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Legal Culture of Higher Education Students in the Context of European Integration of the Ukrainian Educational Space

Summary

Significant changes in the field of education observed in recent years under the influence of economic, political and social processes, as well as Ukraine's entry into the global, in particular European, educational space, have become the basis for the implementation of educational reforms at all levels – from preschool to adult education. That is why there is an urgent need for professionals in various fields to have a high level of legal culture, because ignorance of the law does not absolve one from responsibility. In addition, the goal of all reform processes in our country is to achieve compliance with the European architecture in the relevant fields – legal, educational, medical, etc.

Regulations are the main means of regulating and implementing legal policy in the field of education. Formation of legal culture of all participants in the educational process is a guarantee of the rule of law, a guarantee of fostering respect for the law and the state as a guarantor of law and order in the exercise of the right to education by every citizen. Accordingly, the legal competence of students, regardless of their field of study, is no longer just a requirement of modern society, but also a basic need of every person. The category of «legal culture» is one of the main characteristics of the country's legal system, which helps to determine the quality of the legal life of society.

The level of legal knowledge is an indicator that reveals the quality of the legal life of a higher education student,

which allows the latter to evaluate both his or her own actions and/or inaction and the actions of other members of society and to distinguish legal relations in different branches of law.

Structural components aimed at improving the level of legal culture of higher education students can be divided into informative components (regulatory framework of a higher education institution, charter, collective agreement, internal regulations, provisions and procedures governing the educational process, etc.), an evaluative component is the direct attitude of a higher education student to law in general (teaching general legal disciplines to understand the importance of legal knowledge and skills) and an organizational component is the activities of research and teaching staff.

The issue of forming legal culture in higher education students should be prioritized during higher education, since knowledge of and compliance with the rules of law at the present stage of European development is unconditional.

Keywords: higher education student, legal culture, legal nihilism, educational environment, European integration, European education architecture

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1. Introduction

Educational institutions have the potential and opportunities to form and develop competence and culture of students, because knowledge of the basics of jurisprudence makes a person belong to a certain society in which the relevant laws are in force and rules are observed. In our opinion, the level of knowledge of law determines the degree of socialization of a person, because a socialized person is a person who is integrated into society with the relevant norms, rules and values.

Socialization of the individual in the educational process is the subject of study by such scholars as: O. Bezpalko, R. Vainola, I. Ziaziun, A. Kapska, M. Lukashevych, V. Moskalenko, A. Mudryk, S. Savchenko, I. Shymko and others. The objects of the educational process in higher education are the subject of theoretical developments of leading contemporary educators, such as: Z. Bakum, I. Bekh, N. Bibik, N. Volkova, S. Honcharenko, I. Ziaziun, A. Kapska, V. Kremen, O. Malykhin, S. Nikolaienko, T. Rogova, S. Sysoieva and others. The problem of forming the legal culture of students was developed by such scholars as: O. Voitanovych, O. Hanzenko, V. Holosnichenko, O. Demenko, Y. Kalynovskyi, N. Kovalenko, V. Noskov, L. Petrychenko, A. Stepkina and others. The legal consciousness of young people is the subject of research by S. Alekseev, A. Kozlovsky, I. Kovalenko, O. Makarova, N. Onyshchenko, O. Petryshyn, O. Skakun, N. Tkachova, Y. Shemshuchenko, M. Shcherban and others. Theoretical and practical aspects of legal training of higher education students are developed by K. Vashchenko, V. Holovchenko, V. Kostyuk, V. Luvogvyi, O. Melnykov, S. Seriogina, S. Slyvka, N. Plakhotnik, S. Yashchuk and others.

The state policy in the field of higher education, which is based on the fundamental law of Ukraine – the Constitution of Ukraine (1996) and consists of the laws of Ukraine «On Education» (2017), «On Higher Education» (2014), «On Scientific and Scientific-Technical Activity» (2015) and other regulatory legal acts, international treaties of Ukraine concluded in accordance with the procedure established by law, is determined by the Verkhovna Rada of Ukraine, and implemented by the Cabinet of Ministers of Ukraine and the central executive body in the field of education and science – the Ministry of Education and Science of Ukraine.

According to Article 3 of the Law of Ukraine «On Higher Education», one of the main principles of educational policy is to create conditions for graduates of higher education institutions to exercise their right to work, to ensure guarantees of equal opportunities to choose a place of work, type of employment at enterprises, institutions and organizations of all forms of ownership, taking into account the higher education they have received and in accordance with public needs.

European integration is the process of implementing European norms into Ukrainian legislation. European integration as a vector of education development in Ukraine can be successful only if the political, legal and educational state systems are consolidated, the educational sector is gradually reformed and the legal culture of higher education students is constantly improved for their conscious responsibility as members of society.

The current state of legal knowledge of higher education students shows that legal nihilism and other manifestations of deformation of legal consciousness are widespread among participants in the educational process. This is caused by constant changes in legislation, «poor quality» laws that do not have mechanisms for the practical implementation of certain guarantees, violations of the Constitution by government officials, ineffective justice and the most important factor – a defect in human legal consciousness, which was formed through outright disrespect for the law and its requirements – a lack of understanding of the law.

2. Theoretical aspects of the concept of «legal culture»

The current state policy of Ukraine has determined the strategic directions of higher education development, focusing on integration into the European and world community. The issue of legal culture is relevant, since higher education students, as direct participants in educational reforms, must develop a European-style legal culture, which will be a means of integration into the European and global space in order to realize their personal and public interests.

In order to find out how to form and improve the level of legal culture of higher education students, and given the significant changes in the legislative

field in recent years, we will define the relevant conceptual and categorical apparatus of the study.

The field of education is the subject of scientific research by leading national scholars, in particular, such as: S. Goncharenko, A. Gurzhiy, M. Yevtukh, S. Kuzmina, V. Kremen, V. Myasnikov, O. Novikov, V. Ognevyuk, O. Savchenko, S. Sysoieva, O. Sukhomlynska and others.

According to S. Sysoieva, education is the transformer of social life, which preserves all historical experience, everything that is valuable to a person. It is education that has the right to determine the strategy and realistic principles of society development, transforming it from the «society of today» into the «society of tomorrow». The researcher defines education as an indicator of the quality of life of mankind, and therefore in many economically developed countries it is the state that remains the main entity that maintains the education system (Sysojeva, 2013, p. 37).

Education is the most responsive to all global changes. It is most capable of reflecting and demonstrating the quality of the transformation of our time. In such conditions, the educational system should recognize indicators of society's development and, through educational indicators, influence the development of ongoing processes. Studying the world educational space, V. Myasnikov argues that the education system is one of the most reliable civilized ways of progress and reforms in the development of society (Mjasnykov, 2009, p. 15).

We share the scientific views of V. Kremen, who, studying Ukrainian education in the historical challenges of the twenty-first century, notes that modern education is not only the acquisition of knowledge and the upbringing of the individual, but also a factor of social stability in the era of globalization and high technologies, the country's economic well-being, and its ability to be competitive in the world market. That is why the scientist is convinced that education cannot be stereotypically attributed to the sphere of departmental or sectoral policy, but should be approached as a national, strategically important issue (Kremenj, 2010, p. 114).

Thus, education is defined by scientists as a strategic vector of development, as it includes all the achievements of mankind, and as a sensitive indicator of global change, and as a civilized way of undeniable social progress.

The concept of «higher education institution» is enshrined, first of all, at the legislative level in the Law of Ukraine «On Higher Education» (2014) and is considered as a separate type of institution that is a legal entity of private or public law, operates under a license to conduct educational activities at certain levels of higher education, carries out scientific, scientific and technical, innovative and/or methodological activities, ensures the organization of the educational process and the provision of higher education and postgraduate education to individuals, taking into account their wishes, interests and abilities.

The term «student of higher education» appeared in Ukrainian legislation with the adoption of the new version of the Law of Ukraine «On Higher Education» in July 2014, which states that students of higher education are persons who study at a higher education institution at a certain level of higher education in order to obtain a relevant degree and qualification.

In our opinion, the legislator has provided a general definition of this concept, which characterizes a student in general. However, depending on the degree of education being obtained, the development of consciousness and personality changes and, as a rule, increases.

The analysis of scientific sources has made it possible to find out that the problem of forming legal culture has been the subject of research by scholars from various fields of knowledge.

The study of the problem of legal education of students and the role of legal pedagogy is devoted to the works of domestic legal scholars, including: P. Rabinovych, S. Maksymov, V. Andreitsev, S. Bagachev, O. Hanzenko, O. Demina, V. Hutyk and others.

Legal culture, according to O. Makeieva, is closely interrelated with the elements of the legal system, because legal culture is the general state of «legal affairs» in society, i.e. the state of legislation and the work of the court, all law enforcement agencies, legal awareness of the entire population of the country, which expresses the level of development of law and legal awareness, their place in society, assimilation of legal values, their implementation in practice, and the implementation of the rule of law (Makejeva, 2016, p. 48).

According to S. Maksymov, legal culture is an integral characteristic of the development of the legal system. An important indicator of legal culture is the

level of development of legal activity, which consists of theoretical productive (activities of legal scholars) and reproductive activities (legal education in all its types and institutions), as well as practical – law-making and law enforcement, including law application activities (Maksymov, 2010, p.100).

The ongoing systemic transformation of the higher education sector to ensure its new quality is the result of government policy to ensure the development of human capital – modern, experienced people who are able to make responsible decisions on their own and realize their possible consequences. This will result not only in a competitive economy, individual well-being, but also in the quality of life in general.

The issue of the formation of legal culture among higher education students remains insufficiently developed, since higher education does not set itself the task of studying the issues of legal consciousness and culture of future specialists, as well as taking into account not only general knowledge of law, but also developing methods of legal education taking into account the specifics of a particular higher education institution (training of future teachers, researchers, psychologists, etc.).

Approaches and methods to improve the level of legal culture, which has already been formed earlier at the level of family, school and friendly environment, among higher education students in a particular higher education institution under conditions of autonomy are primarily the responsibility of the head, research and teaching staff.

The legal culture of higher education students is a practical issue, as it is necessary for the formation of capable professionals. The ability to navigate and adapt to modern legislative changes, to have knowledge of one's rights and obligations, as well as the rights and obligations of all participants in the educational process, and ways to exercise these rights are fundamental. With an appropriate level of legal culture, a higher education student will be able to find a way out of situations in which he or she finds himself or herself due to the lack of basic legal literacy and therefore is unable to effectively defend himself or herself.

The positive development of legal culture in higher education students will allow them to think at a certain legal level, and not to operate with pseudo-legal categories.

There are several ways to involve students in the legal environment of a higher education institution. For example, student participation in the activities of student self-government bodies. According to the Law of Ukraine «On Higher Education», student self-government is the right and opportunity for students to decide on issues of education and life, protection of students' rights and interests, as well as to participate in the management of a higher education institution.

In a private higher education institution, the rights of student self-government bodies are even broader, since its structure, composition, procedure of work and powers of governing bodies, working and advisory bodies, public and student self-government bodies, scientific societies, procedures for electing or appointing heads of the institution and its subdivisions may be determined by the institution's charter without complying with the requirements of the Law of Ukraine «On Higher Education». Thus, higher education students can organize the activities of this body on their own, relying only on their level of legal culture and legal knowledge.

A practical example of involving higher education students in the legal environment of a higher education institution may be the implementation of joint events, seminars, workshops, etc. where they can receive information about their rights and methodological recommendations or advice on the practical implementation of their rights.

Let's define the characteristics of the concept of «legal culture» based on the interpretations of this concept by some scholars, in particular, such as: V. Veligon, O. Hanzenko, T. Kolyada, V. Potomakhin and others.

Thus, V. Veligon notes that the legal culture of an individual implies legal education, the transfer of the external need to comply with the law into the need to comply with law and order, to form a legal attitude, while maintaining a conscious attitude to the current law.

O. Ganzenko sees the legal culture of a person as its property characterized by general respect for the law, sufficient knowledge of the content of its norms and the ability to implement them, as well as active lawful behavior in all life situations (Ghanzenko, 2014, p. 12).

V. Potomakhin, in turn, defines the legal culture of a specialist and notes that the legal culture of

a specialist is characterized by the level of formation of a person's legal knowledge; his or her attitude to law and legal phenomena, awareness of the social significance of law and law and order, the structure of consciousness, understanding and comprehension; actual legal behavior of a person, ways and means of solving life problems and tasks; civil and legal activity (Potomakhyn, 2009, p. 46).

European integration is the rapprochement of Ukraine with the European Union both at the level of laws and at the level of rules and customs existing in society. Its goal is Ukraine's accession to the European Union. The European integration of the educational environment, in turn, is aimed at the entry of the national education system of Ukraine into the European educational area, and an effective mechanism for the practical implementation of this entry is the adaptation of the current legislation of Ukraine to the standards of the European Union.

The notion of integration is defined as one of the main priorities of the National Youth Strategy until 2030, where integration is an increase in the mobility, social and cultural integration of young people into the social life of Ukraine and the world. New approaches to youth development in Ukraine are based on the documents of the Council of Europe and the European Union and the principles of youth policy development of the United Nations.

3. Peculiarities of forming the legal culture of higher education students

For the purpose of practical clarification of the factors that influence the formation of the legal culture of higher education students and in order to develop and implement a program for the formation of students' legal culture, as already mentioned, Kryvyi Rih State Pedagogical University was chosen, in particular, second- to fourth-year students majoring in 014 Secondary Education (History) and 014 Secondary Education (Geography) for the experimental group (63 people) and students majoring in 054 Sociology, 242 Tourism, 231 Social Work as a control group (61 people). In total, 124 higher education students were involved in the research.

For a more detailed study of the level of legal culture, two groups were identified: the first group includes higher education students who study legal

disciplines as part of the educational program, and the second group includes higher education students whose level of legal culture does not depend on the level of their familiarity with legal disciplines.

The acceptability of this particular research model is motivated by the fact that the results obtained from a wide range of participants will make it possible to understand how urgent the need to improve legal culture among higher education students on the way to European standards is today.

The main factors that affect the level of legal culture of higher education students include

- lack of legal disciplines or insufficient level of training in these disciplines in general secondary education institutions;
- lack of proper methodological support and modern legal literature and textbooks;
- lack of legal education work by pedagogical, scientific and pedagogical staff (for example, within the framework of educational or supervisory hours);
- lack of visual forms of promoting legal knowledge, in particular in such an important issue as legal protection.

The tasks of general secondary education should include the initial level of formation in children of moral and legal norms, a conscious attitude to their rights and duties, as well as to the rights of others, and the formation of ideas about lawful human behavior in various life situations and circumstances.

The above gives grounds to believe that it is in higher education institutions that it is necessary to introduce components of legal knowledge into the curricula for use in the future professional activities of specialists in various pedagogical specialties, which will be useful in exercising the right to work, in interaction with public authorities, institutions of various forms of ownership and other life situations.

4. Clarification of levels, criteria and indicators of the formation of legal culture of higher education students

In order to determine the legal culture of university applicants, we will define three levels of legal knowledge formation:

- 1) high
- 2) medium

3) sufficient.

To determine each level, we will apply the following criteria:

- 1) orientation in the legal framework;
- 2) knowledge of criminal law;
- 3) ability to protect their rights as a student of higher education;
- 4) ability to realize their own rights;
- 5) the ability to independently formulate a logical answer in the disciplines of the historical and legal cycle;
- 6) ability to find a compromise solution to complex problems in the educational process.

Depending on the level of legal culture, higher education students should: distinguish between different areas of legislation (civil, family, labor, criminal); distinguish criminal offenses from other types of offenses (administrative, civil); navigate the legislative framework in the field of higher education; know and understand the specifics of the implementation and application of legal norms.

For a high level of legal culture, we define the following requirements for each of the criteria:

- 1) the higher education student is familiar with Ukrainian legislation, is able to use information and communication technologies to find the necessary legal act to resolve a particular issue, and has well-developed qualities such as legal awareness, legal thinking and legal culture;
- 2) the student is able to analyze legal problems, formulate and justify legal positions on the distinction between criminal offenses and other types of offenses (civil, administrative, etc.);
- 3) a higher education student is able to protect their rights as a participant in the educational process with reference to specific articles of special legislation in the field of higher education;
- 4) the higher education applicant applies at the practical level knowledge of how the rights of citizens are realized in various branches of law, the mechanism for implementing specific guarantees, understands the provisions of international human rights standards, the foundations of European Union law, the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms, as well as

the case law of the European Court of Human Rights;

- 5) the student independently, clearly and logically answers the questions posed, is oriented in problem situations and is able to make responsible decisions;
- 6) the student has high moral and legal qualities, which makes him or her capable of finding compromise solutions to issues that arise in the educational process.

For the average level of legal culture, we define the following requirements for each of the criteria:

- 1) the student is relatively well-versed in the law, knows the basic rights and obligations of citizens, their legal guarantees;
- 2) the student has a satisfactory knowledge of criminal law, but does not know the possible ways to protect their rights and interests in case of criminal prosecution;
- 3) the higher education student has all the rights and guarantees provided by special legislation in the field of higher education, but has no vision of their practical application;
- 4) the higher education applicant has relatively good knowledge of how the rights of citizens are realized in certain branches of law (civil, family, etc.);
- 5) the applicant for higher education classifies the questions posed by branches of law and formulates answers to the questions posed relatively independently;
- 6) the higher education student has sufficient knowledge of his/her rights as a participant in the educational process, but the active legal position in finding compromise solutions is weak.

To ensure a sufficient level of legal culture, we define the following requirements for each of the criteria:

- 1) a higher education student has a general understanding of law and legislation, but does not understand the social nature of various types of relations and how they are legally regulated, i.e., is not able to attribute certain rules to a specific branch of law;
- 2) the student does not know the norms of criminal law and has no idea of the legal mechanism for bringing a person to criminal liability;
- 3) the student does not have information about the rights and obligations of students estab-

lished by special legislation in the field of higher education and needs outside help in their practical application;

- 4) the higher education student is unable to independently exercise his/her rights as a citizen;
- 5) due to the lack of a formed attitude to the law and the practice of its application, the student is unable to logically formulate answers in the disciplines of the historical and legal cycle;
- 6) a higher education student is not able to find compromise solutions to complex problems that may arise in the educational process, as they have low legal activity.

5. Program of Formation of Legal Culture of Higher Education Applicants of Kryvyi Rih State Pedagogical University

In the program of forming the legal culture of higher education applicants at KSPU, we have included such forms of work as:

- dispute (an opportunity to learn how to formulate and express one's own thoughts, hear others, reflect on one's own skills, etc.)
- conversation (the ability to negotiate, the ability to listen and hear the interlocutor, defining individual boundaries, the ability to keep track of time, etc.)
- “open mic” (ability to be a co-organizer, strictly follow the rules, pay attention to all stakeholders, etc.)
- round table (compliance with business etiquette, ability to find relevant issues for discussion, ability to present the results of one's own research and development work);
- discussion club (development of communication skills, compliance with ethical standards of the club member, etc.)
- inverted lecture (change of roles during the class, ability to take responsibility, demonstrate leadership skills);
- business game (practical skills in solving complex problems through direct reenactment of situations, formation of a strong interest in the subject matter, etc.)

According to the monitoring results, positive dynamics is inherent in both groups that participated

in the experiment however, the results of the experimental group are obviously higher than those of the control group. This is due to the fact that the experimental group systematically introduced forms and technologies of legal culture formation during the study of legal disciplines. It should be noted that the implementation of the program for the formation of legal culture of higher education students was successful, despite the distance format. Students of academic groups were actively preparing for the classes, which were conducted using certain elements of interactive learning.

At the same time, it is worth noting the positive dynamics of the control group, i.e., among those students who did not participate in the formative experiment. Repeated monitoring made it possible to state that there are positive changes among the control group, which gives grounds to assert that higher education students are interested in their rights and responsibilities, recognize the rule of law in the state, and are still supporters of the general rule of law. The positive dynamics of the formation of the legal culture of students in the control group indicates the formed foundations of the legal consciousness of citizens, their ability to be aware of their rights and responsibilities in society.

Thus, we can state that the program for the formation of the legal culture of higher education students is effective and can be further implemented in the educational process of bachelors of various specialties.

6. Conclusions

The relevance of the issue under study is undeniable due to the fact that the legal framework, including in the educational sector, is not sustainable. Reformation changes aimed at bringing the national educational system in line with the European architecture increase the importance of legal culture of both subjects and objects of the educational process.

It is found that the conceptual and categorical apparatus of the study should be considered from the standpoint of two sciences – education and law. The logical chain in the educational area is represented by the definitions of «education», «educational environment», «higher education institution», «higher education student». In the legal plane, the concepts

are analyzed: «law», «educational law», «legal environment», «legal culture», «legal consciousness of the individual».

It is determined that the legal culture of a student is understood as a qualitative state of his/her legal awareness, which is characterized by the level of mastery of legal rules, principles, values achieved in the course of education and corresponds to the appropriate level of development of the legal system in society as a whole. The author proposes the levels, criteria and indicators of the legal culture of higher education students, and also develops appropriate clarifications to each of the levels, criteria and indicators of students' legal culture.

The integration of higher education into European standards, combined with the new interests, guidelines and values of the new generation, not only in the field of education, but also in general, requires the search for innovative methods of forming legal culture in higher education students.

During the second semester of the 2021–2022 academic year, a study was organized and conducted to determine the state of formation of the legal culture of higher education students. As already mentioned, after the ascertaining stage of the study, a program for the formation of legal culture was developed and implemented in the educational process of bachelor's training. At the end of the semester, a second survey and questionnaire were conducted among the students of both groups – control and experimental – to determine the effectiveness of the implemented program. The control phase of the experiment allowed us to monitor the knowledge and skills that were formed as a result of the implementation of the program of interactive forms of teaching legal culture. We have analyzed the results of the tests after the experimental work, which showed that the students of the experimental group have fundamental legal knowledge, the ability to navigate and make decisions depending on the situation in which they found themselves, and most importantly, the participants understood the importance of legal culture as a value.

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