 15 and 49 in 12 districts. The survey found that, of the woman who participated in the survey [17]:

- 50.6% had experienced emotional violence;
- 39.1% had experienced psychological violence;
- 31.2% had experienced physical violence;
- 12.7% had experienced sexual violence.

In 2013, with technical assistance from UNDP and financial support from Swedish International Development Cooperation Agency, INSTAT conducted the 2<sup>nd</sup> National Domestic Violence Surveys in women the ages 18–55 years. The 2013 National Domestic Violence Surveys found that:

- 59.4% of women age 18–55 experienced one or more of the five types of domestic violence in their lifetime;
- 53.7% experienced domestic violence in the 12 months prior to the interview;
- 24.6% of women experienced physical and/or sexual violence, or both, in their lifetime;
- 16.2% experienced physical and or sexual violence, or both, in the 12 months prior to the interview.

Given similar methodologies and data collection tools were used for the 2007 National Domestic Violence Surveys and 2013 National Domestic Violence

Surveys, comparison of findings draws attention to several important considerations:

- The proportion of women who experience domestic violence in their lifetime ranges from 56.0% to 59.4%; more specifically, lifetime experiences of physical violence ranges from 23.7% to 31.2% and sexual violence ranges from 7.9% to 12.7%;
- Women who were surveyed in 2013 were more likely to seek and report incidents of domestic violence to respective state bodies, compared to the 2007 National Domestic Violence Surveys. Still, however, only 7% of women who were 'currently' experiencing domestic violence at the time of the 2013 National Domestic Violence Surveys sought help;
- The increase from 2007 to 2013 in the proportion of women surveyed who sought help for domestic violence may reflect improvements in Violence Against Women legislation and/or in institutions handling of domestic violence and Violence Against Women cases, as well as increased public trust in respective state bodies;
- Drawing conclusions about sexual violence in intimate partner relationships should be cautioned, particularly since sexual violence remains taboo and is underreported in Albania, especially in cases of sexual violence in intimate partner relationships, including marital rape.

It is not just current or former husbands, partners who commit acts of Violence Against Women. The 2007 and 2013 National Domestic Violence Surveys, revealed that other family members, including parents, brothers, sisters, in-laws, and other relatives committed acts of physical violence against women.

Despite the fact that domestic violence is a problem that negatively affects individuals, families and communities, many Albanians tend to consider domestic violence to be a private, family matter and a normal part of marriage and family life [11]. Because domestic

violence often happens behind closed doors and is not openly discussed, acknowledged, or addressed in Albanian society, victims typically suffer in silence [17].

### **The Albanian Legislation on the Prevention and Fight Against Domestic Violence**

In January 2006, 20.000 Albanians made clear that they thought domestic violence was a serious problem. For the first time, a citizens' petition was introduced into Parliament to pass a Law to help the victims of domestic violence. Such Laws are common in the world and in Europe. In fact, such a law is required if Albania is ever to become a member of the EU. On December 18, 2006, Parliament passed Law no. 9669, "On measures against violence in family relations" [1] (Domestic Violence Law).

The purpose of the law is to prevent and reduce domestic violence in all its forms and guarantee legal protection to victims of domestic violence by paying particular attention to the needs of children, the elderly, and the disabled [1, art. 1]. Under the new law, every part of society has a role in preventing violence. The law outlines the roles of the Ministry of Labour, Social Affairs and Equal Opportunities, of the Ministry of the Interior, of the Ministry of Justice, of the Ministry of Health, of the Ministry of Education and of implementing structures such as police departments, emergency rooms, and local government in the prevention of domestic abuse and the protection of its victims.

The courts play a major role in granting protection orders as civil remedy. The Law specifically empowers the judiciary to take protection measures for victims and ensures that the latter have access to quick, affordable, simple services [1, art. 2].

The prosecutors are responsible for intervention in criminal actions. Social services, health services, and non governmental organizations participate in a coordinated community response for the support, protection, and rehabilitation of victims of abuse.

Under the meaning of this Law [1, art. 3], Violence in the domestic setting according to article 3(1) "is any act or omission of one person against

another, resulting in violation of the physical, moral, psychological, sexual, social and economic integrity". Therefore domestic violence is definite in article 3 (2) as "any act of violence pursuant to point one of this article committed between persons who are or used to be in a family relation". Family members are, Spouses or cohabitating partners or former spouses or former cohabitating partners, Brothers, sisters, relatives of direct blood line, including adoptive parents and children. Persons related by direct blood line, including parents and adoptive children of the spouse or of the cohabitating partner. Brothers and sisters of the spouse if these have been living together during the last 3 months. Children of spouses or of cohabitating partners.

The subjects that may report cases of domestic violence to the appropriate authorities (police, local authorities, public health centers, courts) are provided on the Law [1, art. 9] and they include not only the victim but also every person that witnesses a case of domestic violence.

The law [1, art. 13] states that the victim, his or her representative, police, prosecutor office etc, are entitled to petition the court for protection orders. When the petition is presented by the police, prosecutor, the victims wish to drop the case does not have an effect on the continuation of the judicial process. The law [1, art. 10] provides for eighteen protective measures that the court is allowed to give the cases of domestic violence. For example prohibiting immediately the defendant to be within a certain distance to the victim or members of their family.

The court establishes a hearing with regard to a protection order within 15 days from the filing of the petition [1, art. 16]. While examining the petition, the court may hear testimony from the following persons such the victim, her/his legal representative or attorney, the defendant, his/her legal representative or attorney, the prosecutor, when he or she filed the petition.

The court shall issue a protection order only against the defendant mentioned in the petition. The court shall issue a protection order containing one

or more of the measures provided in article 10, if it finds that: there is sufficient basis to believe that the respondent may commit an act of family violence, Issuance of the protection order is necessary to protect the security, health and well-being of the victim/s. Based on the court conviction, the protection order may include other persons, family or intimately connected to the victim that may become subjects to domestic violence.

A court shall not deny a protection order because of the existence of any other pending action involving any party [1, art. 17]. The final decision to issue the protection order, which should meet the requirements of article 310 of the Civil Procedure Code, shall also contain: the measure determined by the court, the time limits for this protection order which should not exceed 12 months, but with a possibility of extension, a remark that violation of a protection order shall be considered a criminal offence under article 320 of the Criminal Code, a note on the right to appeal the protection order within 15 days from its approval or notification to the parties. Issuance of protection order shall be notified immediately to the perpetrator who was not present at the hearing, according to article 316 of the Civil Procedure Code. The victim shall be provided with two copies of the original decision, one for own record and the other to present to the police if and when necessary.

The enforcement rules of protective orders are enumerated by article 23 of the Law:

- The judicial decision containing the emergency protection order is considered an executive title from the moment it is declared by the court (or notified to the parties). The court shall issue an execution order at the same time that it issues an emergency protection order;
- The judicial decision containing the protection order is an executive title and should therefore be carried out immediately by bailiffs according to the Civil Procedure Code, by police departments, local government



authorities (municipality, commune) or the perpetrator voluntarily.

In addition to the 'Law on Measures Against Violence in Family Relations', there are also provisions in the Criminal Code of Albania that address crimes related to domestic violence. These include, but are not limited to:

- Nonconsensual sexual intercourse with mature women, includes sexual intercourse between spouses, cohabitants without the consent of one of them [2, art. 102];
- Sexual or homosexual intercourse with extended family members or under custody, includes commission of sexual or homosexual intercourse between a parent and child, brother and sister, between brothers, between other extended family members, or with person who are in custody or adoption relationships [2, art. 106];
- Violent criminal offence, serious threat or injury against a person who is the spouse, former-spouse, partner or former partner, child or family member, resulting in infringement of the physical, psycho-social, and economic integrity of the person [2, art. 121/a];
- Stalking, a threat or "repeated actions" intended to cause a continuous and grave sense of anxiety or fear for a person's security, the security of their relatives or the security of a person with whom they are related sentimentally, or intended to force them to change their lifestyle [2, art. 121/a];
- Physical and psychological maltreatment of minors by their family members or caretakers, including abandonment of minor children [2, art. 124];
- Denial of support, including denial of necessary support for the living of children, parents or spouse, from the person who is obliged, through a court-order, to provide, constitute criminal contravention [2, art. 125].

Amendments to the Criminal Code made in 2012/2013 added aggravating circumstances when offences are committed:

- in violation of protection orders;
- in abuse of family and cohabitation relationships;
- based on motives related to gender, gender identity and/or sexual orientation.

The Criminal Code was also amended to recognize 'threat' or 'repeated actions' intended to cause a continuous and grave sense of anxiety or fear for a person's security, the security of their relatives, or a person with whom they are related sentimentally, or intended to force them to change their lifestyle. Other criminal offences, such as murder, manslaughter, grave and light injuries provide for increased sanctions when the crimes are committed against a partner, spouse or family member.

Despite legal provisions to prosecute and punish perpetrators of domestic violence, there is a widespread tendency to 'negotiate' or 'mediate' domestic violence cases in Albania. The problem with using mediation in domestic violence cases is that mediation is based on the principle of equality of parties, yet in domestic violence cases and intimate partner violence cases there is no equality of parties because the relationship is neither balanced nor equitable, and the violence is based upon based on patterns of domination and control, and subordination of the victim by the abuser [12, P. 40].

### **Conclusion**

Albania is country where the culture of being strong and important in society and family is still a strong value. This complicated issue with its roots in marital relations, also has a negative impact on parenting. Women victims of domestic violence usually find it difficult to concentrate and efficiently work with their children, they are more prone to avoid or deny situations and neglect the influence of violence on themselves and their children. These mothers are at risk of being killed or get seriously injured and most of the time suffer chronic pain, depression,



psychosomatic disorders, unwanted pregnancies, spontaneous abortions.

Domestic violence has been treated more as an individual problem belonging only to family members and not the society. It is a government and individual responsibility to undertake efficient steps in protecting women and children as well as preventing violence.

In addition to Albania's legal framework, the problem is with the fact that the victims don't consider domestic violence as an offence or they are frightened of reporting the incidents because it could trigger shame on their families. Other reasons for the underreporting and failure to complain about violence, include their inability to financially support themselves and their children when they leave or divorce their partners.

Men need to understand that the way they treat their spouses, mothers, daughters or partners is

not a private matter and has legal consequences. Girls and boys need to learn from a very early age at school and at home that violence should not be tolerated. Women need to have a strong support system and trust the authorities so that they can feel confident in coming forward and put an end to violent situations. Implementing the Law of domestic violence is a big challenge for the Albanian State and society. Albania has already its own legislation that is in line with International standards, International Human Rights Conventions, with aim to protect all the victims of domestic violence and to punish all the criminals.

In conclusion we want to stress that are not the fear of Laws that should change the behavior of the violent, but understanding, respect, tolerance with every age and every gender in family and society.

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