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Штип, 2015

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ВТОРАЯ МЕЖДУНАРОДНАЯ НАУЧНАЯ КОНФЕРЕНЦИЯ

СОЦИАЛЬНЫЕ ИЗМЕНЕНИЯ В ГЛОБАЛЬНОМ МИРЕ

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LAW

СИМВОЛИЧЕСКИЙ И ЭМПИРИЧЕСКИЙ АСПЕКТЫ НОРМАТИВНЫХ СИСТЕМ

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Аннотация

В докладе обосновано, что кризисное состояние нормативной системы, ставя под сомнение ее легитимность, позволяет дискутировать о ее рациональности. В ходе таких дискуссий выявляется следующее. Во-первых, легитимация представляет собой разновидность обратной связи в нормативных системах с рефлексией. Во-вторых, легитимность нормативной системы, будучи основана на символическом содержании, допускает эмпирическое исследование на уровне индивидуальных убеждений, делая тем самым социальные порядки взаимно соизмеримыми.

***Ключевые слова:** Нормативные системы, Легитимация, Право, Взаимное признание, Коммуникативная рациональность.*

NORMATIVE SYSTEMS: EMPIRICAL AND SYMBOLIC ASPECTS

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Abstract

If the normative systems is in a critical condition, its legitimacy as well as rationality become doubtful. This paper made two conclusions. Firstly, legitimation is the kind of feedback in normative systems with reflexive parameters. Secondly, normative legitimacy based on a symbolic content. The legitimacy itself allows the empirical study (as individual belief). Through of this methodological empiricism the social orders considered as measurable.

***Keywords:** Normative system, Legitimacy, Law, Mutual acceptance, Communicative rationality.*

КОНСТИТУЦИОННОЕ РАЗВИТИЕ РОССИИ: ИСТОРИЯ И СОВРЕМЕННОСТЬ

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Аннотация

Понятие «конституционное развитие России» с точки зрения «фактической» и «юридической» Конституции можно рассматривать в нескольких взаимосвязанных основных аспектах: 1. имея в виду исторические этапы, связанные с изменениями и принятием новых конституций; 2. как изменение содержания общественных отношений под воздействием новой конституции (в частности, Конституции России 1993 г.); 3. с позиций проблемы обеспечения конституционной законности в стране; 4. акцентируя внимание на качественном содержании общественных отношений в демократическом обществе и государстве, позволяющих их идентифицировать как «конституционные», то есть на основе аксиологического подхода к изучению российских Конституций. Объектом исследования является российские Конституции, рассмотренные в единстве всех названных аспектов, что позволяет провести системный анализ широкого комплекса проблем, охватываемых понятием «конституционное развитие России». Цель статьи – анализ причин достижений и проблем, противоречий конституционного развития России, а также определение его научно обоснованных ориентиров, тенденций с учетом современных общецивилизационных задач и национальных интересов России. Основное внимание уделяется проблемам укрепления конституционной законности, созданию механизма последовательной реализации конституционных принципов суверенитета народа и уважения прав и свобод человека как высшей ценности. Автор обосновывает необходимость проведения радикальной конституционной реформы, предполагающей разработку и принятие новой Конституции Российской Федерации. Во избежание «конституционного романтизма» определяются объективные и субъективные условия (предпосылки) для успешного

проведения конституционной реформы в России. Обосновывается вывод о том, что модернизация Конституции необходима для создания правовой основы глубоких преобразований всех сфер жизни российского общества и государства в соответствии со стратегией устойчивого развития страны (то есть научно обоснованного развития в гармонии с Природой и на основе общечеловеческих ценностей).

Ключевые слова: конституционное развитие, конституционная законность, конституционные ценности, конституционная реформа, устойчивое развитие.

CONSTITUTIONAL DEVELOPMENT OF RUSSIA: HISTORY AND THE PRESENT

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Abstract

The notion of "constitutional development of Russia" in terms of "actual" and "Law" of the Constitution can be viewed in several interrelated main aspects: 1.bearing in mind the historic steps associated with changes and the adoption of new constitutions; 2.as a change in the content of social relations under the influence of the new constitution (in particular, the1993 Constitution of Russia); 3.from the standpoint of the problem of ensuring the constitutional legality in the country; 4.focusing attention on quality content of public relations in a democratic society and state, focusing attention on quality content of public relations in a democratic society and the state, allowing them to be identified as "constitutional", in other words, based on the axiological approach to learning Russian Constitution. The object of research is Russian Constitutions looked upon from the point of view of all aspects mentioned above, which makes it possible to systematically analyze a great number of problems combined by the notion “constitutional development in Russia”. Aim of the article - the analysis of the causes of the achievements and contradictions on the way of constitutional development of Russia, as well as the determination of its science-

based reference points, taking into account the trends of modern civilizational challenges and the national interests of Russia. The focus is on issues of strengthening of constitutional legality, establishing a mechanism of consistent implementation of the constitutional principles of popular sovereignty and respect for human rights and freedoms as the supreme value. The author gives reasons for the necessity of radical Constitutional reforms implementing, first, working out and, second, adoption of the new Constitution of Russian Federation. The conclusion that modernization of Russian Constitution is vital to ensure law basis for all the improvements in all spheres of life of Russian society and state in connection with the strategy of sustainable country development which means scientifically based development in harmony with Nature with regard of world-wide human values.

Keywords: *constitutional development, constitutional legality, constitutional values, the constitutional reform, sustainable development.*

ДАЛИ НА РЕПУБЛИКА МАКЕДОНИЈА И ТРЕБА НОВ УСТАВ

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Апстракт

Во трудот се прави анализа дали на Република Македонија и треба донесување на нов устав во смисла на единствен кодифициран акт, со оглед на тоа што сегашниот Устав од 1991 година е многу често дополнуван со амандмани и дека на тој начин е многу тешко да се следи што се содржи сега уставната материја. Евентуалниот нов уставен акт треба да ги користи искуствата од досегашното менување и дополнување на Уставот на Република Македонија и повеќе да се насочи кон донесување на принципиелни решенија што се приспособени и реални за устав наместо да содржи решенија што би биле за пониски правни акти, со оглед на тоа што кога се конкретни решенијата, животот наметнува промена, а уставниот акт не треба толку често да се менува бидејќи тој треба да ја содржи уставната рамка. Носечки став е дека на Република Македонија и треба нов устав кој ќе го определи вкупното општествено живеење како мултиетничко општество, држава во која власта се остварува преку граѓаните и со различни механизми на демократски потенцијал и дека сите искуства што треба да се вградат, да се користат најмногу во однос на тоа дека Република Македонија има трајна определба и аспирации да биде дел на Европската Унија.

Клучни зборови: Република Македонија, устав, промени, кодификација, Европска унија.

WHETHER THE REPUBLIC OF MACEDONIA NEEDS A NEW CONSTITUTION

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Abstract

This paper is analyzing whether the Republic of Macedonia should adopt a new constitution in the sense of a single codified act, given that the current Constitution of 1991 is often supplemented with amendments and thus is very difficult to trace the content of constitutional matter. A possible new constitutional Act should use the experiences from previous amendments to the Constitution and to focus more on the adoption of normative that are suitable for the Constitution instead of containing normative for lower legal acts. Daily life enforces continuous changes and the constitutional Act should not be changed often as it should contain the constitutional framework. The main idea in this article is that Republic of Macedonia needs a new constitution that will determine the whole social living as a multiethnic society. A state in which power is exercised by the citizens and it's exercised with different mechanisms of democratic potential. A constitution in which the experiences that should be built should rely upon the fact that Macedonia has a permanent commitment and aspirations to be part of the European Union.

Keywords: *Macedonia's constitution, changes, codification, European Union.*

THE INDEPENDENCE OF THE FUNCTIONING OF THE CONSTITUTIONAL COURT

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Abstract

The issue of constitutional judicial independence in the legal literature and written acts, whether they are of national or international character, is treated much less than the independence of the regular judiciary. To guarantee the independence of the courts today there are a large number of acts, in internal and as well in international plan. In European terms (framework), the right for the court independence in first place is guaranteed with the International Covenant of human rights. Beside the Covenant, another important European document for the independence of the judiciary is the Recommendation (94)12 of the Committee of Ministers, a document on the independence, efficiency and the role of the judges. Other document important for the independence of the judiciary is the European Charter, on the status of the courts, approved by the Council of Europe in 1998. Also, worth mentioning as document of importance for independence of the judiciary and Opinion No. 1. of the Consultative Council Of European Judges (CCJE), on standards concerning the independence of the judiciary and the irremovability of judges. Also, other CCJE opinions are important such as the opinion on dealing with fair trial within a reasonable time, the role of the judicial council to be in the service of the society and the opinion on the quality of judicial decision

***Keywords:** Constitutional judicial, court independence, juridical acts for court independence*

ФАКТОРЫ ИЗМЕНЕНИЙ КОНСТИТУЦИЙ

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Аннотация

Цель данной статьи – рассмотрение факторов, приводящих к изменению (пересмотру) конституций государств. В новейшее время возникают новые факторы по изменению конституции государств, которых не знал классический конституционализм. Факторами риска являются политические, социальные или экономические условия (внутренние и внешние). Конституционный процесс по изменению (пересмотру) основных законов обусловлен спецификой исторического и социально-экономического развития каждой страны, влиянием международной ситуации, а также связан со сложившейся политической обстановкой, социально-экономическим положением и менталитетом населения. Проблема конституционных рисков существует во всех государствах и связана не только с политической и экономической устойчивостью государства, но и с работающим механизмом по внесению изменений в конституцию. Риск конституционного упадка позволяют сгладить такие механизмы: 1) включение общественности, политических групп в конституционный процесс по пересмотру конституции; 2) гибкость самого процесса по принятию поправок конституции и другие адаптивные процедуры; 3) специфика основного закона. Полагаем, что важным является вопрос об изменении конституции в двух аспектах: 1) в рамках определенных самой конституцией (пересмотр, ревизия, преемственность); или 2) принятие конституции на новых принципах и условиях (легитимация власти).

Ключевые слова: *социально-политические факторы, конституционная реформа, механизм пересмотра конституций.*

Abstract

The purpose of the present article is the consideration of factors leading to change (revision) of states' constitutions. During the newest time there are new reasons and factors on change of the constitution of the states of which were not known by classical constitutionalism. Risk factors are political, social or economic conditions (internal and external). The constitutional process on change (revision) of organic laws are caused by specificity of historical and social and economic development of each country, influence of the international situation, and also it is connected with developed political conditions, economic and social situation and mentality of the population. The problem of the constitutional risks exists in all states and is connected not only with political and economic stability of the state, but also with the working mechanism on modification of the constitution. We believe that the question of changing the constitutions in two aspects is important: 1) within the limits of defined the constitution (change, revision, continuity); 2) constitution acceptance on new principles and conditions (legitimacies of the power).

Keywords: *sociopolitical factors, the constitutional reform, the mechanism of revision of constitutions*

**СРАВНИТЕЛЬНО-ПРАВОВОЕ ИССЛЕДОВАНИЕ
КОНСТИТУЦИОННОГО РЕГУЛИРОВАНИЯ
ПРЕДОТВРАЩЕНИЯ И РАЗРЕШЕНИЯ КОЛЛИЗИЙ В
РОССИИ И ЗАРУБЕЖНЫХ СТРАНАХ**

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Аннотация

Цель данной статьи состоит в сравнении законодательства, регулирующего решение коллизий между нормативными правовыми актами, споров между органами государственной власти в Российской Федерации и зарубежных странах (Европы, Азии и Америки). Правовая система любого государства эффективно функционирует только при непротиворечивости нормативных актов, действенных правовых механизмах разрешения конфликтов. Регулирование общественных отношений основывается на конституционных нормах, которые формируют базу для всех отраслей права. В статье анализируются предусмотренные в конституциях способы правового воздействия на коллизии: 1) предотвращение коллизий с целью их не допустить; 2) разрешение коллизий (споров) путем последующего конституционного контроля, разрешения споров специально созданными органами, закрепления коллизионных норм. Исследование конституционного регулирования воздействия на коллизии в зарубежных странах позволило выявить позитивные тенденции в части предотвращения и разрешения коллизий, которые могут быть использованы для совершенствования Конституции Российской Федерации и законов. Во-первых, закрепление механизмов предотвращения коллизий, которые отсутствуют в Конституции Российской Федерации. Во-вторых, повышение максимальной независимости органов конституционного контроля от других органов путем назначения членов палатами парламента, по одному члену (или

в равном количестве) всеми высшими органами государственной власти. В-третьих, новые конституции, принимаемые с конца XX века, предусматривают более широкую компетенцию органов конституционного контроля по разрешению коллизий.

Ключевые слова: конституция, коллизия, Российская Федерация.

Abstract

The purpose of this paper is to compare the legislations regulating the overcoming the collisions between legal regulations in the Russian Federation and foreign countries (Europe, Asia and America). Any law system works effectively in case the legal regulation is consistent and harmonized. In legal system law regulation of social relations is based on the constitutional norms which form fundament for all branches of law. In article the ways of legal impact on collisions provided in constitutions are analyzed: 1) for the purpose of them not to allow prevention of collisions; 2) permission of collisions (disputes) by the subsequent constitutional control, settlement of disputes by specially created bodies, fixing of conflict norms. Research of the constitutional regulation of impact on collisions in foreign countries allowed to reveal positive tendencies regarding prevention and permission of collisions which can be used for improvement of the Constitution of the Russian Federation and laws. First, fixing of mechanisms of prevention of collisions which are absent in the Constitution of the Russian Federation. Secondly, increase of the maximum independence of bodies of the constitutional control of other bodies by appointment of members as chambers of parliament, on one member (or in equal quantity) all supreme bodies of the government. Thirdly, the new constitutions adopted since the end of the XX century provide wider competence of bodies of the constitutional control on permission of collisions.

Keywords: constitution, collision, the Russian Federation.

**ГУСУДАРСТВЕННАЯ НАЦИОНАЛЬНАЯ ПОЛИТИКА
РОССИЙСКОЙ ФЕДЕРАЦИИ: ПРАВОО
РЕГУЛИРОВАНИЕ, ПРОБЛЕМЫ И ПЕРСПЕКТИВЫ**

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Аннотация

Научная статья посвящена анализу современного конституционно-правового регулирования национальных отношений в России, принципам государственной национальной политики, механизму и проблемам ее реализации. Автор рассматривает содержание Стратегии государственной национальной политики РФ на период до 2025 года, выявляет ее достоинства и недостатки. Формулируются основные направления совершенствования государственной национальной политики России.

***Ключевые слова:** государственная национальная политика России, конституционно-правовое регулирование, национальные отношения, принципы, механизмы реализации политики, национальные меньшинства, региональная национальная политика.*

**THE STATE NATIONAL POLICY OF THE RUSSIAN
FEDERATION: LEGAL REGULATION, PROBLEMS AND
PROSPECTS**

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Abstract

The scientific article is devoted to the analysis of the current constitutional and legal regulation of national relations in Russia, to the principles of the state national policy, mechanism and problems of its realization. The author considers the content of the Strategy of the state national policy of the Russian Federation for the period up to 2025, identifies its strengths and weaknesses. The main directions of the improvement of the state national policy of Russia are framed.

Keywords: *state national policy of Russia, constitutional and legal regulation of national relations, the principles, policy implementing mechanisms, national minorities, regional national policy.*

MEDIATION IN CONSUMER DISPUTES

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Abstract

The purpose of this Paper is to analyze the mediation from normative and practical perspective, as a method for solving consumer disputes. Namely, mediation is one of the most commonly used alternative dispute resolution methods. In the field of consumer disputes, question of the existence of adequate forms of alternative dispute resolution, besides the usual economy that offers covering the costs of the procedure (direct and indirect) and its duration, has an additional meaning too. The fact that there is a real inequality among consumers and businesses in the terms of financial capabilities, the relative financial risk of litigation, the experience at court and knowledge of the law, should be taken into account. This paper is composed of Introduction, two parts and Conclusion. The Paper begins by presenting the characteristics of mediation and consumer disputes, as well as their relationship. The first part analyzes the legal framework for mediation in consumer disputes on the level of the European Union and gives a brief comparative legal analysis of this topic, for the following European countries: Italy, Greece and Serbia. In the second part, the legal framework for mediation in resolving consumer disputes in the Republic of Macedonia is analyzed, and then, the functional state in this field is analyzed through the empirical research. The results of the research are subsequently analysed and put into context. The conclusion includes assessments of the analyzed questions and recommendations for the further treatment of the relationship between mediation and consumer disputes in the Republic of Macedonia.

Keywords: *mediation, consumer disputes, alternative dispute resolution.*

THE MEDIATION IN DOMESTIC VIOLENCE CASES IN POLAND

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Abstract

The European Union is committed to protection of and to the establishment of minimum standards with regard to victims of crime. Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime. The Council of Europe Convention on preventing and combating violence against women and domestic violence of 11 May 2011 is the European legal instrument to create a comprehensive legal framework to protect women, children and the elderly exposed to domestic violence. The Directive builds upon the key principle of the ‘role of the victim in the relevant criminal justice system’, so that any victim can rely on the same basic level of rights, regardless of their nationality and country in the EU in which the crime took place. The core objective of this Directive is to assume an individual approach to victims’ needs and protection for victims of certain crimes, due to in particular, the risk of secondary victimization.

I am going to concentrate on the problem of enforcement of settlements reached in the presence of a mediator in domestic violence cases and to show the samples of the results from qualitative and quantitative research conducted in Poland. Research aim is to show that the idea of restorative justice, in the light of the victim’s right to remedy of damage, when the settlement reached in the presence of a mediator is not performed, is fiction because it is only the perpetrator who benefits from the beneficial procedural effects of the settlement while the victim is subject to secondary victimization. I’d like to show a few important facts should be taken into consideration when referring a case for mediation and in conducting a restorative justice process and current practice it in Poland.

Keywords: *restorative justice; domestic violence; secondary victimisation*

THE RISE OF SLAVERY IN ANCIENT ROME AND ITS JURIDICIAL EVOLUTION

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Abstract

Slavery has been part of the world history for a long time. It originated from ancient Egypt and Greece and was later known in Ancient Rome. Slavery in Ancient Rome differed from other types of modern slavery, because it was not based only on race, but like all modern slavery it was an abusive and degrading institution, as it played a very important role in Roman society and its economy. Misery was common. Most slaves in the Roman Empire were foreigners. Slaves were bought and sold in specific markets for their sale and purchase. Roman slaves included prisoners of war, sailors captured by pirates or slaves bought out of Roman territory. Some *civitas romanae* also could become slaves in case they did not pay their debts or obligations to the Roman State.

In hard times, the sale of children as slaves by desperate families in order to have sufficient revenues was something quite common. Slaves from Illyria were the most appreciated, as they were kind and well-educated. The latter were usually used as doctors, teachers, artists, musicians, etc. by *Gens Patrizii superior* (rich people).

All slaves and their families were the property of their owners, who could sell or rent them as they desired. They used slaves as bodyguards, waiters, *Maggiore-indispensa*, cleaners, gardeners, etc.

Key words: *Rights, Slaves, Society.*

EMPHYTEUSIS IN THE ROMAN LAW

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Abstract

In order to preserve the available agricultural land and to prevent the process of major socio-economic decadence, which spread through the Roman Empire in III and IV century, Diocletian introduced an *emphyteusis* as a "lifeline of society", one of a series of measures which was subsequently taken over by Constantine, hoping it will thus breathe new strength in the already weaken Roman society. By introducing the *emphyteusis* at first as an institute of the Property law, and then as a *contractus emphyteuticarius*, the unity of public and private interests (the interests of individuals) - latifundists, had been achieved, whom this agreement secured a permanent and safe land rent, then, the **colon** which was protected by this contract from the arbitrariness of the latifundists and in the end, the state itself which in this agreement saw a mean for continuous processing of the land. *Contractus emphyteuticarius* was not a lease agreement in the true sense of the word, because the lease did not imply the right of alienation, which this agreement facilitated, and yet it was not a contract of sale, rather a representation of particularity of time in which it occurred, and which, also occurs later in the medieval Law of Obligations, which, through reception, to a large extent accepted legal principles, institutions and norms of the Post-Classical Roman Law. The renewed interest in this type of agreement for lease of agricultural land occurs as a result of new tendencies in Contemporary Law. According to these trends, today, it is much more spoken in favor of the agreement for lease of agricultural land in order to reduce the number of rough surfaces, encouraging young people to engage in agriculture and to increase the income of the elderly households. In an effort to better define these contracts in the Contemporary Law, it is necessary to start from their foundation established long ago in Roman Law which once again confirms the thesis on the contemporaneity of the Roman Law.

Keywords: *emphyteusis, contractus emphyteuticarius, socio-economic crisis, the lease of agricultural land*

**METAPHORS OF SPEECH FOR THE DEFENSE OF THE
NINETEENTH CENTURY LAWYER**

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Abstract

As the title implicates the article describes metaphors of a speech for the defense of the lawyer of the nineteenth century. It is dealt with a speech for the defense of known Russian lawyers – Koni A.F., Plevako F.N., Andreevskiy S.A., Zhukovskiy V.I., Karabcheevskiy N.P., Ursov A.I.. Much attention is given to the most typical context of use of metaphors. Attempts are made to formulate the main thematic groups of metaphors of a speech for the defense of the lawyer.

Keywords: *speech for the defense, metaphor, the lawyer, judicial debate*

ЮВЕНАЛЬНАЯ ЮСТИЦИЯ В РОССИИ: ПРОБЛЕМЫ СТАНОВЛЕНИЯ

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Аннотация

В гражданском обществе России идет дискуссия о возможности и необходимости возрождения ювенальной юстиции. Усилия ученых и практиков, особенно судейского сообщества, направлены на изучение имеющегося мирового опыта в этой области, на совершенствование форм отправления правосудия в отношении несовершеннолетних, на внедрение в правоприменительную деятельность новых ювенальных технологий. Указанные проблемы требуют широкого изучения в рамках ювенальной отрасли, в правоприменительной деятельности, при разработке и принятии новых нормативно-правовых актов. Научные исследования свидетельствуют о положительном опыте внедрения, а вернее восстановления, ювенальной юстиции в России. Неординарность и комплексность данных проблем, привлекли к их изучению специалистов в области конституционного и уголовного права, уголовного процесса, криминологии и иных отраслей права. К настоящему времени еще не разработаны единые терминологические конструкции и теоретической концепции осуществления правосудия и организации профилактики правонарушений в отношении несовершеннолетних, а также связанных с ними деятельности. В тоже время, исследование понятия и сущности ювенальной юстиции помогает ответить на вопрос: нужна ли она России. Таким образом, появившиеся «ювенальные отношения» ставят перед государством задачу разработки и принятия кодифицированного закона, регулирующего эти отношения и учитывающие их в практике государственного строительства.

Ключевые слова: ювенальный, юстиция, несовершеннолетний, правонарушитель, профилактика.

JUVENILE JUSTICE IN RUSSIA: FORMATION PROBLEMS

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Abstract

In civil society of Russia there is a discussion about opportunity and need of revival of juvenile justice. Efforts of scientists and practitioners, especially judicial community, are directed on studying of the available world experience in this area, on improvement of forms of administration of justice concerning minors, on introduction in law-enforcement activity of new juvenile technologies. The specified problems demand broad studying within juvenile branch, in law-enforcement activity, during the developing and adoption of new normative legal acts. Scientific researches testify to positive experience of introduction, and is more right than restoration, juvenile justice in Russia. Eccentricity and complexity of these problems, involved in their studying of experts in the field of the constitutional and criminal law, criminal trial, criminology and other branches of the right. So far uniform terminological designs and the theoretical concept of implementation of justice and the organization of prevention of offenses concerning minors, and also related activity aren't developed yet. In too time, research of concept and essence of juvenile justice helps to answer a question: whether it is necessary to Russia. Thus, the appeared "juvenile relations" set for the state a task of development and adoption of the codified law governing these relations and considering them in practice of the state construction.

Keywords: juvenile, justice, minor, offender, prevention.

ОБ ОТВЕТСТВЕННОСТИ ЗА НАРУШЕНИЕ ЗАКОНОДАТЕЛЬСТВА РФ О ЗАЩИТЕ ДЕТЕЙ ОТ ИНФОРМАЦИИ, ПРИЧИНЯЮЩЕЙ ВРЕД ИХ ЗДОРОВЬЮ И НРАВСТВЕННОМУ РАЗВИТИЮ

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Аннотация

В статье раскрывается позиция автора относительно общественной опасности деяний, противоречащих нормам законодательства РФ в области информационной безопасности детей, и формулируется мнение по поводу их квалификации в соответствии с тем вредом, который причиняется или может быть причинен обществу и государству. Федеральным законом РФ «О защите детей от информации, причиняющей вред их здоровью и развитию» устанавливается обязанность по защите детей от деструктивной информации и некоторые административно-правовые меры по ее обеспечению. Однако каждой обязанности корреспондирует ответственность, и, упоминая о необходимости таковой, законодатель не раскрывает конкретные ее виды за нарушения в данной сфере. Социальная значимость формирования здорового поколения настолько велика, что требует пристального внимания государства и общества. Наряду с административно-правовыми мерами охраны здоровья и нравственности детей автор анализирует и уголовно-правовые механизмы воздействия.

Ключевые слова: защита детей, вредная информация, ответственность за правонарушения в сфере защиты детей от информации.

Abstract

The article reveals the author's position regarding social danger of the act that contradict the legal norms in the field of child protection from the information that might hurt their psychological health. The opinion about its qualifications in accordance with the harm caused or may be caused to the society and the state is also formulated. The Protection of Children from Negative and Harmful Information Act establishes the duty to protect children from destructive information and administrative measures for its maintenance. However, the legislator does not specify the type of accountability for violations in this sphere. The social importance of a healthy generation is so great that it requires special attention of state and society. The author analyzes criminal and administrative measures to defend children from harmful information.

Keywords: *child protection, harmful information, accountability.*

ASSESSMENT OF EVIDENCE IN CRIMINAL PROCEDURE

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Abstract

The final operation in the procedure of proving is the assessment of evidence. It is about determining the value of the evidence, in relation to the disputed legally relevant facts. In criminal procedure, the principle of free assessment of evidence is based on the fact that it is not always possible to establish the admissibility of some evidence, simply by relying on the legal rules, contained in the statutory legislation. The circumstances involved in each specific case impose the need for a more active and creative role of the court in evidence proceedings; therefore, the judge is no longer “a technician” who simply applies the legal rules governing the legal validity and admissibility of evidence. In effect, the presented evidence is subjected to the process of legal reasoning and psychological analysis, where the court is not bound by any formal rules of evidence, but the judge is obliged to justify the court decision in the reasoning. However, the court’s free assessment and conviction on the admissibility of evidence certainly does not rest on an arbitrary approach in the process of determining the factual grounds for a judicial decision. Yet, free assessment of evidence does not imply the possibility of basing judicial decisions on inadmissible evidence. Judicial decisions may not rest on the evidence which is (either by its nature or the manner of being obtained) contrary to the constitutional provisions or the accepted international agreements, or explicitly prohibited by the law (Article 18, para. 2 of the Criminal Procedure Code). Under the principle of legality, the judiciary may not arbitrarily decide either on the choice of evidentiary instruments or on the method of gathering evidence from relevant evidentiary sources.

Keywords: *evidence, facts, admissibility of evidence, free assessment of evidence, inadmissible evidence, free judicial conviction.*

ЮРИДИЧЕСКИЕ ФИКЦИИ В РОССИЙСКОМ УГОЛОВНОМ ПРАВЕ

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Аннотация

Цель данной статьи состоит в исследовании такого правового явления как фикция, ее понятия, признаков, значения, системы, соотношения со смежными понятиями, такими как коллизия, аналогия, презумпция. Анализируется фикция и как прием юридической техники в уголовном праве и правоприменении и как негативное качество права. На основе проведенного исследования делается вывод о необходимости существования и применения фикции как средства юридической техники и недопустимости фикции как качества права.

Abstract

The purpose of this paper is to study such legal phenomenon as a fiction, its concepts, attributes, values, systems, relations with related concepts such as conflict, analogy, presumption. Examines fiction and as taking legal technique in criminal law and enforcement and as a negative quality law. On the basis of the study, the conclusion about the necessity of the existence and use of fiction as a means of legal technique and the non-fiction as the quality of law.

***Keywords:** fiction, conflict, analogy, presumption, fiction as a means of legal technique.*

**СЛОБОДНОТО СУДСКО УВЕРУВАЊЕ И
ИНДИВИДУАЛИЗАЦИЈАТА НА САНКЦИИТЕ ВО
СВЕТЛИНАТА НА ЗАКОНСКИТЕ РЕШЕНИЈА ЗА
ВОЕДНАЧУВАЊЕ НА КАЗНЕНАТА ПОЛИТИКА**

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Апстракт

Заради надминување на слабостите во судскиот систем, најмногу изразени во неоедначената казнена политика, нашиот законодавец направи обид за изнаоѓање на решение преку имплементирање на инструменти за воедначување на истата. Во таа смисла, првично беше донесен Правилникот за начинот на одмерување на казните, кој ја разбранува стручната јавност и предизвика бројни дебати и полемики околу неговата правна сила и можност истиот како подзаконски акт да се јави како извор на правото во кривична постапка. Имено, судовите судат врз основа на Уставот, Законите и меѓународните договори ратификувани во согласност со Уставот. Во овој контекст е донесен Законот за определување на видот и одмерување на висината на казната. Потребата од донесувањето на овој Закон е образложена преку следниве причини: да обезбеди поголема

правна сигурност на граѓаните, да се спречи субјективизмот во изрекувањето на кривичните санкции од страна на судиите, да се стесни просторот на манипулации и слично. Целта на овој труд е токму да ја елаборира нужноста од донесувањето на овој Закон како и компаративно да ги истражи т.н. sentencing guidelines и нивната облигаторност односно факултативност при одредувањето и одмерувањето на казната. Исто така во трудот ќе направиме обид да ја истражиме и можноста од вистинска примена на начелото на индивидуализација на казната како и со начелото на слободно судско одлучување за конкретен сторител и конкретно кривично дело во новонастанатите законски рамки.

***Клучни зборови:** казна, одмерување, кривично дело, кривична постапка, индивидуализација.*

**THE FREE JUDICIAL BELIEFS AND THE
INDIVIDUALIZATION OF THE SANCTIONS IN THE
LIGHT OF THE NEW LEGAL SOLUTIONS FOR
HARMONIZING PENAL POLICIES**

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Abstract

For the purpose of overcoming the weaknesses in the judicial system, mostly expressed through the unequal sentencing policy, our legislator made an effort to find a fitting solution for this issue. First, the Rulebook on sentencing was adopted, that was not a good solution, and alarmed the experts to express their un approval through numerous debates about the controversies of its legal force in a manner that a rulebook cannot be a source of law in criminal proceedings. Hence, judges can reach a verdict only on the basis of the Constitution, laws and international agreements ratified in accordance with the Constitution. In this context, the Law on determining the type and duration of the sentence was adopted. The need for the adoption of this Law is explained by the following reasons: to provide greater legal security, to prevent subjectivism in the imposition of criminal sanctions, to reduce the space of manipulation and etc. The purpose of this paper is precisely to elaborate the necessity of adoption of this Law as well as to comparatively illustrate the sentencing guidelines and their mandatory nature in foreign legislative. Also in the paper we will make an attempt to explore the possibility of a real application of the principle of individualization of sentence and the principle of free judicial decision for a particular perpetrator and a particular crime in the emerging legal framework.

Keywords: *sentence, determine, crime, criminal procedure, individualization.*

ILLEGAL EVIDENCE IN CRIMINAL PROCEEDINGS

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Abstract

Illegal evidences are those that obtained through violation of guaranteed right to defense, the right to dignity, honor and reputation of the accused, and the right to inviolability of private and family life, as the evidence obtained through violation of the criminal procedure. In the criminal procedure law certain ways of obtaining and presenting evidence are specifically prohibited. Court decision cannot be based on illegally obtained evidences. If this occurs, it is the basis for the appeal. The court has a duty when notice the presence of illegal evidence, to render a decision on their exclusion from the file. After that there will be a physical separation of the record from the file, putting in a special envelope, which shall be sealed and kept in a special place. These records cannot be examined or used in further proceedings. Some modalities of obtaining evidence are incriminated as a criminal offense. The author is dealing with limitations in establishing the facts in criminal proceedings, especially with proving limitations. Special attention was paid to the consequences of illegal evidences establishing in criminal proceedings, and the possibility of its legalization. The author also addresses issues of the "fruits of the poisonous tree." This doctrine applies only in criminal proceedings. It consists of the fact that every piece of evidence, that has been obtained illegally (poisonous tree), and any further evidence (fruit), to which arrive from the illegal evidence (poisonous fruit), cannot be used as evidence in criminal proceedings. In conclusion, author analyzes valid regulation and make proposals for the future amending of serbian CPC.

Keywords: *the facts, illegally obtained evidence, evidence prohibition, the fruits of the poisonous tree*

ВОВЕДУВАЊЕТО НА ПОРОТА ВО КАЗНЕНОТО ЗАКОНОДАВСТВО НА РМ - ПОСЛЕДЕН ЧЕКОР ВО ЗАОКРУЖУВАЊЕ НА АКУЗАТОРНИОТ ПРОЦЕСЕН СИСТЕМ

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Апстракт

И покрај двегодишната имплементација на одредбите од Законот за кривична постапка на РМ од 2010 година, кој, задирајќи во основниот облик на казнената постапка, претстави новоконципиран систем на казнено - процесно право, останува отворено прашањето за потребата од воведување на порота во македонскиот правосуден систем. Дали е можно остварување на поефикасна казнена правда и правична и контрадикторна расправа во правосуден систем кој ги пресликува искуствата на англосаксонските системи исе остварува единствено како комбинација од нивните позитивни искуства со одредени недостатоци во целосната слика на сложувалката?! Дали воведувањето на порота како елемент кој недостасува во процесот на заокружување на акузаторниот процесен систем, може да се идентификува како суштински чекор кон унапредување на правата на странките и јакнење на

независноста на судот?! Низ елаборирање на издвоените прашања, во трудот ќе ја прикажеме зрелоста на условите и подготвеноста на процесните странки за остварување на основните цели на реформата на казнено - процесното законодавство, преку потребата од соодветни дополнувања и измени во насока на целосно конципирање на правосудниот систем, нивелирање на арбитражноста на судот и јакнење на правната сигурност и довербата на граѓаните во правниот систем на државата. Истражувајќи со помош на социолошкиот, компаративниот и case study методот, ќе заклучиме дали иницијативите за воведување на порота во македонскиот казнено - правен систем, чии одлуки за вината на обвинетиот ќе бидат мериторни во однос на примената на правото од страна на судијата, се преамбициозни или се во сооднос со примената на процесните институти (вкрстено испрашување) кои ги вовеле новиот ЗКП, а со цел целосна конструкција на главната расправа, односно казнената постапка воопшто.

Клучни зборови: порота, акузаторна казнена постапка, казнено - правен систем, англосаксонски систем.

THE IMPLEMENTATION OF JURY IN THE CRIMINAL LEGISLATION OF REPUBLIC OF MACEDONIA - FINAL STEP IN ROUNDING OFF THE ACCUSATORY SYSTEM

Abstract

Despite the two - year implementation of the Criminal Procedure Code of Republic of Macedonia since 2010, which getting into the basic form of the criminal procedure, introduced a new concept of criminal - procedural law system, the question for the need of implementation of jury in the Macedonian judicial system, is still open. Is it possible to realize an effective criminal justice and fair and adversarial hearing in a justice system that reflects the experiences of Anglo - Saxon systems and is accomplished only as a combination of their positive experiences with certain deficiencies in the overall picture of the puzzle?! Does the implementation of a

jury as a missing element in the process of completing the accusatory system, can be identified as an essential step towards improving the rights of the parties and strengthening the independence of the court?! Through elaboration of the allocated questions, the paper will show the maturity of conditions and the readiness of procedural parties to achieve the core objectives of the reform on the criminal - procedural legislation, through the appropriate amendments towards complete conceptualization of the judicial system, leveling arbitrariness of the court and strengthening legal certainty and confidence of citizens in the legal system of the country. Using the sociological, comparative and case study method, we will conclude if the initiatives for implementation of the jury in the Macedonian criminal - legal system whose decisions about the guilt of the accused would be merits for application of the law by the judge, are too ambitious or in relation with the application of procedural institutes (cross - examination) introduced with the new Criminal Procedure Code, are in order to complete the construction of the main hearing and the criminal procedure in general.

Keywords: *jury, accusatory criminal procedure, criminal - legal system, Anglo - Saxon system.*

**НАЈНОВИТЕ КОНТРОЛНИ МЕХАНИЗМИ ЗА КАЗНЕНО
- ПРАВНА ЗАШТИТА НА ЈАВНИТЕ НАБАВКИ ВО Р.
МАКЕДОНИЈА ВО ФУНКЦИЈА НА СПРЕЧУВАЊЕ ОД
ЗЛОУПОТРЕБИ НА ЈАВНИТЕ ФИНАНСИИ**

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Апстракт

Јавните набавки се исклучително комплексна и стратешка дисциплина и еден од клучните инструменти за ефективно и непречено функционирање на современата пазарна економија. Во рамки на напорите за приближување кон законодавството на ЕУ, во Р. Македонија е донесен закон кој се смета за еден од најпрогресивните во регионот, но сепак мониторирањето на процесот и резултатите од досегашната пракса покажуваат дека е потребно уште многу да се работи на создавање компатибилен систем на јавни набавки кој ќе биде во функција на спречување на можните злоупотреби и коруптивни поведенија. Во оваа насока авторите посебно ги разработуваат последните измени на Законот за јавни набавки со кои се воведоа сосема нови контролни механизми во насока на заштита на конкуренцијата и унапредување на пазарната економија, но и значително се заостри одговорноста на сите субјекти кои се непосредно вклучени во системот на јавни набавки, преку дефинирање на посебни облици на кривично гонење за непочитување на законските определби, паралелно со оние предвидени во Кривичниот законик на РМ. Тргувајќи од погоренаведеното, главната дилема која се загатнува во

продолжение е во која мера новите законски решенија можат да придонесат за ефикасна борба против коруптивното однесување и злоупотреба на јавните финансии, а истовремено нотирани се идните предизвици и перспективи во оваа област.

Клучни зборови: јавни набавки, кривична одговорност, правна заштита, држава, буџет.

**THE LATEST CONTROL MECHANISMS FOR CRIMINAL -
LEGAL PROTECTION OF THE PUBLIC PROCUREMENTS
IN REPUBLIC OF MACEDONIA IN FUNCTION OF
PREVENTING PUBLIC FINANCES ABUSE**

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Abstract

The Public procurements as an extremely complex and strategic discipline are one of the key tools for effective and smooth modern market economy functioning. Accordingly to the efforts for approximation of the Macedonian with the EU legislation, it is adopted a law (code) that is considered one of the most progressive in the region, but monitoring of the process and the results of the current practice shows that it is necessary to work more on the creating of compatible public procurement system which will be aimed at preventing the possible abuses and corrupt behavior. In this

direction, the authors especially elaborate the recent amendments to the Public Procurement Law which introduced a completely new control mechanisms aimed at protecting competition and promoting the market economy and by defining specific forms of criminal liability beside those provided in the Criminal Code of the Republic of Macedonia, also significantly tightened the responsibility of all entities directly involved in the public procurement system. Considering this, the main dilemma is - how can the new legislation contribute to the efficient fight against corrupt behavior and public finances abuse, and in the same time, noted are the future challenges and perspectives in this area.

Keywords: *Public procurements, criminal liability, legal protection, state, budget.*

СТАНОВЛЕНИЕ ПРЕДСТАВЛЕНИЙ О ЗАЩИТИТЕЛЬНОЙ ДЕЯТЕЛЬНОСТИ В УГОЛОВНОМ ПРОЦЕССЕ В ТРУДАХ РУССКИХ УЧЕНЫХ

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Аннотация

В работе дается анализ развития представлений о
защитительной деятельности в уголовном процессе.
Предпринимается попытка определения свойств защиты в
уголовном процессе.

***Ключевые слова:** Философия защиты, адвокатура,
квалифицированная юридическая помощь.*

THE DEVELOPMENT OF CONCEPTS OF THE DEFENSIVE ACTIVITY IN THE CRIMINAL PROCEDURE IN THE WRITINGS OF RUSSIAN SCIENTISTS

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Abstract

The work examines the development of concepts of the defensive
activity in the criminal procedure. The article gives an attempt to
define the internals of the defense in the criminal procedure.

***Keywords:** Philosophy of the defense, the bar, qualified legal
assistance.*

RIGHTS OF VICTIMS OF HATE CRIMES

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Abstract

The Criminal Procedure Code (CPC) of 2010 promotes substantial changes in the criminal procedure of RM. One of these changes includes the clear and precise definition of the concept, categories and rights of victims of crimes, such as: the right to actively participate in the proceedings, the right to compensation, the right to protection and the right to legal and professional assistance. On the other hand, the Criminal Code of RM qualifies hate crimes as aggravating circumstances of different crimes. The aim of this article is to analyze the position and the rights of victims of hate crimes, both in comparative and national approach. The author will try to firstly analyze the development of the concept of hate crimes, and secondly explain the characteristics that imply the victimization as a result of these crimes. The methods to be used include: desk research on comparative approaches on victims of hate crimes, analysis of national and regional legislation as well as relevant case studies. The main hypothesis of the article argues that the quest for developing the rights and position of the crime victim goes in line with the contemporary trends of controlling and minimizing hate crimes which tend to be very largely spread in society.

Keywords: *victim, hate crimes, criminal law criminal procedure*

TORTURE AND CRIMINAL-LAW PROTECTION OF THE HUMAN PERSON IN SOME OF THE WESTERN BALKAN COUNTRIES

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Abstract

With the transition of the countries from a social system to another, it is understood that there have happened major changes in all the areas of life, changes which have had an effect even on the field of the illegal criminal offences including the criminal offences directed against the human person. The human rights movements have played an important role in different time periods of the human history. The human rights and their further development represent in themselves one of the ways of the realization of the social changes. The states themselves have undertaken long-term social changes through the protection of the human rights. Due to the commitments of the civil movements for the human rights, nowadays we have laws that protect, respect and guarantee the human rights and fundamental freedoms, among which: THE PROHIBITION OF TORTURE. As a consequence of the efforts of such movements, very important international documents or acts have been ratified and national laws have been implemented by the state authorities resulting in providing a complete and wide protection for the citizens. In this context, the prohibition of torture and inhuman or degrading treatments or punishments constitutes a guarantee for the citizens against any kind of abuse and it represents an incontestable norm.

Keywords: *torture, prohibition of torture, criminal-law protection of the human person, Western Balkans*

**ACTUAL ISSUES OF THE SUCCESSION LAW REFORM IN
THE REPUBLIC OF SERBIA**

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Abstract

After almost twenty years from its enforcement, Serbian Succession Act was amended for the first time by the legislator at the beginning of the year 2015. Those amendments were well connected with the amendments made to Law on Notary Public and the Law on Non-Contentious Procedure in the sphere of succession law. In the paper author discuss about novelties in the Serbian contemporary succession law and probate proceedings, emphasizing the most important issues. The reform concerns the role of notary public in confirming lifetime maintenance agreements, contracts on the delivery and distribution of property for life, as well as contracts on transfer of an inheritance share. Since the Law on Notary Public was adopted, back in 2011, significant changes were made in this act, restricting the powers of notaries public with regard to drafting of legal transactions which have the form of notary public minutes. Also, for the first time in Serbian law the notary will (testament) has been regulated in the Succession Act, as well as the procedure of its drafting, regulated in the Law on Non-Contentious Procedure. The circle of testamental witnesses has been stipulated in a totally different way than before the amendments, so the author will need to analyze these changes, too. Special attention in the paper will be paid to the notary powers in the probate proceedings in Serbian law.

Key words: *succession law, reform, notary public.*

CHARACTERISTICS OF THE CIVIL COURT PROCEDURE FOR PROTECTING AGAINST DISCRIMINATION

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Abstract

The civil court procedure for preventing and protecting against discrimination has its own characteristic features. The utilization of a comparison, the making of a prima facie discrimination case, justification and legitimate aim, and the burden of proof, are features of the civil court proceeding of a discrimination case.

The judgment for protection against discrimination may also be a condemning (mandatory) one. In all cases in which the party files a compensation claim, the court shall render a condemning (mandatory) ruling. The court must provide institutional protection to the discrimination victim, by condemning the responding party and ordering such party to pay, do or suffer the consequences.

The court proceeding of a discrimination case and the rendering of a court ruling is a procedural hindrance against the same proceeding before the Commission for Protection against Discrimination, because of the supremacy of the courts over the Commission in the field of providing institutional protection against discrimination.

Keyword: *civil court, discrimination, protection, prevention.*

КАУЗАЛИТЕТ ВО РАМКИ НА ГРАЃАНСКО-ПРАВНАТА ОДГОВОРНОСТ ЗА НУКЛЕАРНА ШТЕТА

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Апстракт

Трудот му пристапува на прашањето за каузалитет во отштетното право, поконкретно во рамки на институтот граѓанско-правна одговорност за нуклеарна штета. Каузалитетот помеѓу штетното дејствие и штетата како еден од општите услови за настанување на облигациониот однос во рамки на правилата за нуклеарна одговорност претрпува измени и адаптации кои влијаат на самиот институт и му даваат карактеристики на *sui generis* институт во поглед на општите правила на отштетното право. Ова соодветствува со самиот факт што граѓанско-правната одговорност за нуклеарна штета, без сомнение, претставува и самата *sui generis* одговорност. Трудот го прикажува влијанието на оваа одговорност врз институтот "каузалитет" и размислувањата на правната доктрина, како и правните решенија применети во конкретни правни акти и извори по повод ова прашање.

Клучни зборови: *граѓанско-правна одговорност, нуклеарна штета, каузалитет.*

Abstract

The paper focuses on the causation in tort law, or to be more specific, the causation as a part of the nuclear civil liability. The causation between the damage and the act of wrongdoing, or the tort, is one of the general terms for the birth of the obligation. But, within the civil nuclear liability the causation suffers changes and adaptations that lead us to the conclusion that we are talking about *sui generis* institute compared to the rules of the ordinary tort law.

This is in correlation with the fact that the nuclear liability, without doubt, is *sui generis* liability. Therefore, this paper presents the influence that the nuclear liability has had on the institute causation, the points of view in the law doctrine, as well as the concrete legal solution in legal acts and models.

Keywords: *civil liability, nuclear damage, causation, nuclear liability.*

ЗНАЧЕЊЕТО НА ЖИВЕЕЊЕТО ВО ТРАЈНА ЗАЕДНИЦА ВО ОДНОС НА ЗАКОНСКОТО НАСЛЕДУВАЊЕ

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Апстракт

Врз основа на живеeњето во трајна заедница, во македонското наследно право, меѓусебно можат да се појават во улога на законски наследници само точно определени со закон лица. Така, живеeњето во трајна заедница се јавува како еден од основните правно релевантни факти врз чија основа се определува кругот на законските наследници, односно се уредува законското наследување. Имено, живеeњето во трајна заедница како еден од основните факти е воведен во Законот за наследувањето од 1996 година, а беше и предвиден во првиот македонски и републички Закон за наследувањето од 1973 година, при што сепак не станува збор за идентично регулирање во двата наследно – правни прописи за што ќе стане збор во овој труд. Така, целта на овој труд е да се проучи можноста определени лица кои живееле во трајна заедница да се јават меѓусебно во улога на законски наследници, а врз основа на фактот живеeње во трајна заедница, со што ќе се согледа и нивниот наследно – правен статус.

Клучни зборови: *законски наследници, трајна заедница, оставина.*

MEANING OF LIVING IN A PERMANENT COMMUNITY AS TO LEGAL SUCCESSION

Abstract

Based on living in a permanent community, in Macedonian inheritance law, each other can occur in the role of legal heirs only certain determinate persons by law. So, living in a permanent community are appears as one of basic legally relevant facts upon which is determined the circle of legal heirs, or is regulated legal succession. Namely, living in a permanent community as one of the basic facts introduced in the Law on Succession from 1996, and it was provided in the first Macedonian and Republic Law on Succession from 1973, while still not about identical regulation in both hereditary – legislation for which will be explain in this paper. Thus, the purpose of this paper is to study the possibility of certain persons who have lived in a permanent community to occur each other in the role of legal heirs, and based on the fact living in permanent community, which will perceive and their inheritance - legal status.

Keywords: *legal heirs, permanent community, estate.*

**СРАВНИТЕЛЬНО-ПРАВОВОЙ АНАЛИЗ
ЗАКОНОДАТЕЛЬСТВА О ГРАЖДАНСТВЕ
РОССИЙСКОЙ ФЕДЕРАЦИИ И РЕСПУБЛИКИ
МАКЕДОНИЯ**

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Аннотация

Цель данной статьи состоит в сравнении законодательства, регулирующего решение вопросов гражданства в Российской Федерации и Республике Македония. Указанные страны обрели независимость и самостоятельность в результате распада союзных государств. Независимо от размера своих территорий данные государства сталкиваются с необходимостью правового регулирования национального вопроса путём определения на законодательном уровне условий правовой связи гражданства. Сравнение законодательства о гражданстве России и Республики Македония показало равнозначное понимание природы гражданства, отношение к институту двойного гражданства, схожее направление российской политики в отношении граждан бывшего СССР и государственной политики Республики Македония к гражданам бывшей Республики Югославия. Различие заключается в основаниях и условиях приобретения гражданства, требованиях для выхода из гражданства и отмены решений по вопросам гражданства и т.п. На основе анализа законодательства о гражданстве республики Македония, мы предлагаем и обосновываем некоторые пути совершенствования российского законодательства о гражданстве, связанные с расширением оснований для отмены решений о прекращении российского гражданства, с усилением гарантий приёма в российское гражданство, с рассмотрением возможности приобретения российского гражданства в упрощённом порядке для

иностранных граждан, состоящих в браке с гражданами Российской Федерации.

***Ключевые слова:** гражданство, Российская Федерация, Республика Македония.*

Abstract

The purpose of this article is to compare legislation governing issues of citizenship in the Russian Federation and the Republic of Macedonia. These countries gained their independence and autonomy as a result of the collapse of the allied states. Regardless of the size of their territories, the two countries face the need of legal regulation of the national question by determining at the legislative level the conditions of the legal bond of citizenship. Comparison of legislation on citizenship of Russia and the Republic of Macedonia showed equivalent understanding of the nature of citizenship, the attitude to the institution of dual citizenship, a similar line of Russian policy towards the citizens of the former Soviet Union and the state policy of the Republic of Macedonia to the citizens of the former Republic of Yugoslavia. The difference lies in the grounds and conditions of the acquisition of citizenship requirements for the renunciation of citizenship and the abolition of decisions on issues of citizenship, etc. Based on the analysis of the legislation on citizenship of the Republic of Macedonia, we propose and justify some of the ways to improve Russian legislation on citizenship related to the expansion of the grounds for the annulment of the termination of Russian citizenship, with increased guarantees of admission to Russian citizenship, with the consideration of the possibility of acquiring Russian citizenship in a simplified manner for Foreign nationals who are married to citizens of the Russian Federation.

***Keywords:** citizenship, Russian Federation, Republic of Macedonia.*

ПРИРОДОПОЛЬЗОВАНИЕ И ОХРАНА ОКРУЖАЮЩЕЙ СРЕДЫ КАК ОБЪЕКТ АДМИНИСТРАТИВНО- ПРАВОВОГО РЕГУЛИРОВАНИЯ

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Аннотация

Цель данной статьи - исследовать проблемы административно-правового регулирования природопользования и охраны окружающей среды в России и за рубежом. В статье проведен анализ законодательства России и зарубежных стран в области природопользования и охраны окружающей среды с целью определения природопользования как объекта административно-правового регулирования. На основе оценки законодательства и научной литературы мы предлагаем определять природопользование как целенаправленную деятельность человека в сфере изучения и рационального использования природы, природных ресурсов, реализующего свои способности для получения определенных материальных благ. Владение, пользование и распоряжение природными богатствами Земли осуществляются в большинстве стран с согласия государства. Данная практика установилась исходя из общепризнанной международной нормы о том, что владение, пользование и распоряжение природными богатствами своей страны, и, в частности, недрами и их ресурсами, рассматриваются как неотъемлемый элемент суверенитета каждого государства. В результате анализа законодательства и правоотношений различных государств в сфере природопользования и охраны окружающей среды можно определить, что объектами отношений природопользования являются: природный ресурс как природный объект; природный ресурс как объект природопользования; участок

природного ресурса; права пользования природными ресурсами и их участками; добытые природные ресурсы; отходы природопользования; информация о природных ресурсах. В целях настоящей статьи и на основе изученных материалов мы формулируем и обосновываем определение административно-правового регулирования природопользования и охраны окружающей среды как регламентированную нормами права деятельность наделенных властными публичными полномочиями субъектов по обеспечению рационального освоения и охраны природных ресурсов Земли, их воспроизводству, а также созданию и соблюдению благоприятных условий жизнедеятельности и экологической безопасности общества.

Ключевые слова: административное право, природопользование, охрана окружающей среды.

Abstract

The purpose of this article is to research problems of administrative legal regulation of environmental management and environmental protection in Russia and in foreign countries. The analysis of the legislation of Russia and foreign countries in the field of environmental management and environmental protection is carried out in this article. It is known that rights of possession, uses and orders of natural resources are performed in the majority of the countries with the consent of the state. This practice was established proceeding from the universally recognized international standard that rights of possession, uses and orders of natural resources of a country are considered as an indivisible element of the sovereignty of each state. Based on the analysis results of the legislation and legal relationship of various states in the sphere of environmental protection, we suggest to determine that objects of the relations of environmental management include: natural resources; rights to use natural resources and their sites; an environmental waste management; information on natural resources. For the purpose of this article and on the basis of the studied materials, we propose and

justify determination of administrative legal regulation of environmental management and environmental protection as the activities of the subjects allocated with imperious public powers for ensuring rational development and protection of natural resources of Earth, their reproduction, also creation and observance of favorable conditions of activity and an ecological safety of society regulated by rules of the law.

Keywords: *administrative law, environmental management, environmental protection.*

ТРЕТМАНОТ НА ИНТЕЛЕКТУАЛНАТА СОПСТВЕНОСТ ВО МЕЃУНАРОДНИТЕ И ЕВРОПСКИТЕ ИНСТРУМЕНТИ ЗА ЧОВЕКОВИ ПРАВА

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Апстракт

Човековите права и правата на интелектуална сопственост претставуваат правни области, коишто еволуирале релативно изолирано едни од други. Сепак, може да бидат идентификувани повеќе разни типови на врски помеѓу правата на интелектуална сопственост и човековите права. Уште повеќе, врските помеѓу правата на интелектуална сопственост и човековите права се признати веќе повеќе декади, како што е прикажано и во одредбите на Универзалната декларација за човекови права, Меѓународниот пакт за економски, социјални и културни права, Европската конвенција за човекови права и, во поново време, Повелбата за темелни права на Европската унија. Овој труд се фокусира на анализа на местото и третманот на интелектуалната сопственост во рамки на претходно споменатите инструменти за заштита на човековите права, како најважни меѓународни и европски инструменти за човекови права, коишто овозможуваат заштита на интелектуалната сопственост и човековите права, воопшто.

Клучни зборови: *интелектуална сопственост, Универзална декларација за човекови права, Меѓународен пакт за економски, социјални и културни права, Европска конвенција за човекови права, Повелба за темелни права на Европската унија*

Abstract

Human rights and intellectual property rights are fields of law that have evolved relatively isolated from each other. However, many different kinds of links can be identified between the intellectual property rights and human rights. Moreover, the links between intellectual property rights and human rights have been recognized for many decades, as it is exemplified in the provisions of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the European Convention on Human Rights and, more recently, the Charter of Fundamental rights of the European Union. This paper has placed its focus on analysis of the place and treatment of intellectual property within the previously mentioned human rights instruments, as the most important international and European human rights instruments, which provide for protection of intellectual property and human rights, in general.

Keywords: intellectual property, Universal Declaration of Human Rights, International Covenant on Economic, Social and Cultural Rights, European Convention on Human Rights, Charter of Fundamental rights of the European Union.

ПОСТАПКА ЗА ПРИЗНАВАЊЕ НА ПРАВОТО НА ПАТЕНТ

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Апстракт

Прогресот на човештвото најчисто се согледува низ призмата на интелектуалната сопственост сфатена како продуктивна мисла, а пак во прилог на техничко-технолошкиот прогрес, веројатно најзначајната улога како право од индустриска сопственост ја има **правото на патент**. Предмет на заштита на ова право е **пронајдокот** што е резултат на пронајдувачки труд на едно или повеќе лица - пронајдувачи, процес, материја која е резултат на некој процес и растителни и животински сорти (во некои држави).

Услови за еден пронајдок да биде заштитен со правото на патент се: тој пронајдок да е решение на одреден технички проблем, да е **новост, инвентивен придонес (исчекор) и индустриска применливост**.

Правата од индустриска сопственост се стекнуваат во постапка пропишана со закон, која почнува со поднесување на уредна пријава за упис во соодветниот регистар при ДЗИС. Правата важат од денот на поднесување на пријавата за заштита на правото се до истекот на законски предвидениот рок на важење на правото. За правото на патент конкретно, пропишано е времетраење на заштитата од 20 години (и можност за дополнителен сертификат во траење од уште 5 години за пронајдоци од областа на медицината и заштитата на растенијата). По својата правна природа правата од индустриска сопственост имаат апсолутен карактер, а со уписот во соодветниот регистар добиваат дејство *erga omnes*. Овој труд е посветен на постапки пред ДЗИС во РМ и постапки согласно договорот за соработка во областа на патентите ДСП, за поднесување на европска патентна пријава пред европскиот патентен завод во Минхен согласно ЕКП.

Клучни зборови: интелектуална сопственост, патент, пронајдок, заштита, erga omnes.

THE PROCEDURE OF THE PATENT RIGHT RECOGNITION

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Abstract

The progress of the purest humanity is perceived through the prism of intellectual property conceived as a productive thought, in addition to technological progress, probably the most important role as an industrial property is **the patent right**. Subject to the protection of this right is the invention as a result of creative work of one or more persons - inventors, process, material resulting from a process and plant and animal varieties (in some countries).

The conditions for an invention to be protected by a patent right are: the invention to be a solution to a technical problem, **novelty, inventive step (step) and industrial applicability**.

Industrial property rights are acquired in a procedure prescribed by law, which begins with the submission of a complete application for entry into the register at IPPO in RM. The rights are valid from the date of filing the application for protection of the right to the expiration of the legal validity of law. Patent Law specifically prescribes a duration of protection of 20 years (and the possibility of an additional certificate for a period of another 5 years for inventions in the field of medicine and plant protection).

By its legal nature the industrial property rights have an absolute character and its entry into the register receives the effect of erga omnes. This paper is devoted to the proceedings before IPPO in Macedonia and procedures under the agreement for cooperation in the field of patents PCT for filing a European patent application at the European Patent Office in Munich in accordance with the EPC.

***Key words:** intellectual property, patent, invention, protection, erga omnes*

DIVORCE BY MUTUAL CONSENT

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Abstract

As a type of divorce where the spouses' mutual consent has the dominant role in termination of marriage, divorce by consent was in a longer period of time labeled as the cause of uncontrolled increase in the number of divorces and was stigmatized as the enemy of the stability of marriage and family. Therefore, there was an ambivalent attitude to this type of divorce, so that it was not present in all historical periods and in all divorce systems. However, spouses always sought ways, often on the edge of law, to divorce by agreement, without stating the specific reasons that led to the disorder of marital relations, and thus to maintain their privacy away from the public eye.

Thanks to numerous benefits of this type of marriage termination, divorce by consent gained its full recognition in the twentieth century, and today it is very popular in divorce practice and is slowly becoming the dominant mode of marriage termination in the modern world. Bearing in mind, that the Serbian and Macedonian legislator is traditionally guided by normative solutions effectively present in the European legal space, we have chosen the analysis of the current regulations on this type of divorce in Serbia, Macedonia and certain European legal systems for the subject of the work in order to indicate the possible directions of development and a more adequate modeling of divorce by consent in our law.

Keywords: *divorce by mutual consent, spouses, Serbian law, Macedonian law, European legal space.*

THE CONTRACTED PROPERTY REGIME OF THE SPOUSES - COMPARATIVE OVERVIEW

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Abstract

Property relationships among spouses in the judicial system of Republic of Macedonia are regulated by imperative norms, which are comprised in the Property Law and other laws (2001). According to the provisions of the aforesaid law, the spouses of RM are compliant with this obligatory regime, by not having other alternatives for regulating their property relationships.

In the comparative law jurisdiction, there is enough free contracting space for spouses. Thus, apart from the obligatory legal regime, these judicial systems have incorporated the opportunity for a binding contract of the property regime of spouses. This means getting a prenuptial agreement as a formal alternative basis for regulating their property relationships.

Taking into consideration the fact that RM has also accepted the model of market economy and as a consequence has deployed the main principles according to which this model functions and amongst which the most important principle is the one of freedom of contract, this principle should be reflected in the property relationships of spouses. In this regard, the aim of this article is to raise the awareness of the legislator in RM to make more room for the autonomy of spouses' own volition regarding the regulation of their property relationships, thus, to evaluate justly and in a timely manner the necessity of reaching a verdict of the contracting property regime of spouses.

Keywords: *Property relationships, spouses, contracting regime*

ROLE OF STOCK EXCHANGE AND SECURITIES IN ACTIVITY OF LISTED JOINT STOCK COMPANIES

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Abstract

Economic market securities and stock exchange are part of the financial market and means the market for debt instruments and capital, together with all the relevant financial structure, which enables the effective and successful functioning of it. Stock exchange is frequently associated with the capital market, as an expression of equivalence, with the exception of certain cases where securities trading platform attached to capital and money market it. The mission of any stock exchange is the organization and development of the securities market, creating and providing favorable conditions and facilities for issuers, investors and financial intermediaries for more efficient use of it. Having extensive purposes and different owners, companies generally tend to improve their standards of management and efficiency to satisfy the demands of these shareholders and stricter rules for public corporations imposed by stock exchanges and governments. Consequently, it is thought that public companies, which are in possession of shareholders who are members of the general public and trade shares on public stock exchanges tend to have a better management of private companies, whose shares are not traded publicly but they are owned by the founders, by their families and heirs, or otherwise by a small group of investors.

The future of trade appears to electronic titles , as well as competition increases continuously between traditional specialized system of New York Stock Exchange and Electronic Communication Network, ECN. Electronic Communication Network aims to speed the execution of large blocks of trades, while the system of specialists cited the role of specialists in maintaining

regular markets, especially in exceptional circumstances or for specific types of orders. ECN shall competes with a profit of great interest at the expense of investors even more common exchanges. System based on machinery is claimed to be much more efficient because it increases the speed of execution mechanism and eliminates the need to make arrangements through a broker.

Keywords: *Stock Exchange securities, securities market, joint stock company, treasure bonds, bonds.*

IMPORTANCE OF SOCIAL-POLITICAL TAX PRINCIPLES IN REGARDS TO PERSONAL INCOME TAXATION

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Abstract

Croatian positive tax system is justified by the Article 51 of the Constitution which states that everyone must participate in the settlement of public expenses in accordance with their capabilities. Accordingly, the tax system is based on the principles of fairness and equality, i.e. principles associated with Adolph Wagner's social-political tax principles. Tax on personal income is the instrument of tax policy that with its inevitable fiscal objective has a much more important objective of a social nature-alleviate regressivity of VAT. Most financial scholars, lawyers or economists, agree that social-political tax principles are tried to be put into practice by applying progressive tax rates on income with the combination of non-taxable part of income. Thus this paper analyses Croatian personal income tax system, by focusing on the taxation of employment income and independent personal services income, their tax base, tax brackets, tax rates and tax credits. The other issue of taxation that is scrutinized is the formation of an optimal tax burden, which means a continuous balance searching. This procedure and the related arguments are presented in this paper.

Keywords: *social-political tax principles, personal income taxation, progressive tax rate, non-taxable part of income, Republic of Croatia*

**THE ROLE OF CLUSTERS IN ECONOMIC
DEVELOPMENT: FINNISH EXAMPLE**

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Throughout most of its history, Finland has mainly been economically backward country dominated by its territorially larger and militarily and economically powerful neighbors, Russia and Sweden. But by the end of the twentieth century economic image of Finland, a country with a relatively small population (in relation to its surface) of about 5.2 million people was dramatically changed. Finland, with its social organization and economic development orientation became a leader of economic development and prosperity in the region, and an example of a development model for many small developing countries. Certainly, the world-famous Finnish brand Nokia was a significant contributor to that achievement. By opening its national economy to the world Finland got access to foreign markets, investments and resources which were scarce, and that led to changes in the industrial structure in which the background were falling slower growing sectors like the wood processing, were gradually replaced by emphasis on the

development of new knowledge and innovation-based industries and their clusters. Cluster connectivity and participation of compatible, interdependent and independent enterprises and scientific research institutions, with appropriate support of the central and local authorities, collect and merge considerable resources that become a source of competitive advantage, and thus enable and facilitate the achievement of international competitiveness and a breakthrough on the world market by offering complex products and services.

Keywords: Finland, economic development, clusters, Nokia

RUSSIAN BUDGET LAW AND FINANCIAL CRISIS

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Abstract

The international financial crisis led to numerous amendments in the budget legislation of the Russian Federation.

In general, stability of legal regulation of budget relations decreased. Operation of some norms provided in statutory acts of constant action (e.g., in the Budget code of the Russian Federation) was suspended. Making some decisions was transferred from parliament level to governmental. Laws appeared to be too stable to be the form of reaction to crisis. Complexity of their adopting led to use governmental acts as a regulative form of budget relations in conditions of the financial crisis.

Other feature was a reduction of budgetary planning horizon. It was connected with quickly changing circumstances, with necessity of making fast decisions.

It is possible to allocate some mechanisms which were used for amending the budget legislation in crisis conditions:

- 1) suspending (or cancelling) of some statutory acts which are not suitable for conditions of crisis;
- 2) modification of statutory acts;
- 3) introduction of alternative regulation, i.e. an adopting norms which were more appropriate to conditions of crisis.

Nowadays some legal mechanisms adopted during the crisis are applied as constant rules.

GOVERNANCE OF FINANCIAL SUPERVISORY AGENCIES IN THE EU: THE CASE OF ESMA

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The purpose of this paper is to examine the emergence and progress of “agencification” as the dominant narrative in the lower-levels of EU governance on the case study of the European Securities and Markets Authorities (ESMA). Incorporated European financial markets represent an evolutionary process which began in the 1960es and was greatly endorsed by political and economic integration. By simultaneously intensifying and challenging the cooperation between national regulatory authorities and their EU counterparts, the process triggered radical shifts in regulatory paradigms and policy development in the EU. This was particularly pronounced in the aftermath of the financial crisis, when regulation and institutional reform became imperative in EU policymaking. The evolution of European integration towards “more Europe” shifted regulatory intervention more toward the centralization paradigm at the expense of national regulatory autonomy or competition for that matter. The newly established European financial supervisory agencies embody the centralization of expertise and operational powers at the EU level from the institutional aspect. However the preference for “supranational agencification” (Levi-Faur, 2011) in EU regulatory policy raises questions about the legitimacy, accountability and capacity of such polity realities. Against this background, the paper explores the juxtaposition of agency independence vs. control by discussing ESMA’s substantive regulatory capacities and the balance of its decision-making efficiency in view of multiple interests involved.

Keywords: *governance, ESMA, agencification, policy capacity*

**THE EU RESTRICTIVE MEASURES - WHAT IF CJEU
FINDS THEM NOT BEING LEGAL?
CASES IN CROATIA AND REPUBLIC OF MACEDONIA**

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Abstract

The EU restrictive measures or sanctions may be provided against one or more countries, international organizations, natural or legal persons (such as terrorists and terrorist group).

In practice most used restrictive measures are the financial restrictions as asset freeze on of individuals or companies, assets bans and travel bans on individuals. But the ultimate objective of a sanction according to the individual situation or situation.

This paper will analyze the procedure in the EU and how the EU imposes sanctions and embargos among the member states (example Croatia) and how these measures impose to the non -State entities (example R. Macedonia).

The restrictive measures (article 215 of TFEU) are part of (CFSP) but judicial review is available under article 275, which proscribes that the Court has jurisdiction in reviewing the legality of decisions providing for restrictive measures against natural or legal persons adopted by the Council on the basis of Chapter 2 of Title V of the Treaty on European Union. Nevertheless, The Council may review a listing and remove a person from the list - but the Council does not admit that the sanctions should never have been imposed. Question that comes to mind, if there is a Member State liability for damages for the breach EU law? Is there the EU liability for damages for the

breach of human rights protection? For example, what if the EU has imposed sanctions on someone for eight years and the CJEU has found that these sanctions were illegal? Is there a possibility for the reimbursement if there is human rights violation under the EU law by the EU institutions?

Keywords: *restrictive measures, legal instruments, Law on international restrictive measures*

THE REGIME FOR FLAG STATE RESPONSIBILITY IN INTERNATIONAL SHIPPING LAW

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Abstract

The concept of “flag of convenience jurisdiction” represents an established practice of registering companies beyond the state of the owner of the company. Basically, “flag of convenience” is conditioned by the existence of an open register for the record of the companies. This concept allows registration of the companies in a sovereign state’s beyond the jurisdiction of the owner’s state. The establishment of the concept of “flag of convenience” have aroused much criticism and controversies and various theoretical opinions about its justifiability.

The implementation of the “flag of convenience” notably caused controversy in the field of maritime shipping industry .Namely, through the establishment of this concept, shipping companies were allowed to use some fiscal incentives (less fiscal restrictions), reduction of the working and living conditions on board, avoiding administrative barriers for foundation. On the other hand, the threat of violation of the fair competition, avoidance of national and difficulties in civil and criminal procedure emerged.

The main aim of this article is to analyze the advantages and disadvantages of the concept of “flag of convenience” in international trade of law. In the light of the sustainable trends in shipping industry, concept of indemnity and corporate social responsibility of transport companies, in this article we’ll focused on the European shipping policy, environmental and international comparative advantages and disadvantages, and legal gaps on this field.

Key words: *flag of convenience, corporate liability, shared responsibility, open register, sustainability.*

ФАКТОРИНГ У УЛОЗИ РАЗВОЈА МАЛИХ И СРЕДЊИХ КОМПАНИЈА

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Апстракт

Последњих неколико година, факторинг представља веома важан инструмент финансирања малих и средњих компанија. Применом факторинг механизма избегава се ризик реализације наплате и осигурава се да мала компанија дође до краткорочног обртног капитала. Најзначајније предности факторинга за пословање компаније биће анализирани у раду. Такође, посебна пажња је посвећена правној стандардизацији факторинга пословања у Р. Србији.

Кључне речи: факторинг, фактор, факторинг накнада, банка, компанија, капитал,

FACTORING IN THE ROLE OF DEVELOPING SMALL AND MEDIUM COMPANIES

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Abstract

In recent years, factoring is a very important instrument for financing small and medium-sized companies. With the application of factoring mechanism the risk in realization is being avoided and it ensures the small size company to get the short-term working capital. The most important advantages of factoring in the company's business will be analyzed in the scientific work. Also, the special attention was dedicated to legal standardization of factoring business in R. Serbia.

Keywords: factoring, factor, factoring fees, bank, company, capital.

ENTREPRENEURIAL CAPITALISM IN SOUTHEASTERN EUROPE: IS THERE A PROGRESS?

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Abstract

This paper seeks to assess the advancement of SEE states on their way towards entrepreneurial capitalism. The analysis focuses on the business environment perspective. While mostly exploring the intangible issues it argues that entrepreneurial climate in SEE is influenced by a distinctive and still ambiguous capitalist model. Roles and expectations of the state, employers and employees need to be revised in order to bring that model closer to capitalism in its basic terms or make it sustainable at least. Many barriers found can be affiliated with the key features of the political capitalism model, an antonym to entrepreneurial capitalism, that was present in the former Yugoslavia before the 1990s and its traces still seem to be apparent. It also fosters the unrealistic expectations of ordinary East Europeans that can be explained by Kornai's (2009) "institutional shopping". This situation leads to an unsustainable welfare state that seems to be promised by transitional governments, but their real behaviour is best portrayed by the (severe) "grabbing hand" model (Schleifer & Vishny, 1999). State dominance despite its low capacity is overwhelmingly present and it is tacitly supported by collectivist culture.

Keywords: *entrepreneurial capitalism, post-socialist transition, Eastern Europe, business environment*

**REFLEXIVE HARMONIZATION OF THE EUROPEAN
CONSUMER LAW AS A PATH OF THE
EUROPEANIZATION OF CONTRACT LAW**

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Abstract

Although with primary function to protect the consumers within the retail activities, Consumer rights directive 2011/83/EC has become a milestone in the reflexive harmonization process of the European contract law. Previous is even more important having considered that number of areas in the field of contract law are seen as axiomatic and as such are hardly questioned and rarely given another thought. In the paper such developments are analyzed as current evolution of national contract law in European Member States as well as described as denationalization and Europeanization process, in which the most significant changes bear a predominantly European mark. The paper analyzed the impact of the directive as a reflexive landmark of the harmonization of the European contract law.

Keywords: *European contract law, Reflexive harmonization, European consumer law*

**МОЖНИ НАЧИНИ НА РЕШАВАЊЕ НА СПОРОВИТЕ
КАЈ ДОГОВОРИТЕ ЗА KNOW-HOW ОД АСПЕКТ НА
ОДРЕДБИТЕ СОДРЖАНИ ВО МАКЕДОНСКАТА И
ЛЕГИСЛАТИВАТА НА ЕВРОПСКАТА УНИЈА**

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Апстракт

Цел на овој труд е да даде една сеопфатна анализа можните начини за решавање на споровите кои произлегуваат од склучувањето и извршувањето на договорите за know-how. Потребата за оваа анализа произлегува од фактот што овие договори во услови на сè поразвиен меѓународен промет на стоки и услуги и на експанзија на технолошкиот развој се почесто содржат странски елемент, чие пак присуството во значителна мера ги мултиплицира проблемите на судир на законите. Ваквиот елемент може да се состои во следново: договорните страни имаат припадност на различни држави; договорот се склучува во странство, или пак истиот треба да биде извршен во странство. Токму затоа, одредбите во договорот за know-how со кои однапред се определува меродавното право како и форумот за решавање на споровите се сметаат како нужен предуслов за постигнување неопходна правна сигурност, која е од суштинско значење при извршувањето на овие договори. Во рамки на овој труд можните решенија за начините на определување на меродавно право и надлежен форум кај договорите за know-how се разгледани од аспект на одредбите содржани во македонската и легислативата на Европската Унија и истите се систематски поделени во две групи.

Во рамки на првиот дел кој се однесува на утврдување на меродавно право ќе се осврнеме на одредбите содржани во

постоечкиот Законот за меѓународно приватно право на РМ, кои дополнително ќе бидат споредени со одредбите содржани во *Регулативата (ЕЗ) бр. 593/2008 на Европскиот парламент и на Советот од 17 јуни 2008 година, за право применливо на договорните обврски, т.н (Рим I Регулатива)*. Во рамки на вториот дел, посветен на анализата за избор на надлежен форум, ќе ги разгледаме можните решенија содржани во одредбите на гореспоменативе правни системи, при што посебен акцент ќе ставиме на анализа на одредбите содржани во *Регулативата бр. 44/2001 од 22 декември 2000 за надлежност и извршување на судските одлуки во граѓанските и трговските предмети, т.н (Брисел I Регулатива)*.

Клучни зборови: Договор за know-how; меродавно право; надлежен форум; Рим I Регулатива; Брисел I Регулатива.

POSSIBLE SOLUTIONS FOR RESOLUTION OF DISPUTES FOR KNOW-HOW AGREEMENTS FROM THE ASPECT OF THE PROVISIONS CONTAINED WITHIN THE MACEDONIAN AND EU LEGISLATION

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Abstract

The aim of this paper is to provide a comprehensive analysis of possible solutions related to the process of resolving of disputes arising from the conclusion and enforcement of the know-how agreements. The necessity for this analysis is imposed due to the fact that within a situation of technical and technological expansion

and increased development of international trade in goods and services, this agreement often contains a foreign element, whose presence significantly multiplies the problems of conflict of laws. This element can be consisted of the following: the parties have affiliations of different countries; the agreement is concluded in a foreign country, or it should be executed in a foreign country. Therefore, the provisions of the know-how agreement which will determine in advance the applicable law and competent forum for resolution of the possible disputes are considered as an essential element towards achieving a legal certainty, which is a necessary condition for adequate execution of these contracts. Within this paper the possible solutions for determination of applicable law and competent forum for know-how agreements are reviewed from the aspect of the provisions contained in the Macedonian and EU legislation and are systematically divided into two groups.

Within the first part which refers to the determination of the applicable law will make an analysis of the provisions contained in the existing Law on International Private Relations of the Republic of Macedonia, which will additionally be compared with the provisions contained in the *Regulation (EC) No 593/2008 of the European Parliament and of the Council of 17 June 2008 on the law applicable to contractual obligations, so-called (Rome I Regulation)*. Within the second part devoted to the analysis of the provisions of determination of competent jurisdiction will examine possible solutions contained in the provisions of the aforementioned legal systems, whereby a special emphasis will be placed on the analysis of the provisions contained in the *Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, so-called (Brussels I Regulation)*.

Keywords: *Know-how agreement; applicable law; competent forum; Rome I Regulation; Brussels I Regulation.*

POLITICS

СОВРЕМЕНИ ФОРМИ НА ТЕРОРИЗАМ И МЕГУНАРОДНАТА СОРАБОТКА ВО БОРБАТА ПРОТИВ ТЕРОРИЗМОТ

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Апстракт

Тероризмот денес во 21-от век претставува закана од глобални размери. Напредокот на технологијата овозможува брзо и лесно движење, комуникација на луѓето од една држава во друга држава или друг континент со што се пренесуваат и одредени идеи и сфаќања на поединците кои можат да бидат и радикални и да го поддржуваат и поттикнуваат тероризмот. Се покажа дека ниту една држава не е имуна од терористичките напади, како и тоа дека не може сама да и се спротивстави на оваа глобална закана која предизвикува страв и несигурност кај населението. Во овој труд ја разработивме темата за тероризмот како општествена појава која загрозува многу субјекти. Овој труд заклучува дека досегашните одбрамбени средства и механизми против тероризмот не се покажаа доволно ефикасни односно не ги спречија и уништија неговите корени.

Клучни зборови: *современи форми на тероризам, меѓународна соработка,*

Abstract

Today in the 21st century the terrorism represents a threat of a global proportions. Technology improvements enabled quick and easy movement and communication of people from one country to another country or even another continent along with movement of certain ideas and beliefs of individuals that may be radical and even support and encourage terrorism. It turned out that no country is immune from terrorist attacks, and that individually cannot resist to this global threat that causes fear and insecurity among the population. This paper elaborated the terrorism as a social phenomenon that threatens many subjects. This paper concludes that current defense mechanisms against terrorism have proved not efficient enough in preventing and destroying its roots.

Keywords: contemporary forms of terrorism, international cooperation

НАУЧНО И ТЕОРЕТСКО ОПРЕДЕЛУВАЊЕ НА ПОИМОТ НАЦИОНАЛНА БЕЗБЕДНОСТ

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Апстракт

Националната безбедност вклучува политичка, економска, воена, информативна и еколошка стабилност на една држава, состојба во која нема сериозни закани и опасности за опстанокот на една држава, за нејзината независност, територијален интегритет и уставно-правен поредок, како и за животот, правата и слободите на нејзините граѓани и здрава животна средина (состојба на незагрозување или безопасност). Во рамките на трудот, авторот научно и теоретски го одредува поимот национална безбедност. Во современите услови се поставува прашањето " Дали е потребно или не научно дефинирање на поимот национална безбедност и доколку е потребно, како е можно ова да се направи на еден општо прифатлив начин, бидејќи постојат сериозни спорови во научните кругови за содржината на поимот безбедноста со оглед на широкиот дијапазон (спектар) на содржини, елементи, појави и односи во општествената, природната и техничката сфера, кои овој поим е потребно да ги опфати. Ќе бидат дадени определувања од домашни и странски автори, и определувања дадени во Националните стратегии за безбедност на Република Македонија, Србија, Хрватска и Црна Гора.

Клучни зборови: *безбедност, национална безбедност, стратегија*

SCIENTIFIC AND THEORETICAL DETERMINATION OF THE TERM NATIONAL SECURITY

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Abstract

National security includes political, economic, military, informative and environmental stability of a state, a condition in which there are no serious threats and dangers to a survival of a state, its independent, territorial integrity and constitutional-legal order and life, rights and freedoms of its citizens and healthy environment (condition of safety). Within the framework of the thesis, the author scientifically and theoretically is determining the term national security.

In modern conditions the question is being asked "Is it necessary or not a scientific defining of the term national security and if it is necessary, how is this possible to make on a generally acceptable way, because there are serious disputes in the scientific circles for the content of the term definition of security given the wide range of the content, elements, events and relationships in the social, natural and the technical sphere, that this term is required to cover"?

There will be given determinations from domestic and foreign authors, and determinations given in the National strategies for security of the Republic of Macedonia, Serbia, Croatia and Montenegro.

Keywords: *security, national security, strategy*

САМОЗАШТИТАТА ВО МАКЕДОНСКОТО ОПШТЕСТВО ОД ВРЕМЕТО НА СОЦИЈАЛИЗМОТ ДО ДЕНЕС

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Апстракт

Самозаштитата како една од компонентите на цивилната заштита претставува најмасовен облик на организирање и припремање на луѓето во едно општество за заштита и спасување во услови на војна и мир. Нејзината функција е стара колку и самото човештво. Во времето на социјалистичкото општество уредување во Македонија, односно кога таа се наоѓаше во рамките на Социјалистичка Федеративна Република Југославија (СФРЈ), самозаштитата во организирана форма се појавува 1974 година. Се до осамостојување на Македонија во 1991 година немаше промени во нејзиното спроведување и функционирање. Но оттогаш политичко-општествените, а посебно законските промени во делот на цивилната заштита влијаеа на постепено запоставување на самозаштитата, за денес таа и воопшто да не е присутна кај населението. Поради нејзиниот придонес во рационалното и ефикасно справување со ризиците и опасностите неопходно е повторно да се актуелизира и активира кај населението во Република Македонија.

Клучни зборови: самозаштита, социјализам, цивилна заштита, Македонија.

SELF-PROTECTION IN MACEDONIAN SOCIETY FROM THE TIME OF SOCIALISM UNTIL TODAY

Abstract

Self-protection as one of the components of a civil protection represents the most massive form of organization and preparation of the people in one society to protect and rescue in times of war and peace. Its function is as old as humanity itself. At the time of socialist society editing in Macedonia, when she was within the Socialist Federal Republic of Yugoslavia (SFRY), self-protection into organized form appears 1974. Until the independence of Macedonia in 1991 there were no changes in its implementation and functioning. But since the political and social, especially legal changes in the area of civil protection impact of gradual neglect of self-protection, today it is not present in the population. Because of its contribution to rational and efficient dealing with risks and dangers it is necessary to re-actualize and activate among the population in Macedonia.

***Keywords:** self-protection, socialism, civil protection, Macedonia.*

RECONFIGURATION OF THE POST-DAYTON POLITICAL AND DEMOGRAPHIC SPACE THROUGH CITIZENSHIP SCHEMES IN BOSNIA AND HERZEGOVINA AND CROATIA

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Abstract

Negotiated amidst the atrocious armed conflicts in the former Yugoslav post-communist realm in 1995, the Dayton Peace Accords instituted a progressive shift to democratic peace- and nation-state building, safeguarding human rights and endorsing political and ethnic balance both in Bosnia and Herzegovina and the wider Western Balkans space. Being one of the major milestones in the post-Yugoslav history, the agreement necessitates a thorough analytical assessment of the Balkans democracies and their distinctive policies 20 years later. The aim of the paper is to address one of the key tools used in shaping new Bosnian and Croatian statehoods – citizenship arrangements and their far-reaching effects on the demographic structure, migration and ethnic identity of their respective populations. Citizenship regimes with ethnocentric elements have reconfigured Bosnian and Croatian social arena, enabling a considerable contingent of ethnic Croats with a permanent residence in Bosnia and Herzegovina or fictitious in Croatia to exercise a broad array of rights in their Croatian kin-state or elsewhere in the European Union. This phenomenon has become particularly evident in the area of voting rights, mobility and criminal proceedings. By looking into distinctive pieces of legislation which generated such social trends, the paper assesses citizenship schemes as one of the principal pillars in construing political maps and ethnic identity in post-Dayton Bosnia and Herzegovina and Croatia.

Keywords: *post-Dayton political and demographic space, citizenship, ethnic identity, Bosnia and Herzegovina, Croatia*

ORGANIZATION AND STRUCTURE OF THE POLICE

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Abstract

Organizations that deal with exercising of the security and defense of the country are organized in several steps and in many directions in accordance with the wider social interests and from the targets that are wanted to be achieved. In this paper is analyzed the organizational placement and structure of the police as a security authority in function of keeping the peace and security in one society. For an efficient performing of the assigned tasks is needed a good organization of the police. The way of organization and performing certain tasks in the police doesn't depend only on the terms of performing, but also from the legal regulation of the questions that are related with the organization of the police itself. Prior experiences point that the best way in the organizational structure of the police is to have a departmentation (forming additional and needed number of departments and services); to be managed by professional and competent persons who will bring professional and operative plans and the organizational unit should always have helping services for performing on additional tasks. The organization in the police, everywhere in the world, is based on strict legal rules and regulations, ie on a defined organizational scheme. In practice, often there are organizations that have the same intention of acting to have different organizational schemes or organizational models, as well as the same diverse composition. An obvious example for that are the different models of the police forces from different countries, which despite having the same vision (intention), notice differences in the structural model, depending on whether the general politics of the country they serve is oriented to keep the international peace, or it only guarantees for the national territory, then they depend on the economy, social occasions, tradition of the country, and so on.

Keywords: *police, organization, structure, security, legal provisions.*

ИЛЕГАЛНАТА МИГРАЦИЈА КАКО ПРАШАЊЕ ПО БЕЗБЕДНОСТА

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Апстракт

Криминалитетот како појава со општествен негативен предзнак, како штетна појава по општеството и како опасна појава за успешно функционирање на правниот, економскиот, социјалниот и на другите системи, наоѓа погодна подлога за ширење и развој во државите што се наоѓаат во политичка, економска, социјална и правна криза или транзиција.

Во услови на брзо ширење на криминалитетот во сите области од животот, со елементи на организираност, со вклучување голем број учесници, со елементи на интернационалност, без познавање граници, особено на ширењето на криминалитетот со недозволеното производство и трговија со дроги, трговија со оружје и нуклеарни отпадоци, огромното навлегување на пазарот на стоки со фалсификувани ознаки за квалитетот и за потеклото ја „произведа“ и ја поттикнаа криминалната активност во сферата на илегалната миграција.

Имајќи ги во предвид денешните збиднувања, може да се забележи дека илегалната миграција завзема голем замав. Кои се негативните ефекти од овие активности, и какви последици има по безбедноста ќе се обидеме да образложиме во овој труд.

Клучни зборови: криумчарење мигранти, илгална миграција, организиран криминал, закана

Abstract

The Criminal as a social phenomenon with a negative sign, as a harmful phenomenon for the society and as a dangerous phenomenon for the successful functioning of the legal, economic, social and the other systems, finds suitable foundation for expansion and development in the countries that are in political, economic, social and legal crisis or transition.

In conditions of rapid spreading of the crime in all areas of life, with elements of organization, with involving many participants, with elements of internationality, without knowing borders, especially in the spreading of crime in illicit production and trafficking of drugs, trafficking with nuclear waste, the vast penetration on the product market of goods with counterfeit labels for quality and origin, are "produced" and fuelled the criminal activity in the field of illegal migration.

Taking into account the today's events, it may be noted that the illegal migration takes bigger scale. What are the negative effects of these activities and what are the harms on the security we will try to explicate in this paper.

Keywords: Smuggling, illegal migration, organized crime threat.

**TERRORISM OR INSURGENCY IN THE NORTHEAST:
NIGERIAN MILITARY AND THE CHALLENGE OF
DEFINITION**

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Abstract

Adopting Krahnmann's security governance and networks and using diverse sources, the paper attempts to explain the inability of the military to define and respond to the Boko Haram challenge. The group's menace is revealing the decay and dearth of initiative of the military in adjusting to the emerging security governance and networks. Government, from the security policy perspective, is responsible for finding solution to the challenge. However, the task of defining and charting the course of response by government, from a professional and operational angle, is the responsibility of the military. Their conduct, in the last five years, is manifestation of their inability to diagnose the problem let alone suggest appropriate response. Two views exist on what constitute the problem and solution. The first view describes the situation as terrorism requiring counterterrorism solution. The second view sees this as insurgency requiring counterinsurgency solution. The prevailing national view is to use both terms interchangeably. The military's inability to chart a precise course of the narrative owe much to its politicization, corruption and attracting the wrong personnel to its ranks. The paper argues that Boko Haram is a metaphor for the existential crisis in the military. To reconnect to its professional edge, the military must move away from politics, conventional warfare/conflict and defense mindset to professional, irregular warfare/conflict and defense orientation that typify this age.

Keywords: Military, Security, Governance, Insurgency, Terrorism

ЕКОНОМСКИ АСПЕКТИ НА ГРЃАНСКИТЕ ВОЈНИ И ТРАНСФОРМАЦИЈАТА НА КОНФЛИКТИТЕ

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Апстракт

Економските фактори одиграа централна улога во војните и конфликтите низ историјата. До неодамна, економските аспекти на граѓански војни и конфликтите привлекуваа малку внимание, а камоли систематски научно да се оценуваат. Ова се промени од средината на 1990-тите, со растечкиот број на академски и политички истражувања и создавање на нови, важни сознанија за политичката економија на вооружените конфликти (Jean and Rufin 1996; Keen 1998; Collier and Hoeffler 2000; Berdal and Malone 2000).

Разбирањето на конфликтите од гледна точка на економијата може да го подобри разбирањето на влијанието на клучните динамики на многу од денешните конфликти и граѓански војни. Исто така може да придонесе за подобро, систематско разбирање на тоа: како овие динамики влијаат на решавањето на конфликтите и постконфликтното градење на мирот. Оттука, политичката економија на вооружениот конфликт треба да се гледа како важен прилог кон современите анализа на конфликтите и развој на политики од страна на владите, меѓународните организации, донаторски агенции, невладини

организации и приватниот сектор кои се занимаваат со војна и мир.

Во овој труд ќе бидат претставени клучните дебати и развојот на политиките во оваа под-областа на анализата на конфликтите. Започнува со кратко мапирање на клучните аналитички пристапи и концепти за обликување на политики и истражувања, вклучувајќи ги придобивките и ограничувањата на дихотомијата "алчност или жалба", која доминираше на почетокот на истражувањата за економските димензии на конфликтите.

Клучни зборови: конфликти, граѓанска војна, економија;

THE ECONOMIC ASPECTS OF CIVIL WARS AND CONFLICT TRANSFORMATION

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Abstract

The economic factors have played a central role in warfares and conflicts through history. Until recently, the economic dimensions of civil wars and conflicts have received little attention let alone systematic scholarly assessment. This has changed since the mid-1990s, with a growing body of academic and policy research producing important new insights on the political economy of armed

conflicts (Jean and Rufin 1996; Keen 1998; Collier and Hoeffler 2000; Berdal and Malone 2000).

Understanding conflicts from an economy perspective can improve understanding of impact of the key dynamics of many of today's ethnic conflicts and civil wars. It can also lead to a more systematic understanding of how these dynamics impact on conflict resolution and post-conflict peacebuilding. Hence, political economy of armed conflict should be seen as an important addition to contemporary conflict analysis and policy development by those in governments, international organisations, donor agencies, NGOs and the private sector who are concerned with war and peace.

The paper will be presented a key debates and policy development in this sub-field of conflict analysis. It starts with a brief mapping of the key analytical approaches and concepts shaping policy and research, including the merits and limits of the "greed or grievance" dichotomy, which dominated early research on the economic dimensions of conflicts.

Key words: *conflicts, civil war, economy;*

**ПРОБЛЕМА ВНУТРЕННИХ ГРАНИЦ И
МЕЖЭТНИЧЕСКИХ ОТНОШЕНИЙ В ЮГОСЛАВИИ В
XX ВЕКЕ**

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Аннотация

Темой данного доклада является сравнительный анализ проблем внутреннего административного деления в рамках единой Югославии и межэтнических отношений. В докладе рассматриваются различные подходы к внутреннему территориальному устройству на примере монархической и социалистической Югославии. Проблема границ рассматривается как важнейший социально-политический феномен, связанный с межэтническими отношениями. В докладе рассматривается как политико-правовое значение проблемы, так и гуманитарный её аспект. Целью доклада является привлечение внимания к вопросу о внутренних границах и их роли в межэтнических отношениях полиэтничных государств. Анализ выбранной проблематики позволяет так же сравнить идеологические аспекты проблемы выбора модели поведения центральных властей относительно внутреннего территориального устройства исходя из сравнения монархической и социалистической Югославии. Территориальный вопрос, а так же вопрос о статусе границ и этносов в Югославии сыграли важнейшую роль как предпосылки следующих после распада страны событий. Кроме того, опыт государственной политики формирования границ в

полиэтнических обществах может быть полезен для формирования внутреннего территориального деления современных государств. В докладе так же рассматриваются различные механизмы принятия решений относительно внутренних границ.

Ключевые слова: Границы, Югославия, межэтнические отношения, территориальное деление.

THE PROBLEM OF INNER BORDERS AND INTERETHNIC RELATIONS IN YUGOSLAVIA IN 20TH CENTURY

Abstract

The topic of current paper is a comparative analysis of the problems of inner administrative division in the frames of united Yugoslavia and interethnic relations. Different approaches to inner territorial division are viewed using the example of monarchical and socialistic Yugoslavia. The issue of borders is viewed as an important social and political phenomenon bounded with interethnic relations. Legal and political meaning of the problem as well as its humanitarian aspects are viewed in the current paper. The aim of the paper is the attraction of attention to the issue of inner borders and their role in the interethnic relations of multiethnic states. The analysis of the chosen issue lets us to compare ideological aspects of the problem of central government action model choice concerning inner territorial division on the basis of comparison of monarchical and socialistic Yugoslavia. Territorial issue as well as the issue of borders and ethnicities' status in Yugoslavia played a significant role as the prerequisites of its break up and following events. Besides, the experience of state policy of borders shaping in multiethnic societies could be useful for inner territorial division formation of modern states. In the paper different mechanisms of decision making concerning inner borders are viewed.

Keywords. Borders, Yugoslavia, interethnic relations, territorial division.

НЕКОИ ПРЕДИЗВИЦИ НА МЕЃУЕТНИЧКАТА ИНТЕГРАЦИЈА ВО ОБРАЗОВАНИЕТО ВО МАКЕДОНИЈА

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Апстракт

Овој труд ги третира предностите и недостатоците со кои се соочува образовниот систем на Македонија во обидот за меѓуетничка интеграција во основното образование. Презентиран е краток преглед на поранешните искуства.

Мултиетничкиот карактер на македонското општество налага организиран и систематски пристап кон проблемот на етничките разлики во него. Целта на овој труд е да утврди дали и како образовните политики влијаат во усвојувањето на интеркултурните вредности.

Анализирана е сегашната ситуација на образованието на национално ниво кое е мултикултурално гледано од аспект на образовната политика но се уште не ги усвоило вредностите на интеркултурализмот.

***Клучни зборови:** меѓуетничка интеграција, образовен систем, интеркултурни вредности*

Abstract

This paper treats the advantages and disadvantages facing the educational system in Macedonia in attempting the interethnic integration in elementary education. It is presented a short overview of previous experiences.

The multiethnic character of the Macedonian society requires an organized and systematic approach to the problem of ethnic differences in it. The aim of this paper is to determine whether and how the education policies affect the adoption of intercultural values.

It is analyzed the current situation of education at the national level which is multicultural in terms of the educational policy but did not yet adopted the values of interculturalism.

Keywords: *interethnic integration, education system, intercultural values*

**CRIMINAL JUSTICE AND SOCIAL WORK IN AN ERA OF
GLOBALIZATION: BETWEEN EGALITARISM AND
AUTOCRACY**

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Abstract

Looking at the federalizing Belgian state as a case, one cannot be but impressed by the influence of post-war globalization, paradoxically provoking pleas for regional sovereignty. The concept of national state is suffering attacks from both a universal and a local interpretation of human rights, the first stressing the perspective of equality, the latter the right on establishing identity. The fields of punishment and criminal justice in particular find themselves situated in the midst of a new ideological battlefield. The same goes for social work engaged in assisting victims and offenders of crime and insecurity. Within the context of forensics, the rules of the game between 'the political', with its inherent repressive potential, and 'the social', as a domain of intersubjective good-will balancing compassion and calculation, are changing. Ministers of justice are more and more likely to engage in partnerships sharing their concerns for coping with crime and insecurity as international issues and societal responsibilities. The current popularity of 'restorative justice' illustrates the common search for a new approach of doing justice, with the notion of 'democracy' as an acceptable word worldwide for addressing its normative presumptions. Being a social pedagogue inspired by scholars like Mouffe, Foqué, Derrida and Biesta, and after twenty years of practicing victim-offender mediation, I'd like to explore some of the perspectives on 'justice', 'democracy' and 'citizenship' today's state of art is likely to open.

Keywords: Justice, democracy, social pedagogy, globalization

RISKS AND POSSIBILITIES OF FEDERALISM IN THE CONDITIONS OF GLOBALIZATION

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Abstract

Recently interest in federalism amplifies in connection with aspiration of a number of regions in the unitary states to receive own statehood: a referendum in Scotland, poll in Catalonia, announcements "Venetian republic", the armed struggle for Novorossiya's creation caused by refusal of federalization of the central power of Ukraine and restriction of the rights of inhabitants of the region Donbass.

At the beginning of the XXI globalization assumes a special scale. So the WTO includes 159 countries that give need of observance of the principles of free trade. The national industry starts competing with the international producers. In such conditions become participants of the market not only the countries, but also regions. Globalization in economy, technologies, led to that the competition for resources prevails in the relations between the countries and regions. The universalization of a way of life causes protective reaction, aspiration to keep own antiquity in people. People look for protection in own nationality. Besides, the aspiration to keep the identity does competitive different territories, attracting with the dissimilarity. The state starts acting as the competitor of the region here.

Globalization can make double impact: on the one hand, directed on rapprochement of the countries and regions, on the other hand – on searches of own place, the competition to other subjects of the international relations. In such conditions any state has new risks, including risk of threat of disintegration of the state, internal unbalanced development and others.

At the same time there is a search of mechanisms of adaptation to globalization calls. The federalism possesses a number of mechanisms of a globalization contradiction, to adapt society for changes and to pursue flexible policy for the subjects allowing smoothing.

Keywords: *Globalization, federalism, state, stability, risks.*

COSMOPOLITAN DISSONANCE AND GLOBAL JUSTICE

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Abstract

Contemporary cosmopolitanism, due to its complex historical development, is a heterogeneous idea, a composition of several, sometimes opposed modes of cosmopolitanism. Two of the foremost are ethical cosmopolitanism, which advocates equality of all people on the basis of their shared humanity; and cultural cosmopolitanism which supports the view that cultural differences are important and that they should be valued and protected. The dissonance that is created between these two modes, in which one side endorses individual equality and the other protects cultural diversity, reflects the tension that also emerges inside the liberal theory between the rights and freedoms of the individuals and the rights and freedoms of the groups. And this tension also has important consequences to the manner we envision the global justice – in the evolving global society, should we prioritize justice on the individual level or the one on the level of already existent communities?

This essay will find its starting point in “A Theory of Justice” by John Rawls, which revived the topic of justice in the 20th century political philosophy. It will present and elaborate the basic characteristics of his work, alongside with the reflections of some of his critics such as Charles Beitz, Thomas Nagel or Brian Barry. Finally, it will examine the influence of the cosmopolitan idea on the issue of impartiality that is central to the thinking on global justice, and assess how cosmopolitan dissonance affects the constitution of an efficient and just global institutional system.

СОВРЕМЕННЫЙ ГЛОБАЛЬНЫЙ КОНФЛИКТ: ПРОБЛЕМА ИДЕНТИФИКАЦИИ

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Аннотация

В статье идет речь о новых рисках, порожденных глобализацией, и об идентификационных основаниях современных политических конфликтов.

Современный этап мирового развития с трудом поддается выверенным определениям и точным дефинициям по причине исключительной сложности протекающих социально-экономических, политических и социокультурных процессов. Объяснительная модель глобализации оказывается эвристически ценной, поскольку дает возможность воспринимать происходящее в неких концептуальных рамках, учитывать взаимозависимость, неопределенность и беспокойство, порождаемые глобализацией. Возрастают риски непредвиденных вызовов и неожиданных решений. По словам Р.Дарендорфа, «рука об руку с глобализацией мы переживаем распад права и порядка, как в отдельной стране, так и повсеместно. Это могло бы стать определяющей темой нашего времени и является уже сегодня труднейшим экзаменом для всякой политики свободы»¹. Резко возросла эвристическая значимость категории «риск», связанной с активным анализом опасности с точки зрения будущих последствий. По словам Э.Гидденса, риск как простое, на первый взгляд, понятие «является ключом к разгадке некоторых базовых характеристик мира, в котором мы сегодня живем»²

¹ Dahrendorf R. Auf der Suche nach einer neuen Ordnung. Vorlesungen zur Politik der Freiheit im 21. Jahrhundert. Muenchen: Verlag C.H.Beck oHG, 2003. – S.38.

² Гидденс. Э. Ускользающий мир: как глобализация меняет нашу жизнь / Пер. с англ. – М.: Издательство «Весь Мир», 2004. – С. 38.

В современных условиях особое значение приобретает предложенный К.Марксом методологический прием *доминантного размежевания*. По мнению Э.Гидденса, главным сражением XXI в. станет конфликт между фундаментализмом и космополитической толерантностью. Причина в том, что глобализация способствует возникновению стрессов и напряженности, затрагивающих традиционный образ жизни и культуру в большинстве регионов мира. Мир рушащихся традиций порождает фундаментализм, адепты которого считают культурное разнообразие опасным явлением, с которым следует бороться.

Ключевые слова: *Глобализация, риск, конфликт идентификаций, доминантное размежевание.*

Abstract

This article is about new risks generated by globalization and foundations for identification of current political conflicts.

Keywords: *Globalization, risk, conflict of identification, main cleavage.*

ПОЛИТИЧЕСКАЯ ТЕОЛОГИЯ В ИДЕОЛОГИЧЕСКИХ ЭЛЕМЕНТАХ СОВРЕМЕННОЙ ПРАВОВОЙ СРЕДЫ

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Аннотация

Соотношение общества, государства, религии, роль и место каждого из этих институтов в соответствующей эпохе и культуре – ключевые вопросы, которые были и остаются актуальны всегда. При этом они являются не только предметом умозрительного размышления просвещенных людей, но определяют также внешние формы цивилизационного устройства и внутреннюю архитектуру любого государства. Причиной тому является непреходящая ценность лежащих в их основе фундаментальных категорий, определяющих социокультурную матрицу человеческого общества, современную правовую среду. Теологические концепции и доктрины, изначально основанные на элементах личностной (персональной) веры, сакрализации мира и сотериологического таинства, в результате обмирщения постепенно становятся предметом светской аксиологии, бытовой этики и в конечном счёте, – инструментом секулярной мотивации.

Ключевые слова: *идеология, политика, теология, суверенитет, правовая среда*

THE INFLUENCE OF ASSESION TO THE EU INTERNAL MARKET ON THE SOCIAL MODEL

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Abstract

The European Union has consistently applied since its creation the economic components of the social market economy, considered elsewhere in the Lisbon Treaty as one of the objectives of the Union: the principle of free and open markets, rule of policy competition, independence of the Central Bank, priority of price stability and fiscal discipline. The Union's policies have pushed to their maximum these economic considerations and the last European summits show that they still emerge stronger from the crisis.

The European social model is based on an old anchor of fight against exclusion and discrimination that distinguishes the European model of emerging market model. In this sense, the European social model is one of the most authentic foundations of the European identity. The European social identity is expressed through the values of solidarity, social partnership and subsidiarity. Membership in this identity depends largely on the social culture and national origin of workers.

Political Europe has greatly contributed to the democratization of member states and poorly developed his internal democratic functioning. This paradox can be explained, among other reasons, by the fact that European history has been permanently built "by the summit". But in twenty-first-century European social and political democracy must become a tangible reality. The future of the Union now requires the European citizen's action. And trust they will demonstrate for the continuation of the European experience depend largely on the social model that will prevail and punctuate his everyday life.

The first part of the paper aims to explain that the European internal market is at the heart of the future European growth. The second part describes the original European social model which is gradually formed, that is distinguished from social system in force in most

developed capitalist countries. The third and final section presents some proposals to respond to the social question that has become a major challenge for the future of the Union.

Keywords: *internal market, social model*

**REPUBLIC OF TURKEY AND THE EUROPEAN UNION –
PHENOMENOLOGICAL APPROACH TO A HALF-
CENTURY LONG ACCESSION PROCESS**

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Abstract

The process of Turkish accession to the community of European countries is a controversial issue, lasting a full half-century and representing a unique case in the history of EU negotiations with a country. In fact, Turkey as an associate member of the EU and its predecessors from 1964, applied for membership 23 years later, and was only recognized as a candidate country in 1999. Accession negotiations began in 2005, but Turkey has yet to become a member.

The paper focuses on the relationship between Turkey and the EU after accession negotiations began in 2005. Examining issues in their relationship, and the possible impact of its strengthening, the paper's starting point is the fact that both parties have common interests potentially realized by membership, driven by political, geo-strategic and economic considerations. Joining would give Turkey an opportunity for economic expansion and a stronger foothold in the region, but also open the way for an intensification of democratic changes, and Turkish membership would significantly expand the influence of European values and identity. On the other hand, the major problem is the issue of religion – the acceptance of a non-Christian country with a large population into an alliance of predominantly Christian countries – an issue mostly not mentioned in public. The paper uses descriptive or diagnostic research, and is divided into three main parts, with the authors presenting a variety of potential scenarios for the development of Turkey-EU relations, while taking into consideration the parliamentary elections held in June 2015.

**AN EMPIRICAL STUDY OF THE UNITED NATIONS
PEACEKEEPING MISSIONS IN POST-CONFLICT
COUNTRIES – THE KOSOVO CASE**

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Abstract

The United Nations (UN) under the Department of Peacekeeping Operations frequently engages in post-conflict societies in order to create the conditions to sustain peace in countries torn by conflict or war. A crucial component of the durability of peace within post conflict countries is the rule of law, a component where legal and judicial institutions are believed to be of vital importance for continued progression of peace, security, and development within a post conflict country. It is of no doubt that there is little literature that empirically examines whether the UN has improved the rule of law in a post-conflict country, particularly within the context of the 1999 Kosovo and former Yugoslavia conflict, and if so, which procedures have been used for concluding that there was or was not an improvement within Kosovo and former Yugoslavia conflict.

This study will try to gather legal basis and available data to determine whether UN peacekeeping missions in comparison with other worldwide UN peacekeeping missions and within Balkan region including Bosnia and Herzegovina and Croatia have had positive effects on the quality of the rule of law with specific consideration within the former Yugoslavia and Kosovo context. Using matching analysis and legal rationalization in order to find a positive or a negative direction, this study will aim to find evidence that UN peacekeeping mission has influenced the rule of law after the 1999 Kosovo and former Yugoslavia conflict.

Keywords: *United Nations Peace-keeping missions, Kosovo-former Yugoslavia conflict, rule of law, improvement.*

THE DOUBLE CHARACTER OF EU'S NEIGHBOURHOOD POLICY AND THE UKRAINE CRISIS

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Abstract

In a situation where EU enlargement is already saturated, because of the last big bang enlargement of 2004, the European Union created its Neighbourhood policy with the aim to continue the successful projection of its values and principles towards neighboring countries 'sharing everything but institutions'.

However, even if *de jure* this policy does not forecast any membership perspectives, *de facto* actors of the European Foreign policy, a number of times have recalled the carrot of EU membership, in their communication with countries from the neighborhood. This because, membership bait as an instrument of EU's Foreign Policy, has proven to be the most powerful and effective instrument in order for the Union to influence reformative processes in neighboring states.

Nevertheless, the misuse of this policy instrument in the Neighborhood policy, besides adding the adjective of 'incoherent' to the Union's Foreign Policy overall, in concrete, influenced Ukraine's domestic policy, which in its turn contributed to the happening of Ukraine's crisis and the events that followed.

Thus, this paper will speak about the ambivalent character of EU's Neighborhood Policy, especially of the coherency of EU's membership clause, in order to determine and identify EU's influence towards the happening of Ukraine's crisis and the events that followed it.

Keywords: *European Neighborhood Policy, membership clause, Ukraine crisis*

THE EUROPEAN UNION AS A GLOBAL ACTOR PRESENTED THROUGH ITS FOREIGN POLICY

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Abstract

The European Union for some scholars is a young player in the global arena, for some it is questionable whether it can be a foreign policy actor in the global arena? This question can be answered from a point that the European Union has its strong attributes which are built from the principles that created it “development, enlargement, democracy, the rule of law, human rights and fundamental freedoms, principles of equality and solidarity and international law”. With these leading principles the EU foreign policy has expanded its strategies and its frontiers and it is active in a broad range of global policies, it addresses global issues and players through foreign policymaking and foreign policy implementation. Defining European Union foreign policy is not straightforward, the EU is often considered as a multilevel system of governance and therefore its foreign policy is more than the sum of the foreign policies of its 29 Member States. As a result, the EU’s involvement in the global arena so far has proven to be effective and progressive in all the areas and its foreign policy strategies are growing stronger.

Keywords: *European Union, foreign policy, global actor*

THE IMPACT OF THE NEW TECHNOLOGIES ON THE INTERNATIONAL RELATIONS

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Abstract

The international relations are not isolated from the world we are living in. This is why the international relations can and are been influenced by some concrete new technologies. The new technologies in the field of the communication made the biggest impact on the international relations. This progress changed the previous views and opened a lot of questions about the further need for permanent diplomatic missions and so on. What this paper conclude is that the new technologies chanced and reduced the need of the permanent missions but did not make them lose all of their functions.

***Keywords:** international relations, permanent diplomatic missions, new technologies*

**ВЛИЈАНИЕТО НА ОРГАНИТЕ НА ДРЖАВНАТА ВЛАСТ
ВРЗ ДОНЕСУВАЊЕТО НА НАДВОРЕШНО -
ПОЛИТИЧКИТЕ ОДЛУКИ НА РЕПУБЛИКА
МАКЕДОНИЈА**

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Апстракт

Создавањето на државната надворешна политика потполно зависи од улогата и влијанието на државната власт, односно од влијанието на нејзините институци во состав. Државната надворешна политика потполно зависи од улогата, влијанието и надлежностите што ги имаат органите на власта не само во процесот на одлучувањето и на создавањето на тие политики, туку истовремено тие се одговорни за нивното спроведување во пракса. Донесувањето на политичките одлуки што и се однесуваат на надворешната политика има посебно значање во улогата што ја има една држава во меѓународните односи од кои зависи иднината и перспективата на една држава.

Република Македонија како демократска држава основена врз принципот на поделбата на власта, претставува значителен предмет кои треба да се истражува во областа на влијанието на органите на државната власт во креирањето и спроведувањето на политичките одлуки што се однесуваат на надворешната политика на земјава. Организацијата на државната власт врз принципот и поделбата на државната власт ја прави многу комплицирано постапката за проектирање, создавање, донесувањето на одлуки, (не)спроведувањет на тие одлуки и истовремено и снесувањето и превземањето на одговорност за

нивното (не)спроведување. Посебно значење претставува меѓусебното влијание на органите на државната власт од самиот почеток на иницирање на политиките до спроведувањето на истите во пракса.

***Клучните зборови:** политички одлуки, државната власт, надворешната политика, меѓународните односи и евро-атланските интеграции.*

THE INFLUENCE OF THE STATE AUTHORITIES ON THE DECISION OF THE FOREIGN POLICY DECISIONS OF THE REPUBLIC OF MACEDONIA

Abstract

Creation of national foreign policy in nowadays depends largely on the role and impact of state power, respectively the impact of its constituent institutions. State foreign policy widely depends on the role, influence and powers of local authorities are not only in making and creating those policies but also are responsible for their practical implementation. Making political decisions relating to foreign policy has a special significance in the role of the state in its regional relations and international and from which comes the prospect of a state. Republic of Macedonia as a democratic state based on the principle of separation of state powers, represents a great importance for its research in the area of influence of the authorities in the creation and implementation of policy decisions dealing with the field of foreign policy country. Organization of state power under principle the separation of powers makes it very complicated procedure of designing, creating, decisions, failure to implement those decisions and at the same time dealing with the failure of their accountability. It presents particular importance influence of state authorities since the initiation of policies to their applicability in practice.

***Keywords:** Political decisions, state government, foreign policy, international relations and Euro-Atlantic integration.*

**GROWING IMPORTANCE OF THE CHARTER OF
FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION IN
SAFEGUARDING HUMAN RIGHTS**

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Abstract

The Charter of Fundamental Rights of the EU solemnly proclaimed at the Nice European Council in 2000 became binding primary EU legislation in 2009 with the entering into force of the Treaty of Lisbon. The Charter is modern codification and contains rights and freedoms under six titles: Dignity, Freedoms, Equality, Solidarity, Citizens' Rights, and Justice. The institutions and bodies of the EU with due regard for the principle of subsidiarity and the national authorities when they are implementing EU law, have a legal obligation to ensure respect for fundamental rights enshrined in the Charter.

This paper explores the legal nature, structure, content and scope of application of the Charter. In addition, the paper elaborates the position of the Charter in the existing European Union law, specifically its applicability in front of the Court of Justice of the European Union and at national level in the Member States. Furthermore, the paper analyzes the interplay with other human rights instruments such as the European Convention on Human Rights and identifies the key challenges in that regard. Finally, the paper presents ways forward in increasing the importance of the Charter in safeguarding the fundamental rights, ensuring equality and combating discrimination through awareness-raising, including the Charterpedia, and the use of the Charter in national policy-making. The text uses reports and results from research and survey that have been conducted in the European Union and draws conclusions from the case law of the Court of Justice of the European Union.

Key words: *Charter, equality, human rights, legislation*

РЕАЛИЗАЦИЯ МЕЖДУНАРОДНОГО ГУМАНИТАНОГО ПРАВА В КАНАДЕ

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Аннотация

Автором сделан вывод о том, что Канада использует две модели имплементации международных договоров: трансформационную и адопционную. Независимо от модели имплементации многосторонних международных договоров и соглашений, заключённых между Канадой и международными организациями, могут быть использованы следующие формы реализации в национальном праве: «экспресс-реализация», «косвенная реализация», «прямое действие».

В сфере международного гуманитарного права Канада использует концепцию прямого действия норм международного договора. Проблема прямого действия международного гуманитарного права активно дискутируется канадскими правоведами. Предлагается рассматривать механизм его реализации отдельно от всего международного публичного права, так как нормы этой отрасли имеют прямое действие, применяются судами непосредственно, независимо от наличия имплементационных актов Канады или канадской провинции.

Вместе с тем отдельные акты международного гуманитарного права были введены в канадскую правовую систему посредством инкорпорационного законодательства. Например, Женевские конвенции 1949 года стали частью внутреннего права страны при помощи Закона о Женевских конвенциях 1985 года, согласно которому любое лицо, подозреваемое в совершении преступления, упомянутого в Конвенциях, может быть привлечено к уголовной ответственности любым территориальным органом вне зависимости от того, находится ли это лицо в Канаде или нет, и понести наказание, таким же образом, как если бы преступление было совершено внутри страны. Закон также устанавливает конкретные виды и размеры

наказания за совершение преступлений, предусмотренных Конвенциями. Приложениями к Закону и его неотъемлемой частью являются сами Женевские конвенции 1949 года.

Ключевые слова: Канада; имплементация; международное гуманитарное право.

IMPLEMENTATION OF INTERNATIONAL HUMANITARIAN LAW IN CANADA

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Abstract

The author concluded in the research that Canada is using two implementation models while implementing international treaties: “transformational” and “adoptional”. In the sphere of human rights law Canada applies concept of the direct application of international law and also uses incorporation mechanism of multilateral conventions implementation. In both models used by Canada for implementation of multilateral treaties and agreements with international organizations Canada applies the following forms: “rapid implementation”, “direct implementation” and “direct usage of rule”. In the field of international humanitarian law Canada uses the concept of direct usage of rule of international treaty provisions. The problem of direct usage of rule of international humanitarian law actively discussed Canadian lawyers. Invited to consider the arrangements to implement it separately from the entire international public law as well as norms of the industry are directly applicable, are applied directly by the courts, regardless of whether the implementing acts of Canada or Canadian provinces. However, individual acts of international humanitarian law were introduced in the Canadian legal system through incorporation legislation. For example, the Geneva Convention of 1949 became part of our domestic law through the Geneva Conventions Act 1985,

according to which any person suspected of having committed crimes referred to in the Conventions can be prosecuted by any territorial authority, regardless of whether the person in Canada or not, and punished in the same manner as if the offence had been committed within the country. The act also sets out specific types and amounts of penalties for offences under the Conventions. Applications to the Law and are an integral part of the Geneva Convention of 1949.

Keywords: *Canada; implementation; international humanitarian law*

НОВИ ФОРМИ НА ПОЛИТИЧКИ МАРКЕТИНГ СО ПОСЕБЕН ОСВРТ НА СОЦИЈАЛНИТЕ МЕДИУМИ

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Апстракт

Политичкиот маркетинг претставува фундаментален дел од политичкиот живот. Постои уште со постанокот на политичките партии. Нивните идеи и програми биле промовирани со летоци, јавни дебати и дискусии. Сепак, овие начини за промовирање на политички идеи опфаќале само мал број од гласачкото тело. Поголема масовност промоциите на политичките програми добиваат со објавувањето во дневните весници, кога тиражот на весниците е во постојан пораст и го достигнува максимумот кон крајот на минатиот век. По тоа, се забележува значителен пад на популарноста на дневните весници. Овој конвенционален начин за информирање за политичките случувања веќе не е доминантен, поради експанзијата на 24-часовните телевизиски канали и сè поголемата достапност на Интернетот во сите сфери од модерниот живот. Информациите и вестите сега протекуваат постојано, а не еднаш дневно. Овој динамичен начин на циркулирање на информациите е од особено значење за политичките партии, кои максимално ги користат социјалните

медиуми и мрежи за политички маркетинг. Но, колку граѓаните ги следат новите методи на политички маркетинг? Дали политичката комуникација во социјалните медиуми е двонасочна? Во овој контекст ќе биде спроведена квалитативна и квантитативна анализа. Ќе биде анализиран телевизискиот медиумски простор во Република Македонија. Фокусот на анализата исто така ќе биде насочен кон следење на подемот на Интернетот и најпопуларните социјални мрежи во Република Македонија. Исто така, ќе бидат анализирани и Интернет страни на општини, ресорни министерства, страницата на Владата, Собранието и Претседателот на Република Македонија. Ќе биде спроведена анкета на подготвен прашалник, по што одговорите од истиот ќе бидат анализирани.

NEW FORMS OF POLITICAL MARKETING WITH PARTICULAR REFERENCE TO SOCIAL MEDIA

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Abstract

Political marketing is fundamental part in political life. It existed since the existence of political parties. Their ideas and programs were promoted through brochures, public debates and discussions. However, this ways to promote political ideas involve only the minority of the electorate. Promotion of political programs obtain greater mass by the publication in daily newspapers, while the

number of printed newspaper copies is increasing steadily and reaches the maximum towards the end of the last century. After that, there is remarkable decline in popularity of newspapers. This conventional way of informing about political developments is no longer dominant, because of the expansion of 24 hours television channels and the increasing availability of the Internet in all spheres of modern life. News and information now flow constantly, not once a day. This dynamic way of circulation of information is particularly important for political parties that heavily use social media and networks for political marketing. But, how much the citizens follow new methods of political marketing? Is the political communication in social media a two-way? In this context will be conducted qualitative and quantitative analysis. It will be analyzed television media space in the Republic of Macedonia. The focus of analysis will continue with the rise of the Internet and popular social networks in the Republic of Macedonia. Also, websites of municipalities, relevant ministries, the sites of the Government, the Parliament and the President will be analyzed. A survey will be conducted, with prepared questionnaire, and the responses thereof will be analyzed.

THE POLITICAL PARTIES PROGRAMS AND THEIR STRUCTURE IN REGARDS TO EFFORTS FOR DEVELOPMENT OF MULTI-ETHNIC SOCIETY IN MACEDONIA

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Abstract

The society in Macedonia is divided along different lines and the civil concept that will be inclusive for all, irrespective of ethnic, religious, political or any other affiliation is missing. The relationships between the biggest ethnic groups (Macedonians and Albanians) are based strictly on political interests and the essence of multiculturalism is not understood at all. The Ohrid Framework Agreement is pillar of interethnic relations in Macedonia and presents a framework for articulation of different political, ethnic and civil visions for development of democratic society fully integrated into the EU. The political parties are the main social actors and they dictate the political climate in the country. A simple analysis of the programs of biggest political parties (VMRO, DUI, DPA and SDSM) will show failures in the realization of multi ethnic efforts. There are declarative provisions and a basic commitment on the level of goals, but not to the level of action that can be seen through different parameters such as: mono-ethnic composition of the political parties memberships; mono-ethnic composition of the MP candidates on election lists; the language on which political party program is written and other relevant documents that are communicating only with single ethnic group. From that point of view it is obvious that their position towards multiculturalism and creation of multi- ethnic society is weak and there is neither substance nor real will to build and promote a concept of citizen released from the existing stereotypes. In that manner a recommendations for improvement will be proposed.

Key words: *political parties; inter-ethnic; programs; inclusion; multiculturalism; civil society*

**CRISIS AND CHALLENGES OF THE MACEDONIAN
ASSEMBLY 1991-2014**

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Abstract

The Macedonian Assembly is the central public institution of legislative power in the political system of the Republic of Macedonia. In this article we explore the crisis and challenges of the Macedonian national Assembly in the last 25 years of practicing of parliamentary democracy. This legislative arena had its periods of development as a place to transform different political interests into legal acts or sometimes a place where were created political crisis. To detect the critical points of functioning of parliamentary life we will use a theoretical framework for comparative analysis of the political parties represented in the Macedonian Assembly in time period from 1991 to 2014.

Key words: *parliament, democracy, Republic Macedonia*

ТРАНСПАРЕТНОСТ НА ФИНАНСИРАЊЕТО НА ПОЛИТИЧКИТЕ ПАРТИИ И ИЗБОРНИТЕ КАМПАЊИ

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Апстракт

Во современите демократски општества политичките партии се важен инструмент за изразување на политичката волја на граѓаните и за остварување на нивните потреби и интереси. За остварување на основните функции, на партиите им се потребни финансиски средства чие стекнување, извори на финансирање и трошење мора да биде регулирано со дефинирана законска рамка која овозможува фер и демократски политички натпревар меѓу различни политички програми. Начинот на финансирање на политичките партии и на изборните кампањи е важен предуслов за создавање и одржување на стабилен и легитимен политички систем во кој ќе владеат принципите на владеење на правото, демократијата, почитувањето на човековите права.

Поврзаноста на парите и партиите е исклучително јака, повторлива и нераскинлива. Сето ова е разбирливо бидејќи политичките партии имаат потреба од пари за даразвигат програми, да учествуваат во политички натпревар, да победат на избори и да практикуваат власт. Истовремено, оваа зависност создава и сериозен ризик од појава на разни облици на корупција, судир на интереси, непотизам и други негативни феномени, кои посебно се изразени кога партијата се наоѓа на власт. Сложената природа и раширеноста на корупцијата во политиката бара постоење на политичка волја изразена преку усвојување и операционализирање на национална антикорупциска стратегија, чија нормативна рамка ја сочинуваат бројни закони. Во сите тие закони, транспарентноста е дефинирана како основно начело кое преку целосно и точно информирање на граѓаните за начинот на стекнување, изворите и трошењето на парите во политиката создава солидна основа за ефикасно справување со корупцијата и другите негативни појави. Затоа се смета дека транспарентноста е камен темелник на регулирањето на

финансирањето на политичките партии и изборната кампања. Во насока на зголемувањена транспарентноста во финансирањето, политичките партии имаат обврска да водат целосно и соодветно сметководство, да изготвуваат точни и целосни финансиски извештаи за тековното работење и за изборната кампања, при тоа почитувајќи ги законските забрани и ограничувања во поглед на стекнувањето и трошењето на финансиските средства, какои навремено и јавно да ги објавуваат финансиските извештаи. Покрај политичките партии, значаен сегмент во јакнењето на транспарентноста во финансирањето на политичките партии е и ефикасниот институционален систем на независна контрола, кој врши надзор и контрола над финансирањето на политичките партии и на изборната кампања. Оттаму, и затоа се смета дека одговорнаа онаа држава која ја разбира, но и која ја контролира оваа врска, при тоа создавајќи легален контролен механизам за следење на тоа од каде доаѓаат, кадеи како се трошат парите во политиката и најважно од се, којашто обезбедува јавност во финансирањето на политичките партии со што им дава моќ на гласачите да проценат кому и за што го даваат својот глас. Конечно, без мобилизирана и едуцирана јавност и активна улога на медиумите и организираното граѓанско општество, транспарентен политички изборен процес и намалувањена корупцијата во политиката не се можни.

Клучни зборови: политички партии, изборна кампања, транспарентност, финансирање, контрола

TRANSPARENCY IN FINANCING POLITICAL PARTIES AND ELECTION CAMPAIGNS

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Abstract

In modern democracies, political parties are an important instrument for expressing the citizens' political will and fulfilling their needs

and interests. In order to achieve the basic functions, the parties need funding, the acquisition of, financing sources and spending of which must be governed by defined legal framework that allows fair and democratic political competition among different political programmes. The manner of financing the political parties and election campaigns is an important prerequisite for creating and maintaining a stable and legitimate political system, governed by the principles of the rule of law, democracy, and respect for human rights.

The relationship of money and parties is extremely strong, repeatable and unbreakable. This is understandable, since political parties need money to develop programmes, be part of the political competition, win elections and govern. At the same time, this dependence creates a serious risk for various forms of corruption, conflict of interests, nepotism and other negative phenomena, which are especially pronounced when the party is in power. The complex nature and extent of corruption in politics requires political will expressed through adoption and implementation of national anti-corruption strategy, whose legal framework is comprised of numerous laws. In all of these laws, transparency is defined as a basic principle that creates a solid foundation for efficiently coping with corruption and the other negative phenomena by fully and accurately informing the citizens of the manner of acquisition, sources and spending of money in politics. Therefore, it is deemed that transparency is the cornerstone of regulation on the financing of political parties and election campaigns. In line with increasing the transparency of financing, the political parties have an obligation to keep complete and adequate accounting, prepare accurate and complete financial statements on their operations and election campaigns, while complying with the legal prohibitions and restrictions regarding the acquisition and spending of their funds, and publishing their financial statements in timely manner. Beside the political parties, an important segment in strengthening the transparency of financing of political parties is the efficient institutional system of independent control, which supervises and inspects the financing of political parties and election campaigns. Hence, it is deemed that a state is responsible if it understands, but also controls this relation, creating a legal controlling and monitoring mechanism of the source of funding and spending

thereof in politics, and most importantly, a mechanism that ensures public access to the financing of political parties and gives the voters the power to assess for themselves to whom and in favour of what are casting their votes. Finally, without mobilized and educated public, and active role of the media and the organized civil society, transparent political and electoral process and reducing corruption in politics are not possible.

***Key words:** Political parties, election campaign, transparency, financing, control*

ПОЛИТИЧЕСКИЕ ИДЕОЛОГИИ В ПЕРИОД СОЦИАЛЬНЫХ ИЗМЕНЕНИЙ: ОПИТ РОССИИ

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Аннотация

В условиях глобальных трансформаций некоторые исследователи (Э.Гидденс) стали критично относиться к современным идеологиям, подвергая сомнению сам факт их существования. Тем не менее, несмотря на переживаемый кризис, политические идеологии остаются влиятельной формой политического сознания, в значительной степени определяющей конкретную направленность политических действий. Глобализация способствует появлению и широкому распространению новых идеологических течений, которые апеллируют к иным ценностям: коммунитаризм, утилитаризм, феминизм, экологизм, пацифизм, национализм, популизм. Эти идеи и движения, которые реально мобилизуют людей, имеют качественно другую природу, непохожую на природу традиционных или установившихся идеологий. Современная идеологическая палитра становится гораздо богаче и насыщеннее классической, что предполагает теоретическое обоснование новых ценностных приоритетов и их практическое воплощение в общественно-политических объединениях и движениях. Глобальные процессы повлияли на идеологический дискурс в современной России. Однако, в отличие от западных стран, по причине нерешенности базовых социально-экономических проблем для России характерно не широкое распространение новых идеологических течений, а развитие переходных форм либерально-консервативно-социалистического дискурса. Например, официальной идеологией ведущей политической партии является социальный консерватизм. Востребованными становятся такие направления идеологического спектра как либеральный консерватизм и социальный либерализм. В российском политическом пространстве происходит дифференциация

идеологических предпочтений, причем гораздо более существенная, чем прежде. Тот идеологический дискурс, который предлагают политические партии, не отвечает ожиданиям общества. У граждан возникает потребность в отражении нюансов, характерных для развитых демократических практик. Так как политические процессы в России не являются изолированными от мировых тенденций, поэтому социально-политические трансформации в стране все в большей степени будут сочетаться с «новыми картинами мира», представленными сформированными идеологическими дискурсами, отвечающими потребностям общества.

Ключевые слова: *политические идеологии, идеологические течения, классические идеологии, постклассические идеологии, идеологии в России.*

Abstract

In the conditions of global transformations some researchers (e.g. E.Giddens) became critical of modern ideologies calling in question the fact of their existence. Nevertheless, despite endured crisis political ideologies remain the influential form of political consciousness largely defining the specific focus of political actions. Globalization promotes occurrence and a wide circulation of new ideological trends that appeal to different values: communitarianism, utilitarianism, feminism, ecologism, pacifism, nationalism, populism. These ideas and movements that really mobilize people have qualitatively other nature unlike the nature of traditional or established ideologies. The modern ideological palette becomes much richer than the classical that implies a theoretical substantiation of new valuable priorities and their practical embodiment in the socio-political associations and movements. Global processes have affected an ideological discourse in modern Russia. However, unlike Western countries, due to unresolved basic social and economic problems for Russia the wide circulation of new ideological currents is not characteristic unlike the development of transitional forms of a liberal, conservative and socialist discourse. For example, the official ideology of the leading political party is the social conservatism. Such directions of the ideological

spectrum as liberal conservatism and social liberalism are in demand. In the Russian political space there is a differentiation of ideological preferences, and much more essential than before. That ideological discourse offered by political parties, does not meet the society expectations. The citizens have a requirement for reflection of nuances typical of developed democratic practices. As the political processes in Russia are not isolated from world tendencies, therefore the sociopolitical transformations in the country increasingly will be combined with «the new views of the world», presented the generated ideological discourses that meet the requirements of a society.

Keywords: *political ideologies, ideological currents, classical ideologies, postclassical ideologies, ideologies in Russia.*

ПАРЛАМЕНТОТ - ПРЕТСТАВНИЧКИ ОРГАН НА ГРАЃАНИТЕ ИЛИ НА ПОЛИТИЧКИТЕ ПАРТИИ

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Апстракт

Претставничката улога на парламентот произлегува од сфаќањето дека е невозможно народот непосредно да управува со правото кое извира од него и затоа тој преку избори тоа право го пренесува на народните претставници. Но, каква е врската меѓу избирачите и избраните. На почетокот, императивниот мандат претставниците при одлучувањето ги “врзува“ за упатставата на оние кои ги избрале со можност да бидат отповикани ако не ги почитуваат. Подоцна, поради објективните историски услови овој мандат се заменува со слободен претставнички мандат според кој избраниот е претставник на општеството во целина и е слободен во одлучувањето, без можност да биде отповикан. Но, глобалните промени во општеството се рефлектираат и врз процесите на политичкото одлучување што се одразува врз начинот и суштината на претставништвото. Во тој контекст, во процесот на претставување на граѓаните во парламентот, посебна улога добиваат политичките партии. Современиот претставнички мандат се трансформира во партиски. Улогата на партиските лидери и партиската дисциплина е одлучувачка. Избраните претставници формално се слободни во дејствувањето и одлучувањето, но тие се под постојано влијание на партиите кои стануваат фактички центри на донесување одлуки, а претставниците во парламентот се само трансмисија на тие одлуки на кои им даваат формален и процедурален легитимитет. Овие процеси неодминливо се присутни и во остварувањето на претставничката улога на Собранието на Република Македонија.

Клучни зборови: претставување, претставничка демократија, императивен, слободен и партиски мандат

**PARLIAMENT-THE REPRESENTATIVE BODY OF
CITIZENS
OR POLITICAL PARTIES**

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Abstract

The representative role of Parliament derives from the understanding that it is impossible for the people to directly manage the right which emanates from them and there fore that right is transferred to the MPs through elections. But what is the link between the electors and the elected? In the beginning, the imperative mandate obliged the representatives in the decision-making process to follow the instructions of the electorate, who could otherwise recall them. Later on, this term was replaced by free representative mandate which meant that the elected was a representative of society as a whole and was free in the decision-making, without the possibility to be revoked. But global changes in society were reflected in the processes of political decision-making that influenced the manner and essence of their presentation. In this context, in the process of representation of citizens in the Parliament the political parties received special role. The modern representative mandate was transformed into party mandate. The role of party leaders and party discipline became crucial. Although elected officials are formally free in their work and in decision-making, they are under the constant influence of parties that become actual centers of decision-making and representatives in parliament only transmit those decisions and give them a formal and procedural legitimacy. These processes are also inevitably present in exercise of the representative role in the Assembly of the Republic of Macedonia.

Keywords: *representation, representative democracy, mandatory, free and party mandate*

TURKEY AFTER THE ELECTIONS: A PYRRHIC VICTORY?

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Abstract

Political parties and elections are important for democratic systems. Political parties serve as a means for the people to check and balance the ruling authority. Turkey recently experienced a general election. Its results are still debated and a new government has not been formed. What are the possible coalition models? Is early election a possibility? What was the message of the people to the ruling authority? Was is a reaction to 12 years of unfit rule and if so, how did the ruling authority still get 40% of the votes?

The first part of the article will provide a brief literature review of what political parties and elections denote to. This part will also contain a brief introduction to four leading parties that have entered the Turkish elections. The second part will deal with how the election results can be interpreted and possible outcomes for the new government. There will also be a short subsection on the election results of 2011. The third part will bring together the outcomes and what the electors are expecting from the ruling authority.

Keywords: *Political Systems, Political parties, Turkey*

ЛИНГВИСТИЧЕСКИЕ СРЕДСТВА СОЗДАНИЯ ПОЛОЖИТЕЛЬНОГО ИМИДЖА ПРЕЗИДЕНТА РФ

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Аннотация

Президент является лидером государства, его лицом и представителем на международной арене, поэтому российские печатные СМИ стараются сформировать его положительный имидж как внутри страны, так и за её пределами. Значимой задачей представляется рассмотрение лексических средств создания положительного имиджа президента РФ в политическом дискурсе.

***Ключевые слова:** СМИ, лексические средства, морально-этические качества, интеллектуальные способности, политический дискурс*

Abstract

The President is the leader of the state, herepresents the country in the international arena, so the Russian media are trying to create his positive image both within the country and abroad. It is important to analyzethe lexical means of creating a positive image of the Russian president in the political discourse.

***Keywords:** media, lexical means, moral and ethical qualities, intellectual abilities, political discourse*

ВЛИЈАНИЕТО НА ИЗБОРНИТЕ ПРАВИЛА ВРЗ ПРЕТСТАВНОСТА НА МАЛЦИНСТВАТА ВО СОБРАНИЕТО НА РЕПУБЛИКА МАКЕДОНИЈА

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Апстракт

Во науката за изборните системи меѓу најпроучуваните социо- демографски групи во врска со нивната претставеност во парламентот се малцинствата. Република Македонија, како држава со мало мнозинство (македонско), големо малцинство (албанско) и уште неколку сигнификативни малцински групи, е повеќе од идеален пример за една ваква анализа за тоа колку рестриktivност или пермисивноста на изборните правила влијаат врз малцинска претставеност во Собранието, дотолку повеќе што промената на изборните модели во Македонија речиси овозможија квази-експериментална ситуација за една ваква анализа. Само Албанците и Ромите беа единствените малцинства чии партии независно од изборниот модел во сите осум изборни циклуси во плурализмот беа претставени во Собранието. Со воведувањето на пропорционалниот систем во 2002 и другите малцински заедници беа претставени во македонскиот парламент. Нивната застапеност се должеше пред се на нивното кооптирање со двете големи македонски партии во предизборни блокови, кои имаа инетретнички карактер. Определени автори ваквата форма на предизборна соработка и коалицирање во Република Македонија ја означуваат како признак на центрипетална политичка култура во македонскиот политички простор. Сепак, друга група на автори смета дека улогата на македонскиот пропорционален модел по однос на неговата поволност кон малцинските партии е преценета. Оттука се наметнува прашањето дали е потребна негова промена во правец на поголема афирмативна акција, какви

што се идеите за задржување на пропорционалниот модел, но државата да биде една изборна единица, а за малцинските партии да бидат утврдени пониски изборни прагови или прегу закарантирани места за нив. Ова се само некои од аспектите кои ќе бидат разгледани во овој труд.

Клучни зборови: Собрание на РМ, малцинства, изборни модели, пермисивни, рестриктивни.

THE IMPACT OF ELECTORAL RULES ON MINORITY REPRESENTATION IN MACEDONIAN PARLIAMENT

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Abstract

In electoral science minorities are one of the most examined socio-demographic groups in terms of their representation in parliament. The Republic of Macedonia, as a country with a small majority (Macedonian) and a big minority (Albanian) and several other significant minority groups is an extremely interesting case for such investigation in context of how much the electoral rules were permissive or restrictive for better minority representation in the Macedonian Parliament, even more so due to the change of electoral models in Macedonia that ensured a quasi-experimental condition for such analysis. Albanians and Roma were the only minorities whose political parties despite the electoral model were represented in all eight electoral cycles in the pluralism of Macedonian Parliament. With the adoption of the proportional electoral model in 2002, the other minority communities were also represented in Parliament. Their representation was due to co-opting with the two largest Macedonian political parties in pre-electoral coalition blocks that had interethnic character. Some authors qualified this form of pre-electoral collaboration and coalition as sign of the centripetal political culture in the Macedonian political scene. However, another group of authors deems that the role of the current

Macedonian electoral model in context of its advantage for the minority's parties is overestimated. Thus, the question whether it is necessary to have some sort of change in the direction of more affirmative action, such as the idea of keeping the proportional model, while keeping the country as one constituency and having lower thresholds for the minorities with guaranteed seats arises. These are some aspects that will be addressed in this paper.

Keywords: *Macedonian Parliament, minorities, electoral models, permissive, restrictive.*

**О НЕКОТОРЫХ ОСОБЕННОСТЯХ
ЗАКОНОДАТЕЛЬНОГО РЕГУЛИРОВАНИЯ
ГОСУДАРСТВЕННОГО КОНТРОЛЯ И НАДЗОРА В
СФЕРЕ ОБРАЗОВАНИЯ В РОССИЙСКОЙ ФЕДЕРАЦИИ**

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Аннотация

Целью данной статьи является рассмотрение особенностей развития понятия государственного контроля и надзора в действующем законодательстве об образовании Российской Федерации. На сегодняшний день не все законы, посвященные отраслевым видам контроля и надзора, содержат четкие дефиниции как контрольной, так и надзорной деятельности. Однако законодательство об образовании является ярким примером того, что государственный контроль и государственный надзор – явления хотя и похожие, но все же различные по объекту и предмету своего регулирования, по административным процедурам осуществления и иным критериям. Чтобы убедиться в этом, необходимо проанализировать историческое развитие дефиниций государственного контроля и надзора в сфере образования в нормативных правовых актах Российской Федерации. Рассматриваемые нами правовые институты, занимающие важное место в сфере реализации и защиты академических прав и свобод обучающихся и педагогических работников, имеют достаточно непростую историю законодательного регулирования, которую можно разделить на два основных периода: а) отсутствие законодательной дефиниции (1992 – 2010 гг.); б) появление и совершенствование законодательных дефиниций государственного контроля и государственного надзора в сфере образования (2011 – настоящее время). Несмотря на достижения законодательных актов об образовании в части установления определения государственного контроля и государственного надзора (в отличие от многих нормативных правовых актов, касающихся

осуществления отдельных видов контрольной и надзорной деятельности, где их определение отсутствует), необходимо дальнейшее совершенствование дефиниций контроля и надзора в образовательной сфере, которые и попытается сформулировать автор данной статьи.

Ключевые слова: государственный контроль; государственный надзор; сфера образования

Abstract

The purpose of this article is to examine the concept of state control and supervision in the educational legislation of the Russian Federation. Today not all laws of control and supervision provide a definition of this activity. However, the legislation on education is a prime example of that state control and state supervision are different on the project and the subject of its regulation, on the implementation of administrative procedures, and other criteria. For this reason, it is necessary to analyze the evolution of the definitions of state control and supervision in the educational sphere in the legal acts of the Russian Federation. This legal institutions play an important role in the field of implementation and protection of academic rights and freedoms of students and teachers and have a complicated history of legislative regulation, which can be divided into two main periods: a) the lack of a legal definition (1992 - 2010 years); b) the emergence and improvement of the legal definitions of state control and state supervision in the sphere of education (2011 – present days). Despite the progress of legislation establishing the definition of state control and supervision in the educational sphere (many legal acts in Russia have not the definition of industrial state control and supervision), the author suggests some ways to improve these definitions.

Keywords: state control; state supervision; the sphere of education

ОБЛИЦИ НА ЗАЕМНО ВЛИЈАНИЕ ПОМЕЃУ ПОЛИЦИЈАТА И ПОЛИТИКАТА: ОД ПАРАЛИЗА ДО ПЕРСПЕКТИВА – СОСТОЈБИТЕ ВО РЕПУБЛИКА МАКЕДОНИЈА

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Апстракт

Односите помеѓу полицијата и политиката, односно полицијата и субјектите на политичките процеси зависат од бројни фактори и се јавуваат како сложени односи на реципрочно (заемно) влијание и мешање. За анализа на заемните влијанија како теориски концепт ќе бидат земени во предвид поделбите и субподелбата на Бејли (легално или правно дозволено влијание преку контролата од страна на владата и парламентот и нелегално или правно недозволено преку злоупотреба на полициските овластувања во политички цели). За да се спречи политичкото влијание на владата на работата на полицијата демократските земји се залагаат за примена на принципот на политичка неутралност на полицијата. Тој принцип опфаќа: самостојност на полицијата во границите на законот, автономност на полицијата во преземање на одредени акции за кои со закон е овластена и обврзана, некористење на полицијата во политичка борба и принципот на деполитизација на полицијата.

Отстапувањата од принципот на политичка неутралност на полицијата според Бејли можат да се поделат на две основни групи: непосредно преку отворени облици на влијанија (на лица, процеси, нападнат режим, политички одлуки); тајни облици на влијанија (присмотра, надзор, манипулација); и, поседени облици на влијание (социјализација на јавноста,

легитимирање на владата, демонстрациони ефекти и учество во развојот). Ако на овие процеси на заемно влијание на полицијата и политиката се додаде етнополитичката мобилизација на малцинските етнички заедници во мултиетничките општества и потребата од посебен однос на полицијата кон нивните припадници, политиките за вработување во полицијата и партиципацијата и поделбата на власта, тогаш прашањето овој однос станува уште посложен.

Целта на трудот е - преку теорискиот концепт на Бејли за заемно однос помеѓу полицијата и политиката, облиците (позитивни, негативни) на влијанија и емпириските податоци од лонгитудиналното научно истражување „Ставовите на граѓаните за работата на македонската полиција 2008-2014 година“ – да даде приказ на облиците на заемно влијание помеѓу полицијата и политиката во Република Македонија.

Клучни зборови: *полиција, политика, деполитизација, политичка неутралност;*

TYPES OF MUTUAL INFLUENCES BETWEEN THE POLICE AND THE POLITICS: FROM PARALYZE TO PERSPECTIVE – THE SITUATION IN THE REPUBLIC OF MACEDONIA

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Abstract

Relations between police and politics i.e., police and subjects of political processes depend on many factors and occur as complex relations of reciprocal (mutual) influence and interference. For the analysis of mutual influences such theoretical concept will be taken

into account D. H. Bayley's, divisions and subdivision: (legal through the permitted influence through control by the government and parliament and illegally by the abuse of police powers for political purposes). To prevent political influence mode of policing, democratic countries are committed to the principle of political neutrality of the police. This principle includes: independence of the police within the law, the autonomy of the police in taking certain actions according to law and legal obligations, not to use the police in a political struggle and the principle of de-politicization of the police.

According to D. H. Bayle, deviations from the principle of political neutrality of police can be divided into two basic groups: directly through open forms of impacts (on people, processes, intrusive regime, political decisions); covert forms of impacts (surveillance, control, manipulation), and indirect forms of influence (socialization the public, legitimization of the government, demonstration effects and participation in development). If we added ethno-political mobilization of minority ethnic communities in multiethnic societies and the need for a special relationship to the police to their members, employment policies in the police and the participation and power sharing to these processes of interaction of police and politics added then the question becomes this relationship are more complex.

The aim of the this paper is - through the D. H. Bayley's theoretical concept of mutual respect between police and politics, the forms (positive, negative) of impacts and empirical data's from the longitudinal scientific research of the Faculty of Security-Skopje, "Attitudes of the work of the Macedonian Police from 2008 to - 2014" - to give a display of various forms of interaction between police and politics in the Republic of Macedonia.

Key words: *Police, Politics, de-politicization, political neutrality;*

THE PRINCIPLE OF SOCIAL JUSTICE: CONCEPT AND LEGAL CONSOLIDATION

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Abstract

Social justice ancient times is the a universal value along with the freedom, by the equality, human rights, democracy and some other key principles of life communities of people. Since ancient times moral duty monarchs was their debt of fair to judge subjects, and give alms a beggar. Currently, social justice or the individual elements are enshrined in modern constitutions, including Russia, where it is expressed less clearly than in some other modern constitutions. In this article author considers problems of the history of formation of concepts and legal consolidation of the principle of social justice. According to the results of the comparative analysis of the legislation of Russia and some foreign countries the author has formulated the main conclusions and proposals for improving the legislation of the Russian Federation in accordance with the modern concept of social justice.

Keywords: *democracy, human rights, guarantees, principle of social justice, practice of Russia and other countries.*

Аннотация

Социальная справедливость с древних времен является общечеловеческой ценностью наряду со свободой, равенством, правами человека, демократией и некоторыми другими ключевыми принципами жизни сообществ людей. С древних времен моральной обязанностью монархов являлся их долг справедливо судить подданных и подавать милостыню нищим. В настоящее время принцип социальной справедливости или его отдельные элементы закреплены в современных конституциях, включая российскую, где он

выражен менее отчетливо, чем в некоторых других современных конституциях. В этой статье автор изучает проблемы истории формирования понятия и правового закрепления принципа социальной справедливости. По итогам проведенного сравнительного анализа законодательства России и ряда иностранных государств автором были сформулированы основные выводы и предложения по совершенствованию законодательства Российской Федерации в соответствии с современной концепцией социальной справедливости.

GAP BETWEEN PUBLIC POLICIES AND THEIR IMPLEMENTATION MANAGEMENT

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Abstract

The executive 'power' of any country is responsible for proposing, designing and deciding on the public policies that will be applied on the next period of time. The targets of the public policies are, generally speaking, subjects of society concern, aiming to drive to a better quality of life for the citizens, preventing and protecting the communities, supporting and compensatory measures and so on. All of them have to be implemented by the public authorities (public institution bodies) or their local networks based on the specific methodologies and procedures. Then the process starts with the proposed solution for improving the area of concern – include it in the public policy as a desiderate – design a strategy of enforcing – issue procedures & methodologies – implement it – get the result. All along this chain the citizens are expressing their opinion and finally the 'success measurement' is given by their perception of the implementation process. Usually the implementation is facing with a lot of challenges rising for the methodology and procedure misunderstandings, lack of clarifications, malfunctions so on. Sometimes the result is shadowed by the implementation troubles and transforms a good idea in a failed one. Paper aimed to present three Romanian case studies – from on 'running adjusting', 'shadow' to 'totally failed' – experiences of 2014/2015 year. Also, it will be presented a 'hot spot' interview of about 75 subjects from Bucharest, Targoviste, Constanta, Timisoara and Focsani (15 of each) were questioned about their perception about the health card, agriculture funds, tips taxation.

Keywords: *public policies, implementation management, efficiency, efficacy*

**ЈАВНА АДМИНИСТРАЦИЈА И ЈАВНА ПОЛИТИКА –
ДИХОТОМИЈА VIS-À-VIS ЗАЕМНА
КОМПЛЕМЕНТАРНОСТ**

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Апстракт

Јавната администрација е сопатник на човекот - „од коленка до гроб“. Таа е присутна насекаде, односно рефлексите на нејзините дејности пулсираат во сите фази или етапи од човечкиот живот. Тоа значи дека, администрацијата има голем маневарски простор на дејствување, односно таа опфаќа широк спектар на услуги и е инфилтрирана во сите пори на општественото ткиво. Нејзиниот дијапазон се протега од најкомплексните и најсуптилните зафати, како на пример, операција на мозокот, до наједноставните активности, како што е одржувањето на јавната чистота. Интенцијата на авторот на трудот е да повлече филигрански рез односно јасна демаркациона линија на разграничување меѓу јавната администрација и јавната политика како дихотомни ентитети, но од друга страна да го апострофира фактот дека тие не се во целост меѓусебно исклучиви категории. Во тој контекст, јавната администрација е фаза во циклусот на креирање на јавните политики. Процесот на креирање јавни политики никогаш не престанува. Владите постојано се под пресија на предизвикот дали да направат нешто или не. И се што ќе направат или нема да направат претставува јавна политика. Односно, сите одлуки кои ќе ги донесат (вклучувајќи ги и одлуките да не се донесе одлука) се производ на владејачката номенклатура, во чии раце е концентрирана најголемата политичка и општествена моќ, а се имплементираат од страна на службениците кои го сочинуваат административниот апарат. Оттука, произлегува дека јавните политики и јавната администрација ги сочинуваат двете страни на истиот медал. Едната одлучува, другата изведува. Тие се заемно комплементарни, што значи едното не може да постои без другото.

Клучни зборови: *јавна администрација, јавни политики, дихотомија, комплементарност.*

**PUBLIC ADMINISTRATION AND PUBLIC POLICY –
DICHOTOMY VIS-À-VIS LOANS COMPLEMENTARILY**

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Abstract

The public administration is the companion of mankind -, from cradle to grave. "It is present everywhere, i.e. the reflexes of its activities pulsate in all phases or stages of human life. That means, the administration has a maneuvering space of action, i.e. it covers a wide range of services and has infiltrated all spheres of social fabric. Its range extends from the most subtle and most complex endeavors, such as brain surgery, to the simplest activities, such as maintaining public hygiene. The intention of the author of the paper is to pull or a clear filigree cut demarcation line of demarcation between the public administration and public policy as dichotomous entities, but on the other hand it stresses the fact that they are not entirely mutually exclusive categories. In this context, public administration is the stage into the cycle of creating a public policies. The process of creating public policy never breaks off. Governments are constantly under pressure to challenge you to do something or not. And whatever you do or don't do, represents a public policy. That is, all the decisions that will be brought (including decisions not to decide) are the product of the ruling nomenclature, in whose hands is concentrated the largest political and social power, and implemented by officials who make up the administrative apparatus. Hence the conclusion that public policy and public administration constitute two sides of the same coin. One decides, the other performs. They are mutually complementary, which means one of them cannot exist without the other

***Key words:** public administration, public policy, dichotomy, complementarily.*

THE EMPLOYMENT PROCESS IN TOURIST COMPANIES AS A CONDITION FOR THEIR ENTREPRENURIAL ADVANCE

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Abstract

Effective job search is a process through which almost every young person goes through. A small number of young people have the opportunity to learn and get information about the management of human resources, which treats the subject of employment and effective job in the tourism sector. Therefore, there is a great need for education and training of the unemployed about the techniques and activities for specialized knowledge in active job search, which in modern management is increasingly associated with innovative knowledge. Taking a personal risk by aggressively actively demonstrating new, innovative approaches makes the difference between seeking employment or without general knowledge, ability and employment plan and application capabilities and advanced communication skills and persuasion, going to interview and manifestation of these abilities of negotiation and bargaining, which is especially important in the tourism sector. Simply, the difference is not just between unorganized and organized search for employment, but also the innovative, progresiven approach to diversity, and future problem solving tasks and jobs.

These skills are learned, acquired and perfected, but differ in their manifestation of individuality. As in any business and investment, and in seeking work, one first needs to invest, and then to expect returns.

Tourist companies with employment of such employees may boost their entrepreneurial development which is more dynamic process than in any other governance institutions.

Keywords: *entrepreneurial advancement, travel companies, innovative skills and knowledge, specialized knowledge.*

SOME PROBLEMS RELATED TO THE RIGHT TO HEALTH

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Abstract

Defining a right to health in international law has remained difficult. To a very great extent it has centered on the right of access to adequate medical care. At the same time it even extends further, including a wide range of factors that can help people to lead a healthy life, such as safe food, healthy working and environmental conditions, gender equality, etc. The importance of these ‘underlying determinants of health’ shows that the right to health is dependent on, and contributes to, the realization of many other human rights. No state can justify a failure to respect its obligations because of lack of resources. Some groups or individuals, such as children, women, persons with disabilities or persons living with HIV/AIDS face specific hurdles in relation to the right to health. A global approach to addressing health issues is provided by World Health Organization (WHO), which since its establishment in 1946 sets as its main objective attainment by all people of the highest level of health. The article examines some major reforms proposed by WHO in September 2014, after the Ebola epidemic in West Africa. The authors analyze recent problems dealt by regional organizations – European Union, the Council of Europe, etc.

Keywords: *right to health, WHO, EU*

ПРОБЛЕМЫ ПРОДОВОЛЬСТВЕННОЙ БЕЗОПАСНОСТИ В СОВРЕМЕННОМ МИРЕ

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Аннотация

В данной статье рассматриваются правовые средства обеспечения продовольственной безопасности со стороны мирового сообщества, также берется пример отдельного государства – Российской Федерации. Обеспечение продовольственной безопасности является одним из приоритетных направлений в деятельности любого государства. Рассмотрены разные подходы в определении таких категорий как продовольственная безопасность и продовольственная независимость. Проанализирована история развития законодательства, также современная нормативная правовая база обеспечения продовольственной безопасности. Выявлены различные показатели для оценки состояния продовольственной безопасности. В результате проведенного исследования предлагаются некоторые пути совершенствования российского законодательства в сфере обеспечения продовольственной безопасности.

Ключевые слова: *продовольственная безопасность, продовольственная независимость.*

FOOD SAFETY ISSUES IN THE MODERN WORLD

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Abstract

The article deals with juridical methods of guaranteeing food safety provided by the world community, Russia being an example.

Guaranteeing food safety is one of the major priorities of any State. The article also touches upon different approaches to the definitions of food safety and food independence. The history of Legislation and normative legal documents of guaranteeing food safety are analyzed. Different factors of assessing conditions of food safety are revealed. Some ways of improvement of the Russian Legislation in the aspect of guaranteeing food safety are suggested.

Keywords: *food safety, food independence.*

ENTREPRENEURIAL ADVANCEMENT OF WOMEN IN TOURISM: THE CASE OF MACEDONIA

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Abstract

This paper elaborates the main findings from a survey undertaken in the line of evaluating the role of women working in tourism and hospitality in Macedonia. Moreover, the paper intends to assess the current position of women in tourism and to detect the most profound obstacles for their entrepreneurial advancement in tourism sector. To that purpose, a self-administrated questionnaire was distributed among managers and employees working in travel agencies and tourism service facilities in several locations in Macedonia. While women share the same view with men concerning many investigated issues, their perception towards participation of women entrepreneurs in tourism in Macedonia strongly differs. So, while man did not have unique attitude, women's perception is that their participation in tourism entrepreneurship is moderate and needs to be improved. Furthermore, the paper outlines the specific problems that women are faced with when being employed in tourism and hospitality sector in Macedonia. The contribution of this paper lies in the fact that enriches poorly developed academic work in Macedonia addressing this issue.

Keywords: *Entrepreneurship, Women advancement, Tourism, Macedonia.*

ВИДОВИ И ТИПОВИ НА МЕНАџЕРИ

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Апстракт

Лидер не се поставува - лидер се станува. Многу примери во политиката и бизнисот покажуваат дека за лидер не е пресудно и потребно формалното образование. Треба да се има мотив, визија и желба да се јавно истакнат идеите и да се наметнат над другите. Се смета дека етиката и чесноста се основа на лидерската вештина. Лидерите се мечтатели, со визионерски поглед, кои го сејат семето за растење и предвидуваат што ова семе може да даде. Дали во Република Македонија постојат луѓе лидери, со лидерски способности и вештини во денешниот општествен, стопански и политички живот? Според местото на менаџерите во пирамидално хиерархиската структура менаџерите имаат многубројни титули: извршни или топ-менаџери (top managers); средни менаџери (middle managers) и менаџерите на дното на хиерархиската лествица кои се нарекуваат менаџери од прво ниво (first-line managers). Диктаторот како менаџер кој применува автократски стил на раководење. Бюрократот како менаџер применува т.н. доброчуден автократски стил на раководење и се нарекува “доброчуден автократа. Консултативниот менаџер применува “консултативен стил” и има базична, но не и комплетно доверба во своите подредени соработници. Постојат и други видови менаџери кои се објаснети во овој труд, како на пример: извршителот - демократ преставува идеален раководител; либералните менаџери, кој им дозволуваат на подредените сами да си ги поставуваат задачите и да ги решаваат самостојно и други.

Клучни зборови: мотивација, функции, водич, цели, доверба.

TYPES AND VARIETIES OF MANAGERS

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Abstract

You can be set as a leader but you can become a leader. Many examples in politics and business show that is not crucial to have some kind of formal education in order to become a leader. You need to have motivation, vision and desire to publicly highlight your ideas and to impose these ideas over others. It is supposed that ethics and honesty are the foundation of leadership skill. Leaders are visionaries with a visionary view that plant the seeds for growth and can predict what these seed can give. Are there leaders among the Macedonian people that have leadership abilities and skills in today's social, economic and political life? According to the hierarchical pyramid structure, managers have numerous titles: executive or top managers; middle managers and managers at the bottom of the hierarchical ladder who are called top-level managers (first-line managers). For instance, dictator as manager is one who has autocratic style of leadership. Bureaucrats as manager applies so called 'well' autocratic style of management and he is also called 'well autocrat'. Consultative manager has "consultative style" and has basic, but not complete, trust in his subordinates associates. There are other managers who are explained in this paper, for example: executor - Democrat who represents the ideal manager; liberal managers that allow to the subordinates to set the tasks for themselves and to solve them independently.

Key words: *motivation, functions, leader, goals, trust.*

ЗНАМЕНАТЕЛЬНЫЕ ДАТЫ РОССИИ

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Аннотация

Статья посвящена проблематике правового регулирования современных знаменательных дат России. Знаменательные даты – периоды времени (зачастую – это дни), которые отмечаются торжественными мероприятиями по случаю какого-либо выдающегося события. Знаменательные даты являются частью духовной культуры общества. Существуют разные знаменательные даты : международные и национальные; государственные, региональные и местные; светские и религиозные; коллективные и личные; даты прошлых лет и современные; и др.

Настоящая статья посвящена исследованию знаменательных дат в качестве феномена, связанного с государством как политической организацией общества. В таком ракурсе речь пойдёт о трёх видах знаменательных дат России: государственных праздниках, днях воинской славы и памятных датах. Основное внимание обращено на современное состояние правового регулирования общественных отношений, складывающихся по случаю отмечаемых данных знаменательных дат, и на сложившиеся общественно-политические практики.

Цель исследования знаменательных дат России состоит в обосновании теоретических положений и выработке на их основе рекомендаций по совершенствованию правового регулирования общественных отношений, складывающихся в связи со знаменательными датами. В этой связи поставлены следующие задачи: назвать перечень знаменательных дат; сформулировать функции, принципы и цели установления знаменательных дат.

Краткие выводы. Знаменательные даты являются одним из элементов конституционно-правового статуса Российской Федерации. По идеологическому значению знаменательные

даты наиболее близки с государственными символами, они являются олицетворением государственности. Установлением знаменательных дат обеспечивается признание государством вклада того или иного события в развитие государственности и придание правовой охраны памяти об этом событии. Правопорядок празднования знаменательных дат является результатом проведения государственной политики в самых разных областях, в частности: культуре, образовании, СМИ, охране общественного порядка, международном сотрудничестве

***Ключевые слова:** знаменательные даты, память, символика, государственность, идеология*

KEY DATES OF RUSSIA

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Abstract

The article is devoted to legal regulation of the modern important dates of Russia. Important dates are such time periods (more often days), which are celebrated with special events on occasion of any outstanding date. Important dates are part of the intellectual culture of society. There are different important dates: international and national; state, regional and local; secular and religious; collective and personal; the dates of the past and modern; etc.

The present article is devoted to the study of important dates as a phenomenon connected with the state as a political organization of society. In this perspective we will focus on three kinds of Russian key dates: public holidays, days of military glory and memorable dates. The special study is devoted to the current state of legal regulation of public relations arising on the occasion of celebration of important dates, and the current socio-political practices.

The purpose of study of the significant Russian dates is to justify the theoretical principles and the elaboration of recommendations on

improvement of legal regulation of public relations arising in connection with significant dates. In this regard, the following tasks are set up: to name the list of important dates; to formulate the functions, principles and objectives of the establishment of important dates.

Brief conclusions. Significant dates are one of the elements of the constitutional and legal status of the Russian Federation. Ideological significance The important dates by their ideological significance are contiguous to state symbols, they are the epitome of statehood. By establishing important dates the state provides recognition of the contribution of a particular event in the development of statehood and legal protection to the memory of this event. Public order of important dates celebration is the result of the state policy in various areas, including: culture, education, media, policing, international cooperation

Keywords: *important dates, memory, symbols, nationhood, ideology*

СИСТЕМОТ НА КОЛЕКТИВНО ДОГОВАРАЊЕ ВО МАКЕДОНИЈА И ИДНИТЕ ПРЕДИЗВИЦИ-НУЖНОСТ ОД РЕФОРМИ

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Апстракт

Овој труд ги разгледува прашањата од колективното преговарање и склучување на колективните договори во последните десетина години во Македонија. Притоа во трусот авторите се задржуваат на нормативните аспекти на уредување на колективното преговарање, но и на емпириско-статистичките показатели кои говорат за развиеноста на системот. Правејќи продлабочена повеќе слојна анализа, во трудот авторите ги детектираат добрите страни, како и недостатоците кои постојат. Сето тоа е поткрепено и со релевантни официјални статистички податоци. Притоа авторите не се задржуваат само на актуелната и ретроспективната состојба во системот на колективното преговарање на Македонија, туку се обидуваат да дадат конкретни предлози, решенија и сугестии кои одат во насока на измена на системот, а со цел негово подобрување и применливост. Исто така покрај правниот пристап, во трудот се забележува опфатот на аспектот на психолошката компонента при колективното преговарање како и потребата од константна едукација на социјалните партнери за водење на успешен социјален дијалог.

Клучни зборови: *колективен договор, колективно преговарање, синдикат, работодавач, социјален дијалог.*

**MACEDONIAN COLLECTIVE BARGAINING SYSTEM
AND THE FUTURE CHALLENGES – NECESSITY OF
REFORMS**

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This paper covers of collective bargaining issues and conclusion of collective agreements in the last ten years in Macedonia. Thereto the authors retain on the normative aspects of the regulation of collective bargaining, as well as the empirical-statistical indicators that show the development of the system. By doing deep analysis, the authors in the paper detect strengths and deficiencies. This is also, supported by the relevant official statistical data. The authors are not only retaining on the current and retrospective situation in the system of collective bargaining in Macedonia, but they are trying to make concrete proposals, solutions and suggestions which are directed towards changing the system, with concrete goal for its final improvement and applicability. Despite the legal approach, the paper notes the scope of the psychological component aspect of collective bargaining and the need for constant education of the social partners for a successful social dialogue.

Keywords: *collective agreement, collective bargaining, trade union, employer, social dialogue.*

**TRAINING AND PROFESSIONAL DEVELOPMENT OF
THE ADMINISTRATION, NECESSITY OF AN EFFECTIVE
PUBLIC ADMINISTRATION IN REPUBLIC OF
MACEDONIA**

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Abstract

Training and education are processes of adjusting the staff towards contemporary operating environment. The training allows the employees to acquire new knowledge and practical skills required for work, leadership, management and organizational behavior according to the accepted rules, regulations, and standards. Continued education of the employees is basis for employees development and career progression for conducting future work.

The introduction is the process of integrating new employees into the organization in order to become effective members of the organization. In this context the Law addresses the Annual Program for generic training which is prepared in electronic form and contains a catalog of generic training offered. Besides the generic training, specialized training will be performed for professional training of administrative officers regarding specific competencies. In addition, the Law provides implementation of training throughout electronic systems or in the classroom as a quick and effective way of training the administrative officers using minimum financial and human resources. A novelty in the law is mentoring and examination for professional training of the administrative workers.

Hence, this survey addresses interview with 30 administrative staff in 21 civil authority and contains analysis of legal documents, to interpret the access of the legislators and officials in the process of training the administration as an important link in the process of effectively managing human resources in the administration. The survey results indicate that there are numerous examples of good training in the administration performed in Macedonia. However,

from the number of trainings performed it could be concluded that the training is not based on a planned strategy, but of the personal needs of the individuals and / or the external donors that financed the training. The policy of the authorities is to establish a systematic approach to assessing the training needs and their planning in order to increase the effectiveness of the administration in Macedonia. Apart from the commitment of the Government for the analysis of training needs, there is no systematic setting procedures and rules for the training programs. Also, there is a lack of strategic goals of the state body that will select those who will be trained, followed by the procedures after the completion of the training with transfer, storage and preservation of knowledge.

Keywords: *procedures, training, planning, selection, programs, administration.*

SOCIETY

ГРАЖДАНСКОЕ ОБЩЕСТВО В СИСТЕМЕ СОЦИАЛЬНОГО ПАРТНЁРСТВА В СОВРЕМЕННОЙ РОССИИ

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Аннотация

Данная статья посвящена проблемам социального партнёрства между государством и гражданским обществом в современной России, включая особенности политического генотипа. Также в статье анализируется гражданское общество как актор данной системы партнёрства. Как показывает политическая практика, характер взаимоотношений между государством и гражданским обществом оказывает непосредственное влияние на эффективность функционирования политической системы. На сегодняшний день система социального партнёрства представляет собой реальный механизм осуществления прямых и обратных связей между обществом и государством; а также необходим для поддержания динамического равновесия в современном социуме.

***Ключевые слова:** государство, гражданское общество, система социального партнерства, демократия, политический генотип.*

CIVIL SOCIETY IN THE SYSYTEM OF SOCIAL PARTNERSHIP IN CONTEMPORARY RUSSIA

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Abstract

This article focus on problems of social partnership between state and civil society in contemporary Russia, including features of political genotype. Also in this article analyzes civil society as an actor of this system of partnership. As political practice shows, the nature of the political interaction between state and civil society has an impact on the effectiveness of political system. Nowadays system of social partnership is a real mechanism of the direct / forward linkages between state and society; and also it is necessary to maintain a dynamic equilibrium in the contemporary society.

Key words: *state, civil society, system of social partnership, democracy, political genotype.*

ГРАЃАНСКОТО ОПШТЕСТВО ВО РЕПУБЛИКА МАКЕДОНИЈА

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Апстракт

Во Република Македонија граѓанскиот сектор игра голема улога во развојот на демократското општество како на национално така и на локално ниво. Во Република Македонија здружувањето на граѓаните за постигнување на одредени цели не е новина, туку напротив, претставува позитивна алатка за унапредување на општеството пред и после осамостојувањето на државата. Во неколку истражувања за граѓанскиот сектор на Балканот, каде влегува и Македонија, е утврдено дека негова значајна слаба страна е нестабилната финансиска одржливост. Моќностите за искористување на локалните фондови се чекор напред кон финансиски стабилни и донаторски независни организации. Локалните власти, запознати со овој индикатор, се поставуваат во улога на партнери и поддржувачи на граѓанските организации во заедниците, но начинот на кој тоа се реализира зависи од неколку фактори. Општините во своите годишни буџети планираат средства наменети за поддршка на локални здруженија и фондации со посебна ставка од општинскиот буџет наречена „Трансфер до НВО“ и висината на средствата е различна. Планирањето, условите за распределба и користење на средствата на локално ниво се усвојуваат преку Советите на општините, а истите се уредуваат со годишни планови и програми. Овој труд, преку истражување на финансиските и буџетските практики на општините за алокација на средства од буџетите за поддршка на граѓански организации, покажува како придонесуваат кон развојот на граѓанскиот сектор и препораки како да се развијат механизми за транспарентно и отчетно распределување на средствата.

Клучни зборови: *здруженија, фондации, граѓански организации, граѓански сектор, граѓанско општество, непрофитност, донатори, финансирање.*

CIVIL SOCIETY IN THE REPUBLIC OF MACEDONIA

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Abstract

The civil sector plays a big role in the process of developing democratic society in the Republic of Macedonia, on local and national level. Citizens association in Macedonia, for achieving specific goals is not news, but quite opposite, it represents a positive tool for society development in the period of before and after the independence of the country. In several research papers about the civil sector on the Balkans, including Macedonia, it is determined that its most common weakness is the financial instability. The opportunities of using local funds are step forward financially strong and donor independent organizations. Local authorities, aware of this indicator are positioned in the role of partners and supporters of the civil organizations in the communities, however, the process of this support depends on several factors. In their annual budget plan in the budget item “Transfer to NGO”, Local governments allocate funds aimed for support of local civic organizations. In each municipality, the total amount of this budget item is different. The process of planning, the terms of allocation and usage of this funds are managed on local level by the City Councils, and they are developed with annual action plans and programs. This paper presents how the local authorities contribute towards civil sector development through researching the financial and budget practices of municipalities for funds allocation to civil organizations; and also presenting recommendations for creating mechanisms for transparent and accountable funds distribution.

Key words: *associations, foundations, civil organizations, civil sector, civil society, nonprofit, donors, financing.*

THE CIVIL PERSPECTIVE ON THE METHOD OF PREVENTION OF CORRUPTION

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Abstract

Preventing corruption is a challenge of the modern democratic society. It has become a way of life. Moreover, an impression is created that a society cannot function without corruption. In modern conditions, unlawful benefit for oneself or for another person is accomplished through money laundering or by involvement in many other ways.

In criminology, in other social sciences as well as in the security sciences, especially in asphaliology, the problem of measuring the level of corruption arises. Thereby, it is difficult to establish a system of measurement. For this reason we can say that the research is focused more on the indicators than on the state of corruption.

The paper analyzes several indicators examined in the research conducted by the research team at the Faculty of Security in Skopje in the period 2013, 2014 and 2015 which relate to the citizens' opinion about corruption. Battery issues relating to the prevention of corruption are being particularly analyzed. This problem is challenging for every modern country. It is particularly relevant and apparent in the unstable political systems.

Keywords: *Preventing Corruption, Democratic Society, Measuring Corruption.*

СОЦИАЛЬНЫЕ ДВИЖЕНИЯ В ТРАНСФОРМИРУЮЩЕМСЯ РОССИЙСКОМ ОБЩЕСТВЕ

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Аннотация

Социальная активность граждан начинает разворачиваться особенно тогда, когда в стране происходят трансформационные процессы. Это детерминировано поиском решения новых многообразных проблем.

Россия – трансформирующееся общество.

Поэтому спектр возникающих социальных движений достаточно широк: от социально-одобряемых, действующих в рамках существующих законов, до нелегальных, дестабилизирующих общество, от провластных до оппозиционных.

В этих движениях реализуются различные интересы и удовлетворяются потребности граждан.

Деятельность социальных движений в России строится на нормативно-правовой базе.

Уже традиционными в России стали общественно-политические и социокультурные движения. Среди них особое место занимают волонтерское движение, различные неформальные, молодежные, фанатские, субкультурные и «ленточные» движения.

Среди большого количества «новых» общественных движений, появившихся в России в XXI веке, следует особо отметить такие, как: «Россия – 2045», «Золотое поколение», «Качели», «Посади свое дерево», «За этичное обращение с животными», «Поколение рубежа», «Движение-проекты», «Фримаркеты», «Стоп Хам», «Хрюши в городе».

Каждое социальное движение имеет свою социальную базу, определенные цели, стратегию и тактику их достижения, виды деятельности.

В целом все эти движения имеют большое значение в формировании гражданского общества в России и воспитании молодого поколения.

Они являются генераторами новой социальной жизни.

Одновременно необходимо отметить, что в современном российском обществе есть социальные движения, которые носят дестабилизирующий характер. Это – "Движение против незаконной иммиграции", различные сепаратистские движения.

***Ключевые слова:** социальные движения, трансформирующееся общество, традиционные движения, «новые» д*

SOCIAL MOVEMENTS IN TRANSFORMING RUSSIAN SOCIETY

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Abstract

Social activity of citizens begins to turn around especially when the country undergoes transformation processes. This is determined by finding solutions to new and diverse problems. Modern Russia is a transforming society. Therefore the spectrum of emerging social movements, ranging from socio-approved, operating under existing laws, to illegal, destabilizing society, from Pro-government to the opposition.

In these movements are implemented with different interests and meets the needs of citizens. The activities of social movements in Russia is based on the regulatory framework.

Already traditional in Russia have become political and socio-cultural movements. Among them the special place is occupied by the volunteer movement, various informal, youth, fan, subculture and "ribbon" movement.

Among the large number of "new" social movements that have emerged in Russia in the XXI century, it should be particularly noted: "Russia – 2045", "Golden generation", "Swing", "Plant your tree", "For the ethical treatment of animals", "The Generation of the

turn", "Motion-projects", "Free markets", "The Stop boor", "Piggy in the city."

Every social movement has its social base, defined goals, strategy and tactics to achieve them, activities. In general, all these movements are of great importance in the formation of civil society in Russia and the education of the younger generation.

They are generators of new social life. At the same time it should be noted that in the modern Russian society there is a social movement that would be destabilizing. This is "Movement against illegal immigration", various separatist movements.

Keywords: *social movement, transforming society, traditional movement, "new" movement*

СТУДИЈА НА СЛУЧАЈ: ЗОШТО НЕКОИ ОПШТЕСТВЕНИ ДВИЖЕЊА СЕ ПОУСПЕШНИ ОД ДРУГИ?

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Апстракт

Цел на овој труд е да се истражат основните карактеристики на општествените движења и да се утврди како и во колкава мера нивните дистинктивни обележја придонесуваат за нивната успешност. Успехот на општествените движења е тешко мерлива категорија имајќи го предвид фактот дека општествените движења се разликуваат во своите дејства, големина, природа, стратегија, културната, општествената и политичката состојба, како и многу други карактеристики. Трудот презентира неколку различни дефинирања за тоа што претставува поимот општествено движење. Понатаму, ги истражува елементите од кои се составени тие за да ги истакне критичните елементи кои ги прават некои општествени движења поуспешни од други. Трудот идентификува четири надворешни и четири внатрешни фактори кои влијаат на успешноста на општествените движења. Од внатрешните фактори се фокусираме на: организациска трајност, прифатеност на противникот, степен и вид на организација и разновидност на лидерството. Од широкиот спектар на надворешни фактори ги анализираме: политичката средина, сојузници и јавното мислење. Основата на овој труд е студија на случај во која се анализираат и споредуваат две општествени движења: Движењето за правата на граѓаните (Civil Rights Movement) на Мартин Лутер Кинг и Движењето Окупирај го Волстрит (Occupy Wall Street Movement). Трудот дава преглед на основните дејства на овие движења, ги лоцира областите во

кои тие имале успех и се обидува да ги открие факторите кои придонеле за едното да биде поуспешно од другото. Компаративната рамка ќе ни овозможи да ги контрастираме факторите кои имале влијание на успешноста на овие општествени движења.

***Клучни зборови:** Општествени движења, успешност, фактори, Движење за правата на граѓаните, Движење окупирај го Волстрит*

Abstract

The aim of this paper is to explore the defining characteristics of social movements and to determine the ways and to what extent their distinctive features contribute to the fact that some social movements are more successful than others. Success is difficult to be measured since social movements' actions are diverse and vary in their scope, nature, strategy, cultural, social and political environment and many other features. The paper presents several definitions of social movements for a deeper understanding of their peculiarities. It highlights the critical reasons for some social movements being more successful than others. We will identify four internal and four external factors that affect the outcome of social movements. The inner factors can intensely influence how well a social movement meets its objectives. These include: organizational viability, acceptance of opponents, degree and type of organization, and diversity of leadership. From the wide range of external factors that affect the outcome of social movements we will examine: the political environment, allies and public opinion. The framework of this paper is a case study which analyses and compares two social movements: Martin Luther King's Civil Rights Movement and the Occupy Wall Street Movement. It offers a chronology of the main events and actions of these movements, locates the areas of success and the factors that contributed for the one being more successful than the other. The comparative framework will enable us to contrast the factors that affected the outcomes of these social movements.

***Keywords:** social movements, outcomes, factors, Civil Rights Movement, Occupy Wall Street Movement*

THE MACEDONIAN STUDENT MOVEMENT 2014/15 – PAVING THE ROAD TO SOCIAL CHANGE

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Abstract

The main notion of the paper will be to analyze the impact of the Macedonian student movement on the social change in the contemporary Macedonian context. Taking into consideration the current political crisis, the students may be the cornerstone of normalization. The movement will be analyzed via several endogenous and exogenous variables:

Endogenous	Exogenous
Historical background of the social movement	General level of democracy and institutional framework in the country
Internal organization of the movement	Media freedoms in the country
Mobilization and mass of the movement	Legal setting and international standards regarding Freedom of Assembly
Internal relations between the organizers and the participants	Level/Intensity of police brutality used against organizers and participants

The main research question will be: How big is the impact of the Macedonian student movement on the processes of social change in Macedonia? The main method which will be used is the Process Tracing Analysis, supported by structured and semi-structured interviews, analysis of laws related to the Freedom of Assembly, reports on media freedoms issued from renowned international organizations and reports referring to police brutality.

**ГРАЃАНСКАТА ПАРТИЦИПАТИВНОСТ ВО ПРОЦЕСОТ
НА ДОНЕСУВАЊЕ НА ОДЛУКИ ВО ЕДИНИЦИТЕ НА
ЛОКАЛНАТА САМОУПРАВА ВО РЕПУБЛИКА
МАКЕДОНИЈА**

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Апстракт

Трудот се темели на истражување спроведено во рамките на проектот „Транспарентност и партиципативност во процесот на носење на одлуки во единиците на локалната самоуправа во Источниот плански регион на Р. Македонија“. Резултатите од истражувањето упатуваат на недоволна инволвираност на граѓаните во процесот на донесување на одлуки во општините. Исто така, постои недостаток на соработка на локалните администрации и носителите на политички одлуки со граѓанскиот сектор. Но исто така мора да се забележи дека засилената политизација силно влијае за недостаток на партиципативност и желба за учество во процесот на донесување на одлуките кај индивидуалните граѓани, но и недостаток на капацитети на Невладините организации, особено оние кои се наоѓаат во помалите и рурални општини.

Клучни зборови: *Општини, граѓанска партиципативност, донесување на одлуки, Граѓански организации, демократија*

**CITIZENS PARTICIPATION IN DECISION MAKING
PROCESS OF SELF-GOVERNMENT UNITS IN
REPUBLIC OF MACEDONIA**

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Abstract

This paper is based on the research conducted in the framework of the project “Transparency and participativity in decision making process in Self-government units in East planning region of Republic of Macedonia”. the research results are pointing toward citizens exclusion in decision making process on municipality level. Also, there is lack of cooperation of local administration and political functionaries with the civil sector. But, also we must notice the strong politization influence for lack of participativity and wish of decision making involvement of individual citizens, but and not enough capacity of Civil sector, especially in the small rural municipalities.

Keywords: *Municipality, civil participativity, decision making process, civil organizations, democracy*

**ГЕНДЕРНЫЕ РОЛИ, СОЦИАЛЬНЫЕ СТЕРЕОТИПЫ И
ВЕЧНЫЙ КОНФЛИКТ В РОМАНЕ МАРЕ КАНДРЕ
«ЖЕНЩИНА И ДОКТОР ДРЕЙФ»**

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Аннотация

В статье актуализируются гендерные модели современной западноевропейской литературы на примере романа шведской писательницы М. Кандре. Психоанализ становится ядром всего повествования и смысла, эстетики и стиля романа. Он же превращается в объект пародирования, игровую технику. Мужчина и Женщина представляют стороны главного конфликта, спроецированного также на стереотипы общественного и индивидуального сознания.

Ключевые слова: Гендерные студио, психоанализ, фрейдизм, ирония, пародия, роман-провокация, социальные роли, психологизм

**GENDER ROLES, SOCIAL STEREOTYPES AND THE
ETERNAL CONFLICT IN MARE KADARE'S "THE
WOMEN AND DR. DREUF"**

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Abstract

In the article gender models of contemporary West European literature are analysed, based on the novel by a Swedish writer Mare Kadare are being looked upon. Psychoanalysis lies at the core of the narration, it is the message, esthetics and style of the novel. It also becomes subject to parody, a play technique. The Man and the Woman represent the two sides of the main conflict, projected upon the stereotypes of public and individual conscience.

Key words: Gender Studies, psychoanalysis, Freudism, irony, parody, controversial novel, social roles.

ON THE FORMATION OF A EUROPEAN IDENTITY

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Abstract

Understanding of national identity is necessary to shift to the level of analysis of the global scope. And any study of this phenomenon should be conducted in the context of its existence within the single world system. In Europe, states have close contractual relationship of political, economic and cultural nature with a number of countries in the particular region and, consequently, the emergence of new types of identity becomes inevitable.

Keywords: *identity, Europe, European, national, globalization, European Union, formation.*

**ПАТОПИСЕЦОТ ПОМЕЃУ ЗАПАДНАТА И
ИСТОЧНОЕВРОПСКАТА КУЛТУРА:
ЕМОЦИОНАЛНИОТ ДИСКУРС ВО СОВРЕМЕНИОТ
ПАТОПИС НА ПЕТЕР ХАНДКЕ**

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Апстракт

Книжевноста отсекогаш била тесно поврзана со емоциите. Емоционалниот дискурс во книжевните дела се јавува како извор на инспирација и творечки мотив за авторите, но истовремено игра стратешка улога во развивањето на емпатички релации кај читателите, со помош на кои тие полесно се фокусираат врз релевантните нијанси на изразување и дејства, во книжевното дело, како и надвор од него – во стварноста. Застапеноста на емоциите во патописот, кој како жанр тесно се доближува до реалниот свет, варира во однос на епохата, причините за создавањето на делото, како и од мотивите и стилот на самиот автор. Во современиот патопис на Петер Хандке, емоционалниот дискурс игра фундаментална улога; во овој труд ќе се направи обид да се прикажат сите емоционални аспекти на неговото творештво мотивирано од распаѓањето на Југославија и војните на Балканот: длабоката емоционална подлога како причина за создавање на неговите современи книжевни дела, емпатичките релации кои произлегуваат од нив, како и предизвиканата емоционална реакција на светската јавност и, последователно, на самиот автор.

***Клучни зборови:** емоциите во книжевноста, патопис, Петер Хандке, Југославија, Балканските војни*

**THE TRAVEL WRITER BETWEEN WESTERN AND
EASTERN-EUROPEAN CULTURE: THE EMOTIONAL
DISCOURSE IN THE CONTEMPORARY TRAVELOGUE
BY PETER HANDKE**

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Abstract

Literature has always been closely linked with emotions. The emotional discourse in literary works appears as a source of inspiration and creative motivation for the authors, but also plays a strategic role in developing emphatic relations with the readers, helping them to focus more easily on the relevant nuances of expression and action, in the literary work, as well as outside of it - in reality. Representation of emotions in the travelogue, which as a genre closely approximates the real world, varies in terms of the era, the reasons for creation of the work, as well as the motives and the style of the author. In the contemporary travelogue of Peter Handke, the emotional discourse plays a fundamental role; In this paper, an attempt will be made to present all the emotional aspects of his work motivated by the breakup of Yugoslavia and the wars on the Balkans: the deep emotional background as the reason for the creation of his contemporary literary works, the emphatic relations arising from them, as well as the emotional reaction of the global community and, consequently, the author himself.

Keywords: *emotions in literature, travelogue, Peter Handke, Yugoslavia, the Balkan Wars*

**РЕЛАЦИЈАТА ИСТОК-ЗАПАД (ОРИЕНТАЛИЗАМ-
БАЛКАНИЗАМ) ВО ЕДНА СОВРЕМЕНА МАКЕДОНСКА
ДРАМА**

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Апстракт

Со овој труд правиме диференцијација на балканизмот и ориентализмот и ја одредуваме релацијата Исток-Запад. Според Фројд, личноста има две страни од кои едната е супериорна, другата – инфериорна. Таков сооднос имаат и персонифицираните Исток и Запад. Диференцијацијата ја правиме како база за понатамошно одредување на оваа релација во современата македонска драма, „Словенскиот ковчег“, од Венко Андоновски. За остварување на оваа цел, говориме за тенденцијата за словенско заедништво во драмата. Расчитуваме симболи што имаат свои значења во источниот и западниот свет. Ги толкуваме симболите на ковчегот, правот, јаболкницата и сенките. Така, на пример, симболизмот на ковчегот се потпира на два елемента: во него се положува материјално или духовно богатство, а отворањето на ковчегот е еднакво на откровение.

***Клучни зборови:** ориентализам, балканизам, ковчег, јаболкница, сенки*

Abstract

With this paper we do differentiation of the balkanism and Orientalism and determine the relation East-West. According to Freud, a person has two sides, one of which is superior, the other - inferior. Such proportion have personified East and West. The differentiation we make as a base for further down this route in the contemporary Macedonian drama "Slavic Chest" by Venko Andonovski. To achieve this goal, we talk about the tendency of Slavic unity in the play. We analyze the symbols that have their own meanings in the eastern and western world. We interpret symbols of

the coffin, dust, apple and shadows. For example, the symbolism of the ark rests on two elements: it is laid material or spiritual wealth, and the opening of the coffin is tantamount to revelation.

Keywords: *Orientalism, Balkanism, apκ, trunk apple tree, shadows*

NATIONAL FUTURISM AND INVENTED TRADITIONS OF CHUVASH IDENTITU

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Abstract

Futurism in the 20th century belonged to the most influential trends in European cultural and intellectual life. The rise of regional nationalisms and continental European empires collapse led to national futurism triumph in former empires regions including Russian Empire. The landspace of the former empire was Sovietized in political, cultural and geographical dimensions. The Soviet Union was too active in experiments with imagination, invention and institutionalization of new political and ethnic nations. Chuvashia was among results of the violence accelerated modernization of the former imperial periphery invented and imagined in nation and nationalism categories. Chuvash intellectuals become active participants of cultural projects and practices that assisted to institutionalization of new identity. National Futurism became a universal practice for nationalist and intellectual imagination. Şeşpël Mişşi is known as a founding father of modern Chuvash language and poetic tradition in spite the fact that starting conditions were extremely unfavorable and pre-revolutionary Chuvashia was oppressed region with predominantly rural population. The texts of Şeşpël Mişşi formed cultural canons of modernism and futurism. Şeşpël Mişşi suicide interrupted rapid and dynamic development of Chuvash identity, but modernist futurism paradigm become one of the central system elements in the further Chuvash identity transitions and transformations. The “Chuvash language”, “Chuvash world”, “Chuvash State”, “Chuvash future” concepts become central in political and poetic discourse of national Chuvash Futurism. The historical centerism and archaization were among system landmarks of Chuvash futurism version. Chuvash intellectuals including Peder Huzangaj, Mitta Vaşlejč, Atner Huzangaj, Boris Cheendykov and others continued development of the national futurism in post-Şeşpël era in a contemporary period of Chuvash identity.

IDENTITIES, CULTURAL DIVERSITY AND BOUNDARIES IN POSTSOVIET COUNTRIES (CASES OF MOLDOVA AND RUSSIA)

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Abstract

The authorities in many countries have to deal with multiethnic communities' problems. They come up against invisible cultural boundaries inside them. It's pretty clear now that multiculturalism has "utterly failed" and politicians try to turn on "melting pot". The question is how it could be realized.

The idea of "cultural boundaries" begins to play key role in interdisciplinary researches on identity politics. It's associated with investigations in cognition, identities, cultural capital, ethnic group positioning, immigration, etc.

The paper is devoted to the factors and conditions of nation-building in post-Soviet countries. There are very complicated set of factors in such societies. The main focus is on the institutional heterogeneity, new forms of social relations, communication and cultural products, cultural environments, social and economic conditions. The most essential problem is the religious and ethnic revival connected with specific reflection of the cultural and historical heritage left over from previous generations. A "soft force" using by neighboring countries makes it much more difficult. The research was conducted in the 2014, September in the Republic of Moldova and Russia. The methods of collecting primary data were biotic behavioral observation and semi-structured interview with experts. The preliminary findings should be directly discussed in scientific and policy-makers communities.

Keywords: *identity politics, identities, cultural boundaries, post-Soviet countries, religious and ethnic revival, "soft force".*

**МАКЕДОНАКИОТ НАЦИОНАЛЕН ИДЕНТИТЕТ ВО
ПРЕГРАТКА НА ЕВРОПСКИОТ КОЛЕКТИВЕН
ИДЕНТИТЕТ**

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Апстракт

Претварањето на сегашноста во минато создава траги, алки, социјални врски кои субјектите ги врзуваат во група- нација која припаѓа на еден **колективен идентитет** кој е препознатлив за структурите и обележјата на еден народ низ раскажувања и доживувања на тој народ . Создавањето на колективниот идентитет потекнува од праисториската човекова потреба да припаѓа на групата, да биде дел од некое поголемо цело. Колективниот идентитет **не е фиксен туку е во постојано создавање** - етничка идентификација која се дообликува низ процесите на социјализација. Во тој процес на етнизација и социјализација на етносот низ културните и биографски разлики на еден народ ние бидуваме различно колективни. Во нашето македонско себеформирање кое географски припаѓа на Европа и **(како што би рекол Дерида) меѓудругото сме и Европејци, припаѓаме на европскиот колективен идентитет.** А како? Во овој научен труд ќе се обидам тоа да го прикажам низ **драмските текстови на Јордан Плевнеш: *Еригон* и *Среќата е нова идеја во Европа*.**Прекуклучните матрици на европската цивилизација во *Среќата е нова идеја во Европа*, низ еден женски лик-Европа, претставен е стариот континент со своите трагедии. Нашите колективни генетски слики дадени во претставата *Еригон*, прикажани со метафората на стравот, во една **потрага по идентитет** на оние луѓе кои претрчуваат од гробиштат до европските улици, демнети од госпоѓата Дибуда-декадентната Европа, која само советува и ветува, но не исполнува. Секој лик во себе ја носи колективната трагедија, како една опомена дека долговите мора да бидат вратени, затоа што ако не го стори тоа татковината тогаш никој друг нема да го стори.

Клучни зборови: *колективен идентитет, етнос, разлики, припадност, колективна трагедија*

MACEDONIAN NATIONAL IDENTITY EMBRACED BY EUROPEAN COLECTIVE IDENTITY

Abstract

Turning the present into the past creates traces, bracelets, social ties that bind the entities in a group of a nation that belongs to a **collective identity** that is recognizable to the structures and features of a nation through narratives and experiences of its people. The creation of a collective identity derived from prehistoric human need to belong to a group to be part of a greater whole. Collective identity **is not fixed but is constantly creating** - ethnic identification that reshape the processes of socialization. In the process of ethnicization and socialization of ethnicity through cultural and biographical differences of a nation we are being a different collective. In our Macedonian formation of itself which geographically belong to Europe (as Derrida would say) **among others we are Europeans as well, belonging to a collective European identity**. But, how?

In this scientific paper I will try to present that through the playwrights of **Jordan Plevnesh: *Erigon and Happiness is a New Idea in Europe***. Through the key matrix of European civilization in *Happiness is a New Idea in Europe* through a female character-Europe, the old continent is represented by its tragedies. Our collective genetic images presented in the play *Erigon*, shown with the metaphor of fear, **in a search for the identity** of those people who ran from the cemetery to European streets, followed by Mrs. Dibua-decadent Europe, which only advises and promises, but fulfills nothing. Each character carries the collective tragedy as a reminder that debts must be repaid, because if the homeland does not do that no one else will do.

Keywords: *collective identity, ethnic, differences, backgrounds, collective tragedy*

РАЗРУШЕНИЕ НАЦИОНАЛЬНОЙ ИДЕНТИЧНОСТИ В ПОЗДНЕМ ТВОРЧЕСТВЕ ЧИНГИЗА АЙТМАТОВА

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Аннотация

В статье рассматриваются последние произведения видного двуязычного писателя XX века Чингиза Айтматова – его романы «Тавро Кассандры» и «Когда падают горы (Вечная невеста)». В центре внимания автора статьи оказывается трагический слом национального сознания, постигший людей в постсоветском пространстве. Также затрагивается сложный вопрос изменения мировоззрения самого писателя в 1990-2000-е годы.

***Ключевые слова:** Чингиз Айтматов, билингвизм, Россия, Кыргызстан, национальная идентичность*

THE DESTRUCTION OF NATIONAL IDENTITY IN THE LATER WORKS OF CHINGIZ AITMATOV

Abstract

The article discusses the recent works of a prominent bilingual writer Chingiz Aitmatov – his novels "Cassandra's Brand" and "When mountains fall (the Eternal bride)". The author of the article is the tragic demolition of the national consciousness that befell the people in the post-Soviet space. Also addresses the difficult question of changing attitudes of the writer in 1990-2000-ies.

***Keywords:** Chingiz Aitmatov, bilingualism, Russia, Kyrgyzstan, national identity*

**СПОРТ ЗА ИМЕТО МЕЃУ МАКЕДОНИЈА И ГРЦИЈА:
МАКЕДОНСКИОТ ИДЕНТИТЕТ И УПОТРЕБАТА НА
ТЕРМИНОТ „МАКЕДОНЕЦ“ ВО ДЕЛОТ НА
МАКЕДОНИЈА ПОД ГРЦИЈА**

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Апстракт

Преку интердисциплинарен пристап во кој се инкорпорирани теориите за нациите и национализмот и историските процеси на градење на нацијата, се прави обид да се дојде до суштината на проблемот за Спорот за името меѓу Македонија и Грција. Формалните аспекти на меѓународно-правните односи меѓу двете земји, поврзани со тесниот мандат во рамките на преговорите во ООН, во суштина се темелат на историските процеси на градење на идентитетот во двете земји. Суштината на спорот за името може да се пронајде во расно мотивираниот грчки конструкт „славофони“, кој треба да послужи како преодна етапа кој асимилација. Истото, сепак, грчката држава го негира преку инцидентното, со историски употребувано име „македонец“, кое упатува на идентитетската посебност на Македонците. Денес, грчкиот колективен историски мит, чувството на загрозеност го проектира во рамките на спорот за името во рамките на ограничувањето на идентитетскиот простор на Р. Македонија, или воведување на територијализација на националниот мит, кој треба да ги исклучи не само фактичките туку и историските „територијални претензии“ кон територијата на денешната „Грчка Македонија“.

Клучни зборови: Македонија, идентитет, спор за името, Грција, македонски јазик

**NAME ISSUE CONFLICT BETWEEN MACEDONIA AND
GREECE: MACEDONIAN IDENTITY AND THE USAGE OF
THE TERM “MACEDONIAN” IN THE PART OF
MACEDONIA UNDER GREECE**

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Abstract

Through interdisciplinary approach with incorporation of theories of nation and nationalism, we make an effort to explain the name issue between Macedonia and Greece. The formal aspects of the international relations are framed in the clear mandate in UN processes of negotiation, but the essence of the problem are in the parallel historical processes of nation building in the both countries. The core of this problem is related with the racial motivated construct “slavofoni”, which should serve as faze for future assimilation. The same, is denied by the Greek state, with the historically used term “macedonian”, which is clearly used in sense of separate Macedonian identity. Today, the Greek historic collective myth is projecting the feeling for jeopardized territorial identity within the name issue and in the frame of limitation of the identity space of Republic of Macedonia. In this sense, the national myth of Republic of Macedonia should not exclude not only factual, but also an historic “territorial pretensions” toward the territory of today’s “Greek Macedonia”.

Keywords: *Macedonia, identity, name issue, Greece, Macedonian language*

**CRISIS, MIGRATION AND INTEGRATION: THE
EXPERIENCES OF COLUMBIAN MIGRANTS IN MADRID,
LONDON AND BRUSSELS**

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Abstract

The theme of migrant integration has acquired increased relevance in the current European backdrop of socioeconomic and political crises, albeit with differences according to specific national and local contexts. This paper offers a first exploration of the data obtained from a research project investigating the integration experiences of Colombian migrants in three European cities: Madrid, London and Brussels. Several issues have emerged as especially relevant during such exploration. One is the different meanings or concerns associated with the ‘current crisis in Europe’; while for some migrants the main preoccupation is the labour market, for others it is the growing anti-immigrant feelings and policies. The second is the need to acknowledge the heterogeneous effects of the crisis and coping strategies put in place by migrants; return is not necessarily the preferred option, resistance and re-emigration are others. Finally, it is possible to observe an increased precariousness in migrant lives, something which could be construed as a reversal or freezing of integration processes. This final point leads to a discussion of the meanings of ‘integration’ for migrants themselves. In conclusion, the paper seeks to contribute new empirical and theoretical evidence about migrant integration in the European context, and the impact of economic crises, which could feed into a better informed political and policy debate and measures.

МИГРАЦИЈАТА ВОЗВРАЌА: УСПЕШНИ ПРИКАЗНИ НА ВРАТЕНИ МИГРАНТИ ВО МАКЕДОНИЈА

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Апстракт

Миграциските текови од Република Македонија кои настанаа по распадот на Југославија се разликуваат значително од традиционалните облици на миграција. Најкарактеристични примери се миграцијата на високо квалификувани и образовани лица или *одлив на мозоци*, како и миграциските текови и трендови предизвикани од воведувањето и либерализацијата на визниот режим. Покрај овие, уште еден нов тренд беше забележан изминатите години: феноменот на мигранти-повратници. Во овој труд ќе бидат анализирани придобивките на враќањето на мигрантите и нивната улога во македонското општество, како на политички така и на економски план. Ќе бидат изнесени неколку примери на успешни мигранти-повратници и нивните економски дејности и/или политички кариери во Македонија. Истражувањето, покрај презентирањето на досегашните квалитативни резултати, има за цел да поттикне понатамошни истражувања во областа, како и да отвори дебата за проблемите со миграцијата во Македонија.

Клучни зборови: *миграција, мигранти-повратници, Република Македонија.*

MIGRATION ON THE MOVE: SUCCESSFUL STORIES OF RETURN MIGRANTS IN MACEDONIA

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Abstract

Migration flows from the Republic of Macedonia which occurred after the brake-up of Yugoslavia differ in many features from traditional forms of migration. Migration of highly skilled and educated individuals or *brain drain*, migration flows and trends caused by the introduction and liberalisation of the visa regime to name a few. However, another trend is notable in the past years: the phenomenon of return migration. This paper will focus on the benefits of return migrants and their role in the Macedonian society, both on political and economic level. I will present some examples of successful migrant returnees and their businesses and/or political carriers in Macedonia. The research, which due to the restricted sample has only a qualitative outcome, seeks to incent further investigation in the field and open a debate on migration problems in Macedonia.

Keywords: *migration, return migrants, Republic of Macedonia.*

**WHO CARES FOR THOSE WHO CARED?
ETHNOGRAPHY ON AGEING-MIGRANT-DOMESTIC-
WORKERS: TRANSNATIONAL NEGOTIATIONS FOR
SOCIAL PROTECTION**

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Abstract

How do ageing-migrant-domestic-workers access social protection transnationally? And how are these dynamics affected by intersecting gender, race, and class markers of difference? This paper makes a case for addressing these questions, that seem to be of much relevance as human beings increase their mobility³ and their needs for social protection⁴, emerge as a public transnational matter that should be relevant both for academics and policy makers. Through a moving-ethnographic I tackle the case of Peruvian-Colombian Migrant-Domestic-Workers in the city of Brussels that have contributed productively and reproductively to the development of their sending-receiving societies but experience social protection needs that can't be properly met by formal mechanisms of protection on either side. I analyze their strategies to access social protection across borders both with formal institutions and their transnational family - networks. In order to do so, Transnational⁵ and Intersectional⁶ perspectives are used to depict how

³ According to the U.N population department there are 232 million international migrants and this number is expected to raise to

⁴ Social protection is defined as a set of risk-reducing practices in the area of human reproduction. The term protection treats supportive resources such as care, which are embedded in interpersonal networks (such as the transnational family network) and social policy regulations of the welfare state as closely interwoven. There are four dimensions of social protection Sabates-Wheeler, R. and R. Feldman (2011). *Migration and Social Protection: Claiming Social Rights Beyond Borders*. Great Britain Palgrave Macmillan

⁵ See more on transnationality at: Faist, T. (2012). 'Transnationality in the Production of Inequalities: Mobility across Borders', Bielefeld University.

their gender, race and class positioning within the global reproduction of labor affects their strategies to access social protection and reproduces global social inequalities⁷. I conclude that migrant's strategies to protect themselves socially could be theorize as a transnational-welfare-system composed of informalformal resources that are interdependent from each other. Such Transnational-Welfare-System might increase ageing migrants' life chances while also reproduce and produce social- inequalities globally. This contribution adds to the debate on the transnational social question⁸, by providing a glance of how transnational needs for social protection are met over borders and the inequalities that are reproduced through them.

Keywords: *Transnational-Social-Protection, Ageing-Migrant-Domestic-Workers, and Social-Inequalities.*

⁶ For a more precise definition on intersectionality see: Walby, S., et al. (2012). "Intersectionality: Multiple Inequalities in Social Theory." *Sociology* **46**(2): 224-240.

⁷ For a more precise definition on inequality see: Tilly, C. (2000). "Relational Studies of Inequality." *Contemporary Sociology*. 29(6): 782-785.

⁸ For more on the Transnational-Social-Question see: Faist, T. and B. Bilecen (2014). "Social Inequalities Through the Lens of Social Protection: Notes on the Transnational Social Question." *Population, Space and Place*.

FACTORS WHICH HAVE INFLUENCE OVER THE STUDENTS DECISION TO LEAVE NATIVE COUNTRY

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Abstract

For the survival and development of a small country it is essential young people to want to stay and live in, especially if we take into consideration that through the process of education the country continuously invests in their knowledge. Although there are several factors that affect the decision of students to leave their native country (in this case the Republic of Macedonia) this paper aims to show how it is related to the existence and respect for societal values, and whether this process is connected to the existence of confidence in themselves and others. The existence of differences in terms of independent variables will also be part of a more comprehensive analysis. The paper will be based on original quantitative research done on the sample of 700 students from five Macedonian universities.

Key words: *societal values, leaving the country, students, self-confidence, confidenc*

ФАЛШИВОЕ ПРЕДСТАВЛЕНИЕ ОБ «АМЕРИКАНСКОЙ МЕЧТЕ» В АМЕРИКАНСКОЙ КУЛЬТУРЕ ИММИГРАНТОВ

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Аннотация

В американской литературе в настоящее время по-прежнему актуален миф под названием «американская мечта», который в сознании разных людей репрезентируется по-разному. Причиной этого является использование «американской мечты» в качестве идеологического инструмента для организации электората и манипулирования массами. Воспринимаемая ранее как нечто особое, в конце XX – начале XXI веков «американская мечта» претерпела существенные изменения в связи с социальными и иными трансформациями. В теории «американская мечта» всегда связывалась с благородными целями, но в действительности она может иметь разрушительный характер. В статье показывается художественное осмысление её иллюзорности, прослеживается, как понятие «американская мечта» теряет свою состоятельность в разных аспектах жизни общества.

***Ключевые слова:** «Американская мечта», иллюзорная реальность.*

THE FAKE REALITY OF THE AMERICAN DREAM IN AMERICAN AND IMIGRANTS CULTURE

Abstract

Nowadays the idea of the American dream as a myth still exists in American literature but actually it doesn't mean the same concept as it used to be because the idea may exist for some people who have power and this idea serves as an ideological tool for them to rule and

organize the electorate and to manipulate mass psychology. The American dream used to be a great American value, but this value faced many obstacles which made this Dream come to its end in the second half of the twentieth century and the beginning of twenty-first century. As a written theory, the American dream may pursue very valuable and noble aims but in reality the idea push people to destruction. The essay proves that in the second half of the twentieth century and the beginning of twenty-first century the concept made people strive for an illusion called the American dream. This dream as a concept is dying politically, spiritually, economically and socially due to historical events and judging by the point of literary views.

Key words: *American dream, fake reality.*

**Е-ПРЕТПРИЕМНИШТВОТО КАКО МОЖНОСТ ЗА
НАМАЛУВАЊЕ НА НАУЧНАТА МИГРАЦИЈА ОД
РЕПУБЛИКА МАКЕДОНИЈА**

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Апстракт

Во денешно време, економскиот раст сè повеќе е условен од степенот на ангажиран научен потенцијал во националната економија, каде покрај науката вклучени се уште и образованието и стопанството. Во исто време, евидентно е дека Република Македонија се соочува со проблемот на интензивна научна миграција. Затоа, во овој труд се дискутира за поврзаноста меѓу претприемништвото и намалувањето на научната миграција. Конкретно, се истражува можноста преку развој на е-претприемништвото во Република Македонија да се намали трендот на научната миграција. Станува збор за концептот на т.н академско претприемништво кој ги поврзува науката, образованието и стопанството.

За разлика од развиените земји каде се негува прагматичен и практичен приод кон искористување на знаењето како во бизнис сектор, така и во јавната администрација, во Република Македонија знаењето кое го поседуваат истражувачите примарно останува во рамки на академската заедница и универзитетите. Затоа, намерата е да се испита можноста за вклучување на истражувачите во бизнис секторот преку создавање на нови онлајн бизниси и интензивно и иновативно воведувањето на информатички и компјутерски технологии (ИКТ) во постојните бизниси.

Главна цел на трудот е да даде одговор на прашањето: каков е потенцијалот на Македонија да се приклучи кон современите светски трендови и да отвори можност за абсорпција на постоечкиот научно-истражувачки кадар, односно, да се искористи стекнатото знаење. За да се исполни зададената цел, во рамки на трудот поместени се и наоди од спроведено примарно истражување, од каде се извлекуваат релевантни заклучоци за тоа дали е-претприемништвото може да се земе превид како сериозна можност за намалување на научната миграција од Република Македонија.

***Клучни зборови:** научна миграција, академско претприемништво, е-претприемништво, е-бизнис, Република Македонија*

E - ENTREPRENEURSHIP AS OPTION FOR REDUCING SCIENTIFIC MIGRATION OF THE REPUBLIC OF MACEDONIA

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Abstract

Nowadays, economic growth is increasingly conditioned by the degree of scientific potential engaged in the national economy, where beside science, education and economy are also involved. At the same time, it is evident that Macedonia faces the problem of intensive scientific migration. Therefore, this paper discusses the connection between entrepreneurship and reduction of scientific migration. In particular, it explores the possibility to reduce the trend of scientific migration from the country through development of e-entrepreneurship. It is the concept of so-called academic entrepreneurship linking science, education and economy.

Unlike the developed countries where the knowledge is used as pragmatic and practical in the business sector as well as in public administration, in Republic of Macedonia using the knowledge primarily remains in the academic community and universities. The idea of this paper is to investigate the possibilities to engage the researcher in the business sector through the creation of new online businesses or, in more intensive and innovative introduction of ICT in existing businesses.

Main goal of this paper is to answer the question: what is the potential of the Republic of Macedonia to join to the modern world trend and to open the possibility for using the knowledge gained? In order to be able to make relevant conclusions about whether an e-entrepreneurship can be considered as a serious opportunity to reduce scientific migration from Macedonia, this paper contains findings from a conducted primary research.

Keywords: *scientific migration, academic entrepreneurship, e-entrepreneurship, e-business, Republic of Macedonia*

**ВЗАИМОДЕЙСТВИЕ ВЛАСТИ И МЕСТНЫХ
ЭТНИЧЕСКИХ И КОНФЕССИОНАЛЬНЫХ
СООБЩЕСТВ КАК УСЛОВИЕ И ГАРАНТИЯ
НОРМАЛЬНОЙ СОЦИАЛЬНОЙ АДАПТАЦИИ
МИГРАНТОВ**

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Аннотация

Самарская область России на границе XX-XXI в представляет собой один из важных притягательных для мигрантов центр. Так складывается не только потому, что это высокоразвитая в промышленном отношении область, нуждающаяся в постоянном притоке новой рабочей силы, не в последнюю очередь оттого, что это регион постоянного совместного проживания различных этносов, регион, где традиционно отсутствуют межэтнические конфликты

Кроме прочих обстоятельств, это происходит по причине традиционно большого внимания органов местной власти к вопросам совместного бытия разных этнических групп. На протяжении почти 200 лет власти г. Самары, губернии, области порой без согласования с центральной властью создают условия для комфортного совместного проживания людей на данной территории. На местном уровне принимаются решения исполнительной власти и законодательные акты законодательной власти, закрепляющие эти условия.

Эти усилия не были бы столь эффективными, если бы не находили понимание и поддержку лидеров местных этнических сообществ, часть из которых в основном разделяла идеи общероссийской гражданской идентичности, оставаясь при этом приверженцами собственного этноса и культуры. Эти люди в царской России были представлены во всех сословиях, в Советской России составляли часть общества от элит до классов и слоев, сегодня они наиболее активная часть сообщества Самарской области.

Немалую роль в привлекательности региона для мигрантов играет существование здесь конфессиональных центров, в

которых приезжающие сюда на временное или постоянное проживание люди могли бы не только удовлетворить свои религиозные потребности, но и встретить представителей местного населения, которые даже если не являются соплеменниками прибывших, представлены людьми, понимающими их запросы и ожидания.

Ключевые слова: мигранты, власть, лидеры, этносы, конфессии

MIGRANTS, REGIONAL AND CENTRAL AUTHORITIES, LEADERS, ETHNIC GROUPS, RELIGIOUS CONFESSIONS

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Abstract

At the moment, on the borderline between XX and XXI centuries, Samara region makes one of the most attractive territories in Russia. This phenomenon may be explain by its high developed industry, with its constant demand for qualified workers, but also by the fact that it is famous for its multi-national population and lack of conflicts on the ethnic basis.

Traditionally, local authorities pay a great deal of attention to peaceful coexistence of different ethnic groups. For more than 200 years Samara local and regional authorities, sometimes without any approval from the central Government, do their best to provide comfort environment for the people of different nations living on the territory of the region. Local and regional executive authorities as well as legislative bodies issue legal acts to keep and improve this environment.

All those efforts could not be so effective without local ethnic communities support, some leaders of which share the ideas of general Russian civil identity but remain their cultural and national values adherers. In Tsarist Russia this kind of people was represented on all the society levels and now they remain the most active representatives of Samara region community.

Religious confession centers functioning also contribute a lot to Samara region attractiveness for migrants. In the centers people coming to Samara region for a long or a short staying can participate in the ceremonies and rituals of their religion and meet local people who understand their expectations and demands even though they are of different nation or religion.

Keywords: *migrants, authorities, leaders, ethnic groups, denominations*

THE RELATIONSHIP OF GLOBALIZATION AND ISLAMIC RELIGION IN THE PROCESS OF GLOBALIZATION

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Abstract

The phenomenon of globalization and its processes in the modern world affect the religious changes as well as all developments that are currently popular in the modern societies. Those processes refer to the political, economic, cultural and religious life in every modern society.

Therefore, religion in the globalized world provides a great opportunity for interreligious dialogue and cooperation, but also danger of closing in its frames of self-availability.

The main purpose of this paper is to show how religion as a social phenomenon is of great importance, and simultaneously being an important aspect of globalization. The study of religion in the aspect of globalization has been a neglected topic so far, starting from the fact that religion is based on tradition, the close relationship between regional culture and tradition. The influence of the theory of secularization has been stated by many social scientists who considered religion as unimportant sociological phenomenon in the modern world. However, the globalization affects all aspects of social life. Therefore, the consequences of globalization are new experiences in society, the process of internationalization and transnationalization. The relationship between religion and globalization poses many questions that theologians, sociologists and others are trying to answer authentically. Although the two terms are contradictory to each other, however they are closely related. Therefore, they are going to provide analysis of their relationship in this paper. Those processes relate to the political, economic, cultural and religious life in every modern society.

Keywords: *religion, globalization, religious organizations, Islamic movements*

**THE NEW ROLE OF CULTURE, HISTORY AND
ARCHAEOLOGY IN THE GLOBALISED WORLD OF
PERCEPTIONS**

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Abstract

The new trends in the social sciences in the last three decades were focused and spent huge energy on self-reflections and the confrontations with the challenges of the relativism. One of the most intriguing conclusions that came out of this self-revealing process was the awareness that the scientific disciplines occupied with the research of our past have been continuously and profoundly motivated, driven or influenced with our values, viewpoints and aspirations from the present. At the same time, the other side of this complex relation between science and society had added a new value to the place of scientific disciplines like history and archaeology for the present and the future of our societies.

Today archaeologists, historians, as well as anthropologists, sociologist and theorists in political science are aware of the great impact of history, archaeology and classical linguistics in the creation of our contemporary identities, cultures, and some of the most important symbols that create the social cohesion of our societies and the software of human minds.

After the end of the Cold War, the intensively globalizing world has faced the cacophony of identities, cultures and perceptions that created great cultural clashes, but remained the main avenue for global dialogue. Therefore, the theory of international relations and its dominant constructivist thought have placed great emphases on the symbols, cultures and identities from the past, their interpretations and impact. These scientific tendencies have once again opened a new era of influence for the key-holders of the past: the archaeologists and historians.

Keywords: *globalization, perceptions, symbols, history, archaeology*

INTERPRETATION OF THE CONCEPT OF SPACE IN THE CONTEMPORARY GLOBAL SOCIETY

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Abstract

Globalization is continuing and intensifying the process that has began from the modernization, connecting different spaces in a whole, bound by the logic of capitalism, consumerism, mass media culture and digital technology. Despite such tendencies of turning the world into one large common space, each individual or group is still occupying a concrete space, i.e. live in a specific cultural determined particularity. Hence, postmodern and global period is essentially directed toward issues of real and imaginary geography, global and local, virtual and real space; and the same direction is in the focus of this paper too. The concept of space is analyzed through two theoretical models – “heterotopia” proposed by Michael Foucault, and Edward Soja’s “postmetropolis”. (Re)theorizing the concept of space through the prism of the triple dialectics (in terms of unconventional interpretation of the relationship space – time, and in terms of specifics involved in the network of meanings that weave the contemporary global age) paves the way for a broad and flexible perspective, theoretically and practically useful, of the so-called “third-space”.

Keywords: *space, globalization, heterotopia, postmetropolis, thirdspace.*

GLOBALIZATION AND ITS IMPACT ON THE CONTEMPORARY SOCIETY

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Abstract

Today humanity is facing problems which are not only concern of some countries, communities or nationalities, but they are global problems with huge impact in the whole civilization. Some of those concerns are: global warming, global economy, global education, terrorism and global risks, etc. Therefore, the concept of globalization is now a subject of discussion and world's intellectual debate. The interest to treat specific or general aspects of globalization is constantly growing and it focuses on analyzing the connection with various forms of social life and the effects of globalization on people's lives and the functioning of institutions.

According to Giddens (1997) globalization brings closer places with thousands of miles distance, making them part of the local events. As McLuhan (1964) states today we witness that we belong to one global village and each day thousands of people deal with issues which have global impact. Even though not all people in the planet are involved in the process of globalization, again it influences them as an external factor.

In this paper it is emphasized that the Western Balkans processes of globalization can be seen from several aspects. In particular, the market becomes the dominant form of everyday's life. Young the elderly people face this phenomenon, regardless their previous contacts with it. It is primarily related to the following factors: the flow of information, internet and mobile development, which is also accompanied with the process of globalization of knowledge and trade and those are inseparable parts of social movements. The number of e-bay and internet users in Macedonia is constantly growing.

We will elaborate this issue through descriptive and statistical methods and also through analysis of the provided documentation.

Keywords: *Globalisitiom, Imapct, Contemporary Society, Information Society*

CONCEPTUAL AND DEFINITIONAL POLYSEMY OF THE TERM OF CULTURE IN CONTEMPORARY SOCIAL SCIENCES

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Abstract

The aim of this paper is to present and analyse the conceptual and definitional polysemy of the scientific term of culture, as well as to emphasize some of the contemporary sociological and interdisciplinary concepts, theories and understandings of culture. That is an important topic in social sciences, actualized by contemporary theories of globalization, glocalization and discussions about global culture, contemporary transnational anthropological approaches to culture, sociological theories of modernity and modernization, “post-colonial discourse”, “strong program” in cultural sociology, contemporary postmodern theoretical turn such as “cultural turn”, “spatial turn”, “complexity turn” etc. In this regard, various new scientific and theoretical concepts, notions and understandings of culture in the “global age” are developing. To all of them, the abandonment of the traditional definition of culture as a unique, homogeneous, closed, static, territorialized, national etc. is in common, and the emphasis is now on the understanding of culture as a diverse, hybrid, heterogeneous, open, fluid, dynamic, deterritorialized, transnational etc. However, in contemporary debates about multiculturalism, identity politics, politicization of culture, cultural rights, etc., it remains unclear, and it is still an open question in what way the term of culture is defined, or whether the traditional concept of culture is used, or culture is understood in a new way, which again updates its conceptual and definitional polysemy. In that sense, this paper points out the importance of defining the term of culture and the need to explain different usages and concepts of culture in contemporary social sciences.

Keywords: *culture, globalization, postmodern theoretical turn.*

**LOCAL SUBJECT IN TRANSITION: GLOCALIZED
POLITICS TO CHANGE GLOBAL SOCIAL ORDER**

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Abstract

The local subject, living in the global world, is to adapt to the global social order, which function is to submit localities and make them forever-already-submitted ones by covert seduction politics. The main thing in this case is to preserve his/her own local identity with (out) changes for displacing the elements in the oppressed/oppressing dichotomy. The way out of the situation is to glocalize that social order so that to enforce power politics towards the imposed social order. It can happen on different levels, ones of the brightest of which are culture (e.g. holidays like Christmas, Groundhog's Day; family relationship, TV shows) and business (e.g. brand naming; consumption politics like casual Fridays, St. Valentine's Day in Japan). Global social order is gradually becoming in-submission-to-local-order-politics that is why the local subject is in transition that is an attempt to submit the former to a new type of order – glocalized.

MORAL HAZARD AND GLOBAL FINANCIAL CRISIS IN 2008

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Abstract

Global financial crisis escalated in all its force in summer 2008 with the shooting of the bubble real estate market in the US, raised the social relevance of a series of financial, banking, economic and social - economic issues. Among them is the issue of moral hazard in the financial markets. Issue that has become an element of commitment of the states (primarily the US and the EU) to regulate the financial markets, including to regulate and prevent the negative consequences of the behaviors of the entities on the financial markets, behaviors that real are moral hazard. The issue of moral hazard belongs to the same order of issues as, for example, the issue of asymmetric information on the subjects of financial markets. Undeniable fact is that all participants in the financial markets do not have equally relevant and quality information. Those participants who, unlike other entities of the same markets, have information with greater relevance, they may enter into riskier financial behaviors and actions, because we have information and know that some other subjects will suffer and pay the damage of their unrealistic, irrational, risky and irresponsible behavior. The issues of asymmetric information and moral hazard became objects to regulation by the state interventionism. But, certain measures to regulation, if they are not systematically jointly placed with some other concrete measures, can to cause unwanted behaviors that need to be eliminated through the regulation. For example, the guarantee of savings deposits and the determination of states that large banks shall not fail can cause a moral hazard behavior by banks.

Keywords: *asymmetric information, global financial crisis in 2008, state interventionism, moral hazard, "too big to fail."*

ПОСТАНОВКА ПРОБЛЕМЫ АНОМИИ И ОТЧУЖДЕНИЯ В НАУЧНОМ ПРОСТРАНСТВЕ СОЦИОЛОГИИ РЕЛИГИИ

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Abstract

В статье предпринят анализ фундаментальной антропологической проблемы отчуждения верующей личности в рамках стремительно развивающейся научной области – социологии религии. Автор исследует концепты аномия, посредствующие звенья в религиозном сознании, отчужденность в религиозных отношениях, другие имманентные связи религиозного индивида, объективированные в современной противоречивой социальной реальности. В статье освящается исторический ракурс феноменального происхождения обозначенных категорий в истории западноевропейской философии, европейской социологии и американской психологии религии. Суть отчуждения рассматривается как проблема разрушения, прерывания внутренних связей индивида с природно-биосферным бытием, социальной реальностью и разрушением межличностных связей, приводящему к аномичному, отдаленному существованию.

***Ключевые слова:** аномия, религиозное отчуждение, отчужденность, посредствующие звенья.*

THE PROBLEM ANOMIE AND ALIENATION IN THE SOCIOLOGY OF RELIGION SPACE SCIENCE

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The article analyzes undertaken a fundamental anthropological problem of alienation of the individual believer within the rapidly developing area of science - sociology of religion. The author explores the concepts of anomie intermediate links in the religious consciousness, alienation in religious ways and other inherent connection religious individual, objectified in contemporary contradictory social reality. The article is sanctified by the historical perspective of the phenomenal origin of the designated categories in the history of Western philosophy, sociology, European and American psychology of religion. The essence of alienation is seen as a problem of the destruction of the individual interrupt internal communications with natural biosphere existence, and the destruction of the social reality of interpersonal relations, leading to remote existence.

Keywords: *anomie, religious alienation, alienation through links.*

INTERNET AS AN IMPETUS FOR SOCIAL CHANGE

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Abstract

Internet is a global computer network that connects people from all around the world. Without the Internet, the process of globalization wouldn't be felt by many of them. Even in an era of technological advances, not everyone has the advantage of using it. Internet technology is still not available in any place on Earth. Sometimes, nation-state governments are filtering content. Some international treaties are not ratified by all parties. A global government would take measures to provide Internet access everywhere in the world, disallow content filtering in separate countries, and make laws that apply to all. In a democratic society, the government is elected by the people. It represents their interests and protects their rights and freedoms. In a global society, it is not just the opinion of separate nation-state governments and their citizens, but everyone's opinion that matters. Every human is a citizen of the world. Global citizen society doesn't mean government overthrow. It is neither anarchy nor rule of common people. It is active involvement of global citizens in global decision making process. Decision implementation wouldn't be possible without considering the global citizens' opinions. Using of peer-to-peer file sharing applications proves that. Statistical reports say they are among the most used software applications on Internet. My survey research in 2013 confirms they are the most popular way of file sharing among the Internet users in Republic of Macedonia. Security and privacy threats are the greatest challenges they face. Those threats are not sufficient reason for users to stop using them. The change of consciousness causes feeling of belonging to a global citizen society and trust in its success. Internet is an impetus for that social change.

Keywords: *Internet, global, society, change, survey*

QUALITY OF EDUCATION AND ITS IMPORTANCE FOR ECONOMIC DEVELOPMENT OF THE COUNTRY

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Abstract

Education is influencing the economic growth directly through the increase of the human capital and indirectly by increasing the labour productivity. Considering these impacts, it is very important to ensure quality educational system. This paper presents the results from the survey about the quality of education and its importance for the economic development, conducted in the Republic of Macedonia. The questionnaire includes 39 questions that refer to the views of the respondents about the quality of education and the needed reforms in the educational system in the Republic of Macedonia. From the total number of respondents 48,4% are employed in schools, faculty or other educational institutions, 55,5% in the private sector and 35,4% are students. The results of the survey can be a guidelines for appropriate measures to improve the quality of the educational system in the Republic of Macedonia. The educational policy should provide continuation of education, reduction of the school leaving and that it is necessary to put the emphasis on practically applicable knowledge. So, the educational system needs a process of external quality audits. It is very important educational system to be focused on meeting the individual's needs, but also the labour market needs. Regarding the results from the survey, it can be concluded that the educational system of the Republic of Macedonia is faced with challenge to improve the educational characteristics of the population and the labor force, in order to provide continuous growth of human capital and economic development.

Keywords: *Survey, Education, Education Policy, Reforms, Economic Development*

**GRADUATES IN THE WORLD OF WORK: THE PROCESS
OF TRANSITION FROM EDUCATION
TO EMPLOYMENT**

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Abstract

Nowadays, the transition from being a full-time student to becoming an economically independent adult is recognized as very complex issue, which may have a tremendous impact on the subsequent career path. The transition process demonstrates how students' competencies, labour market conditions, employers' expectations interact in determining the relationships between graduation and initial employment (Teichler 2009). For a long period, a strong conviction was present in the Polish society that completion of higher studies determines the possibility of procuring attractive work or, at least, constitutes a guarantee for any type of employment (Domański, 2004). However, the higher education diploma is no longer a guarantee of getting a job. Various studies address factors, which might explain transition from education to employment and further career, such as educational achievement, sociobiographic background (e.g. cultural capital), and competencies. Nowadays, transition paths are more complex and unpredictable. Often university graduates are failing to make a successful transition to adulthood.

The aim of the paper is to demonstrate the different transition paths among university graduates. The main objective of my research is to find out what factors contribute to the successful transition to adulthood and what are the consequences of unsuccessful transition paths. In my paper I would like to present how transition may influence the family life of youths. I will focus on social problems that they experience, resulting from unstable professional situation, such as lack of suitable work (fitting to their qualifications) and postponing the family creation.

Keywords: *education, graduates, family, labour market, transition from education to work*

СРАВНИТЕЛЬНО-ПРАВОВОЙ АНАЛИЗ ЗАКОНОДАТЕЛЬСТВА О МОЛОДЕЖНОЙ ПОЛИТИКЕ В СТРАНАХ СОДРУЖЕСТВА НЕЗАВИСИМЫХ ГОСУДАРСТВ

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Аннотация

Цель данной статьи состоит в сравнении законодательства, регулирующего молодежную политику в Российской Федерации, Республиках Беларусь и Казахстан. В связи с тем, что на современном этапе поддержка молодежи является актуальной задачей, а Федеральный закон о государственной молодежной политике отсутствует, следует обратиться к опыту отраслевого законодательства стран СНГ. Субъекты Российской Федерации самостоятельно принимают законы для урегулирования данного вопроса. На основе обобщения региональных законов сделаны выводы о наименовании законов, понятии, принципах, направлениях и приоритетах молодежной политики в России. Сравнение полномочий органов государственной власти в реализации молодежной политики в России, Казахстане и Беларуси позволило выявить в них как похожие, так и разные признаки, классифицировать по различным основаниям. На основе анализа законодательства указанных стран СНГ на примере Казахстана и Беларуси предлагаются некоторые пути совершенствования российского законодательства о молодежи, связанные с разграничением компетенции органов публичной власти в сфере осуществления молодежной политики, способами ее финансирования, ответственностью должностных лиц.

Ключевые слова: молодежная политика, Российская Федерация, Республика Беларусь, Республика Казахстан

Abstract

The purpose of this paper is to compare the legislations regulating the youth policy in the Russian Federation, the Republic of Belarus and Kazakhstan. The public support of young people is a topical problem. But the act regulating this area is not laid down by Russian federal parliament. Therefore it is worth examining the sectoral legislation of the countries of CIS. Federal entities in Russia have the right to issue acts dealing with youth problems. The summarizing of the regional laws has allowed to make some conclusions about the name of the laws, the concept, principles, directions and priorities of youth policy in Russia. The comparison of powers of the government bodies in the implementation of youth policy in Russia, Kazakhstan and Belarus has allowed to reveal the differences and similarities. Some improvements of Russian legislation are suggested.

Keywords: *the youth policy of the Russian Federation, the Republic of Belarus, the Republic of Kazakhstan*

СЕМЕЈСТВОТО И СЕМЕЈНИТЕ ВРЕДНОСТИ ВО СОВРЕМЕНАТА МАКЕДОНСКА КНИЖЕВНОСТ ЗА ДЕЦА И МЛАДИ

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Апстракт

Во трудот се осврнуваме на современата македонска книжевност за деца и млади, поконкретно на прашањето за семејството и семејните вредности кои се негуваат во истото. Во трудот ќе се задржиме на дела од македонската книжевност за деца и млади во кои ликовите/протагонистите покажуваат позитивни вредности во релациите со останатите луѓе. Преку ваквите ликови и дела, треба да им се помогне на децата и младите да градат релации во согласност со нивните семејни вредности, да им помогнат да го разберат значењето на поддршката во семејството, и да препознаат како овие семејни вредности кои треба да се негуваат од најраното детство ќе им помогнат да надвлдаеат одредени пречки или предизвици со кои ќе се сретнат во понатамошниот живот. За таа цел, ќе се разгледуваат текстови во кои експлицитно се третираат теми од современиот живот и современото живеење, како развод на родители, посвојувања, пороците на денешницата, конфликти во семејството, смрт во семејството, периодот на адолесценцијата, улогата на постарите (родителите, бабите и дедовците) при негување на овие вредности и сл. Бидејќи книжевноста за еден од најнефективните начини да се воспитуваат младите генерации, ќе се издвојат дела од современи македонски автори во кои се негуваат позитивните вредности, како толеранцијата, разбирањето, воспитанието, вниманието кон другиот итн.

Клучни зборови: *семејство, семејни вредности, книжевност за деца и млади.*

**FAMILY AND FAMILY VALUES IN THE
CONTEMPORARY MACEDONIAN LITERATURE FOR
CHILDREN AND YOUTH**

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Abstract

This paper focuses on contemporary Macedonian literature for children and youth exploring the issue of family and family values nurtured in literature. The paper will bring attention to works for children and youth by Macedonian authors in which the characters / protagonists show positive values in relationships with other people. The characters and their deeds should help children and young people to build relations in accordance with positive family values, help them understand the importance of family support, and to recognize how these family values, that need to be nurtured from early childhood, will help to overcome certain obstacles or challenges they will meet in the future. For this purpose, the texts which will be considered treat themes of modern life and modern living, such as, divorce, adoption, vices of today, family conflict, death in the family, adolescence, the role of elders (parents, grandparents) in fostering these values, and so on. Since literature is one of the most effective ways to educate young generations this paper elaborates on works by contemporary Macedonian authors that foster positive values such as tolerance, understanding, being considerate towards others and so on.

Keywords: *family, family values, literature for children and youth.*

ВЛИЈАНИЕТО НА ГЛОБАЛИЗАЦИЈАТА ВРЗ МАКЕДОНСКОТО СЕМЕЈСТВО

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Апстракт

Процесот на глобализација свои највидливи влијанија оствари на преминот од 20 во 21 век, иако и поранешните појавни облици на глобализацијата беа присутни во целиот свет.

Македонското семејство беше подложно на трансформација најмногу поради промените што настанаа во општествениот систем (трансформација на сопственоста од државна во приватна, плурализација на општеството во сите сфери, прифаќањето на меѓународен модел за односите меѓу луѓето).

Големо беше и влијанието на глобалните процеси и текови, посебно во делот на обезбедување информации за философијата на семејното живеење во светот, животниот стандард на семејството и неговите членови, за општиот систем на вредности и за семејните вредности, како и за ризиците и опасностите со кои мораше да сесоочи во основа, традиционалното македонско семејство. Предмет на овој труд ќе бидат прашањата на влијание на глобализацијата врз македонското семејство, посебно во делот на односите меѓу семејството и општеството и односите внатре меѓу членовите на општеството.

Клучни зборови: *глобализација, семејство, РМ, семејни вредности, улоги во семејството.*

THE IMPACT OF GLOBALIZATION ON THE MACEDONIAN FAMILY

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Abstract

The process of globalization had its most visible impact during the transition from the 20th into the 21st century, although earlier manifestations of globalization were present worldwide.

The Macedonian family was subject to transformation mainly due to the changes in the society (process of privatization, pluralism of society in all spheres, acceptance of an international relationship model among people).

The impact of global processes and flows changed the Macedonian family in terms of providing information about the philosophy of living, the standard of living of the family members, the general system of values and family values, as well as the risks and dangers the traditional Macedonian family had to face.

The subject of this paper will be the influence of globalization on Macedonian family, especially regarding the relationship between family and society and relations among members in the society.

Keywords: *globalization, family, Republic of Macedonia, family values, family roles.*

СЕМЕЈСТВОТО И СЕМЕЈНИТЕ ВРЕДНОСТИ ВО ГЛОБАЛНИОТ СВЕТ

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Апстракт

Во согласност со општествено-економскиот и политичкиот развој на општеството и семејството доживува крупни промени како во структурата така и во меѓусебните односи помеѓу членовите. Промените врз поединечните функции на семејството се одвиваат со различен интензитет во различни општествени средини, зависно од општествено економските промени во поединечни средини. Овие промени се највидливи во репродуктивната и економската сфера на едно семејство.

Поаѓајќи од состојбите во денешното општество, од случувањата во семејството ќе бидат разгледани развојот на семејството од патријалхално кон модерно, функциите кои тоа ги извршува, структурата на денешните семејства, семејните односи. Ќе се осврнеме и на влијанието на модернизацијата и индустријализацијата врз семејните вредности. Трудот нуди анализа и на карактеристиките на традиционалното семејство и предизвиците на модерното семејство.

Семејството како основен фактор за интегрален развој и потребна грижа на децата ќе биде опфатен во овој труд. Неукажувањето соодветна поддршка на детето предизвикува негативни последици во процесот на негова социјализација. Семејството, како основно јадро во кое се јавува и одржува хармоничен живот, може да биде и извор на насилство меѓу нејзините членови, чии жртви се и децата. Детето спаѓа во најчувствителните жртви на насилството. Во некои земји детето се сместува во категоријата немоќни жртви на кривични дела. Семејства во кои доаѓаат до израз различни облици на структурална непотполност и функционална дезорганизација, негативно влијаат на децата.

Клучни зборови: *семејство, семејни вредности, модернизација, индивидуализација.*

Abstract

In accordance with the socio-economic and political development of society and the family is experiencing major changes both in structure and in the mutual relations between members. Changes on the individual functions of the family are taking a different intensity in different social environments, depending on the socio-economic changes in individual areas. These changes are most visible in the reproductive and economic affairs of a family.

Starting from the situation in today's society, from family events will be reviewed family development from patriarchal to modern, family features, the structure of today's families and family relations. We will also touch the impact of modernization and industrialization on family values. The paper analyzing characteristics of the traditional family and the challenges of the modern family.

The family as a basic factor of integral development and need child care will be covered in this paper. Inappropriate support for the child causes negative consequences in the process of socialization. The family as a basic core that occurs and maintain harmonious life can be a source of violence among family members, whose victims are children. The child belongs to the most vulnerable victims of violence. In some countries a child is placed in category powerless victims of crimes. Structurally deficient and disorganized families have a negative effect on children.

Keywords: *family, family values, modernization, individualization.*

**ПОЈАВАТА НА БЕЗДОМНИШТВО:
ОСВРТ КОН РАБОТАТА НА ПУНКТОТ ЗА
БЕЗДОМНИЦИ ВО МОМИН ПОТОК ЗА ПЕРИОД ЈУЛИ –
ДЕКЕМВРИ 2014**

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Апстракт

Промените кои настануваат во економската, социјалната, демографската, културолошката и правната структура во Република Македонија, влијаат на степенот на бездомништвото како и на неговото драстично зголемување како појава. Во текот на сите овие години на општествена транзиција од еднопартиски во повеќепартиски систем, се менува перцепцијата на појавата на бездомништвото во правец дека оваа појава е продукт на драстично осиромашување на просечниот македонски граѓанин, губењето на работата и можностите да се издржува себеси и своето семејство. Поради сите овие причини настанува состојба во Република Македонија каде не само поединци, туку и цели семејства се најдат во ситуација да живеат на улица, изложени на сите можни ризици за нивното здравје и живот. За појавата на бездомништво постојат бројни предрасуди и стереотипи, па можеби и тоа било причината да оваа категорија биде оставена на маргините на нашето граѓанско општество. Во овој труд ќе ги изнесам моите согледувања за преземање на соодветни активности, како и давањето на услуги на оваа категорија на лица за нивно реинтегрирање во општеството, со посебен осврт на работата на пунктот за бездомници во Момин Поток за период јули-декември 2014.

Клучни зборови: *бездомништво, сиромаштија, невработеност, пороци, социјални ризици, несоодветно домување, маргинализираност, социјална исклученост*

**EMERGENCE OF HOMELESSNESS:
REVIEW OF THE WORK OF THE SHELTER FOR
HOMELESS PEOPLE IN MOMIN POTOK FOR THE
PERIOD JULY – DECEMBER 2014**

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Abstract

The changes that are occurring in the economic, social, demographic, cultural and legal structure in Republic of Macedonia are affecting the degree of homelessness and its dramatically increase as a phenomenon. During all these years of social transition from one-party to a multiparty system, the perceptions of the emergence of homelessness is changing in the direction that this phenomenon is a product of drastic impoverishment of the average Macedonian citizen, loss of jobs and opportunities to support themselves and their family. For all these reasons a situation is arising in Macedonia where not only individuals, but entire families find themselves living on the street exposed to all possible risks to their health and life. For the emergence of homelessness are existing numerous prejudices and stereotypes, so maybe this caused this category to be left on the margins of our civil society. In this report I will bring out my remarks to undertake the appropriate activities, as well as provision of services to this category of persons for their reintegration into society, with special emphasis on the work of the Shelter for the homeless in Momin Potok for the period from July to December 2014.

Keywords: *homelessness, poverty, unemployment, vices, social risks, inadequate housing, marginalization, social exclusion*

КУЛТУРНАТА МАРГИНАЛИЗАЦИЈА НА ЖЕНИТЕ ДЕТЕРМИНИРАНА ОД АНДРОЦЕНТРИЗМОТ

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Апстракт

Кога станува збор за еднаквите права и можности меѓу половите/родовите, треба да се имаат во предвид низа фактори (расата, класата, етнитетот, географската местоположба и религијата). Улогата, местото и положбата на жените во едно општество со подолга демократија, не може да се споредува со општата културна развиеност на жените во друго општество во коешто владеело друг општествено-економски режим. Тоа значи дека жените од различни класи или од различни места се соочувале со различни проблематики и предизвици.

Иако жените секогаш го сочинувале половината од човештвото (ако не и повеќе), историјата ни потврдува дека тие (како група) биле изоставени од многу значајни дејности во општеството, особено од раководните позиции и од политичката власт. Во зависност од општествениот и културен развој на општеството, и под влијание на разните движења за човекови права, се развиваат и феминистичките движења. Тие се стремат кон ослободување на жените од вековната маргинализација и постигнување на родова еднаквост. Досегашните резултати налагаат на подобрување на улогата на жените во сите сфери на општеството, но истовремено и секојдневно соочување со нови скриени форми на нееднаквост и дискриминација.

Придонесот на жената во севкупниот развој на едно општество не треба да се занемарува, поради тоа нејзиниот третман низ историјата само како жртва би бил нехуман.

Клучни зборови: *Маргинализација на жените, дискриминација, (не)еднаквост*

Abstract

Cultural marginalization of women determined by androcentrism
Talking about the equal rights and opportunities between the sexes/genderes, consideration should be given to a range of factors (race, class, ethnicity, geographic location and religion).The role, place and status of women in a society with a longer democracy, cannot be compared with the general cultural development level of women in another society that ruled other social and economic regime.This means that women from different classes or different places faced with different issues and challenges.Although women always constituted half of humanity (or even more), history confirms that they (as a group) have been left out important activities in society, especially in managerial positions and political power.Depending on the social and cultural development of society, and influenced by various movements for human rights, there are developed feminist movements.They aim on releasing the women from centuries of marginalization and achieving gender equality.So far results require improving the role of women in all spheres of society, but also daily facing new hidden forms of inequality and discrimination.

The contribution of woman in the overall development of a society should not be overlooked, because her treatment throughout history only as a victim would be inhumane.

Keywords: *marginalization of women, discrimination, (in)equality*

**ИЗОБРАЖЕНИЕ БЫТА ДЕРЕВНИ В ПОВЕСТИ А.
ВАРЛАМОВА «ДОМ В ДЕРЕВНЕ»**

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Аннотация

Современный писатель А. Варламов в повести «Дом в деревне» внес существенный вклад в развитие реализма на его новом этапе. Повесть «Дом в деревне» интересна тем, что она продолжает традиции «деревенской прозы» 1960-1970-х гг. Большое внимание в повести уделено быту деревни. А. Варламов обращает внимание на те изменения, которые происходят в деревне, и констатирует их необратимость.

Abstract

Modern writer A. Varlamov in the story "The House in the village" made a significant contribution to the development of realism in the new stage. Tale "Country House" is interesting in that it continues the tradition of «village prose» 1960-1970-ies. Much attention is paid to the life story of the village. Varlamov draws attention to the changes that occur in the country, and states of their irreversibility.

КОГА ИДЕОЛОГИЈАТА ЈА ЗАМЕНУВА РЕЛИГИЈАТА – СУДИРИТЕ СЕ ВО ЕКСПАНЗИЈА

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Апстракт

Фундаменталните трансформации на Америка ветени од Обама, создадоа радикални поделби и судири во САД. Во овој процес, левичарските идеологии, индоктринирани од нивниот „лидер“, наметнуваат промени во слободите и правата на сите раси, вери и идеологии. Уставно или не, ова создава мутација на матрицата на американскиот основачки концепт за рамноправност, со создавање на нова, генерична и опасна нерамноправност. Револуционерната елита на пропишаниот mainstream, индоктринирана за нео-комунистички промени во САД, и светот денес, ја изложува на екстремна дискриминација и маргинализација универзитетската младина со десничарски убедувања во Америка.

Преовладуваат докази за пристрасност на медиумите и за тиранска ревизија во образованието воведувани од нео-левичарски идеологии и практики, што укажува и на владино, невладино и индивидуално спонсорство на општествена корупција. Левичарската пропаганда ги воспалува конфронтациите со маркетингање на „обновена грандиозна обмана“ која додатно придонесува за мутација и мимикрија на старите утописки идеи како нови идеали за современи промени. Во оваа *фундаментална трансформација*, универзитетските предмети за просперитетен оптимизам, за фактичко а не идеолошко изучување на историја и за обнова на довербата во американскиот сон, се заменети со идеолошки предавања за социјална микроагресија, нео-марксистички студии, политичка „коректност“, сексуална ориентација, расна, религиозна и класна омраза. Овие индоктринирани квази „академски“ предмети, подржани од полицискиот однос кон новите слободи и демократија, ги насочуваат движењата за „окупирање“, новите *револуции* по светот и немирите во САД. За илустрација

на овие културолошки судири меѓу двата идеолошки кампови, истражувањето анализира неколку случаи од американските универзитети.

Клучни зборови: трансформација, пропаганда, слобода, демократија, политичка коректност

WHEN IDEOLOGY REPLACES RELIGION – CONFLICTS INFLATE

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Abstract

Fundamental transformation of America, promised by Obama, has created radical divisions and conflicts in the U.S. In this process, left-wing ideologies indoctrinated by their “leader” impose change in freedom and human rights for all races, religions and ideologies. Constitutionally or not, this mutated the matrix of the founding American concept for equality by generates new, generic and hazardous inequality. The mainstream *revolutionary elite* indoctrinated for neo-communist changes in the U.S. today, perpetrates extreme discrimination and marginalization of the right-wing university youth of America. Prevalent data on media bias and education tyranny of the neo-leftist ideologies and practices, point to government, non-government and individual sponsorship of societal corruption. Leftist propaganda inflames confrontations by marketing a “renewed grand deception” which mutates and mimics the old utopian ideas as new liberal ideals for contemporary change. In this *fundamental transformation*, university courses on optimism in prosperity, on factual and not ideological research in history and rebuilding the confidence in the American dream, have been substituted by lectures in social micro-aggression, neo-Marxist studies, political “correctness”, sexual orientation, race, religion and social class hate. These indoctrinating quasi “academic” courses, aided by policing attitude towards freedom and democracy, induce

the “occupy” movements and “revolutions” around the world, and within U.S. unrests. To illustrate these culture clashes from both ideological camps, this research analyzes several American university cases.

Keywords: *transformation, propaganda, freedom, democracy, political correctness*

MEDIA AND COMMUNICATION

МЕДИУМСКОТО ПОКРИВАЊЕ НА ПОЛИЦИЈАТА И НА ПОЛИЦИСКОТО РАБОТЕЊЕ ВО РЕПУБЛИКА МАКЕДОНИЈА

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Апстракт

Поврзаноста меѓу медиумите и полицијата може да се анализира од неколку теоретски стојалишта и аспекти: прво, медиумите имаат значајна улога во создавањето, но и во уништувањето на полициската легитимност и полициската доверба, второ, полицискиот криминал е дел од вкупниот криминал и тој не е исклучен од фокусот на медиумите, трето, медиумите како контролор на власта и претставник и застапник на човековите слободи и права будно ја следат и скенираат работата на полицијата, односно алармираат за полициската злоупотреба и пречекорувањата на овластувањата за сметка на човековите права и четврто, непосредното изложување на медиумски текстови за полицијата има одредени медиумски ефекти врз читателите кои го обликуваат јавното мислење за полицијата.

Оттука, во трудот предмет на анализа се медиумските прилози за полицијата и за полициското работење со цел да се согледа како тие се портретирани во мас медиумите. Конкретно, преку анализа на содржина сакаме да дадеме одговор на следниве истражувачки прашања: кои аспекти од полициското работење се презентирани во мас медиумите, дали преовладува позитивното или негативното портретирање на полицијата, кои се изворите на сознанија, дали се препознава одредена стратегија на полицијата во градењето доверба кај јавноста преку подобрување на односите со јавноста, кои аспекти и облици на полицискиот криминал се прикажуваат и слично. Притоа, истражувачкиот интерес е насочен кон значењето на јазикот и на стилот на прикажувањето, како и кон пораката која се испраќа на читателите.

Истражувањето тргнува од претпоставката дека медиумите креираат различна слика за полицијата во борбата против

криминалот. Во тој контекст, сликата за ефикасната полиција е детерминирана од изворот на сознанија, односно од телото за односи со јавност од страна на МВР. Исто така, медиумите и полицијата развиваат соработка од обостран интерес. Полицијата го “храни,, медиумот со приказни за криминални настани, а медиумот придонесува да се создаде и задржи добриот имиџ на полициското работење во јавноста.

Клучни зборови: медиуми, полиција, дискурс, реалност

MEDIA COVERAGE OF POLICE AND POLICING IN THE REPUBLIC OF MACEDONIA

Abstract

The relationship between the media and the police can be analyzed from several standpoints and theoretical aspects: first, the media have an important role in both, creation and destruction of police legitimacy and police trust, secondly, the police crime as part of the total crime is in the focus of the media, thirdly, media as controller of the government and advocate of human rights and freedoms closely monitor and scann the work of the police and fourthly, media articles related to police and policing has certain media effects on the public that shape their perception and opinion.

The paper analyses media articles about police and policing in order to see how they are portrayed in the mass media. Specifically, by analyzing the content we want to answer the following research questions: which aspects of policing are presented in the mass media, are they with positive or negative tone, which are the sources of information, and how the police crime is covered. The research interest is focused on the importance and meaning of the language and the style of presentation, as well as the message that is sent to the readers.

The research starts from the assumption that the media create a different image of the police in combating crime. In this context, the image of effective police is determined by the source of knowledge, or by the particular department for public relations within the the Ministry of Interior. Also, media and police develop cooperation of mutual interest. Police "feed" the media with stories about criminal events and media contribute to create and maintain good image of policing in public.

Keywords: media, community, discourse, reality

AUDIOVISUAL MEDIA MARKET IN ALBANIA: THE TRANSITION TO DIGITAL BROADCASTING - THE LEGAL FRAMEWORK AND CHALLENGES

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Abstract

During the communist regime, it existed only the State television and radio, with strict control of government bodies. After the fall of the regime, the State television lost the monopoly and faced the competition of a series of private televisions. Albania's first law aimed at regulating the new market of electronic media was adopted in 1997. Since 1997 onwards there have been adopted three other laws aiming to regulate audiovisual media chaotic situation in the country. Despite this fact, today the illegality and informality rule in this market. The new law adopted in March 2013, adopted by consensus and fully aligned with European Audiovisual Media Services Directive, constitutes a comprehensive legal framework to regulate all aspects of audiovisual activity. And yet, despite that for a few days expires the deadline to complete transition to digital broadcasting, still today, Albania is long overdue for the fulfillment of international obligations in this regard.

Paper aims to provide the full picture of the Albanian audiovisual media market, difficulties in the process of transition to digital broadcasting, and the different causes and factors which until now have hindered this process.

Key words: *media, audiovisual, digital broadcasting, competition, audiovisual activities*

КОНСТИТУЦИОННО-ПРАВОВЫЕ ИНСТИТУТЫ В ИНФОРМАЦИОННОМ ОБЩЕСТВЕ

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Аннотация

Информационное общество оказывает существенное влияние на основные социальные институты и сферы жизни, в т.ч. на государство и право. Оно изменяет содержание правовых отношений в XXI веке. Конституционно-правовые институты многих государств наполняются новым содержанием: происходит изменение основ конституционного строя (прежде всего, классического Вестфальского суверенитета), эволюция правового статуса человека и гражданина (обеспечение свободного доступа к информации, защита персональной информации, гарантий прав и свобод), развитие институтов непосредственной демократии (автоматизация выборов и референдумов, трансформация существующих и появление ее новых электронных форм), совершенствование законодательного процесса (автоматизированные системы обеспечения законодательной деятельности, непосредственное внесение гражданами и общественное обсуждение проектов актов с использованием сети Интернет), повышение эффективности деятельности органов власти (расширение информационной открытости, электронный документооборот, дистанционное предоставление государственных и муниципальных услуг). Таким образом, возникшая информационная среда способствует формированию новых общественных отношений, а это ставит перед государствами задачу разработки и принятия правовых норм, регулирующих эти отношения и учитывающих их в практике государственного строительства.

***Ключевые слова:** информация, общество, конституция, право, правовые институты*

CONSTITUTIONAL AND LEGAL INSTITUTES IN INFORMATION SOCIETY

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Abstract

Information society it has essential impact on the main social institutes and spheres of life, including on the state and the right changes the maintenance of legal relations in the XXI century. Constitutional and legal institutes of many states are filled with the new contents: There is a change of bases of the constitutional system (first of all, the classical Westphalian sovereignty), evolution of legal status of the person and citizen (providing a free access to information, protection of personal information, guarantees of the rights and freedoms), development of institutes of direct democracy (automation of the elections and referenda, transformation existing and emergence of its new electronic forms), improvement of legislative process (the automated systems of ensuring legislative activity, direct introduction by citizens and public discussion of drafts of acts with use of the Internet), increase of efficiency of activity of authorities (expansion of information openness, electronic document flow, remote providing the state and municipal services). Thus, the arisen information environment promotes formation of the new public relations, and it sets a task of development and adoption of the precepts of law governing these relations and considering them in practice of the state construction for the states.

Keywords: *information, society, constitution, law, legal institutes.*

NEW MEDIA – OPORTUNITIES AND CHALLENGES OF MODERN BUSINESS ORGANIZATION MANAGEMENT

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Abstract

The trends in modern business environment are influenced by globalization and the rapid development of technology. They predetermine the changes occurring in organizations - the traditional organization with a hierarchical structure gives way to "flat" organization, virtual organizations becoming increasingly popular, offering flexibility and opportunity to rent freelancers and teleworkers. The changes in the nature of the organization require the introduction of new approaches to their management - emphasis on communication - internal, external and communication practices of management - in order to determine and support the adoption of "Corporate us" by members of the organization which are no longer connected by hierarchical structures and strict rules, the physical presence, the traditional top-down approaches for the realization of communication. All this increases the role of new media for communication of the organization with its key stakeholders to assist the successful implementation of the new organizational strategies, emphasizing the importance of communication to increase the sensitivity of employees and customers, to be motivated and loyal to the brand of the company, to remodel the nature and importance of corporate culture, leadership, corporate identity and reputation in terms of the perception of the idea of constant change.

Key words: *new media, business organization, leadership, corporate communication, corporate culture.*

THE IMPORTANCE OF EFFECTIVE COMMUNICATION IN PROJECT MANAGEMENT

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Abstract

During the last few years, organizations mark very important progress with the significant development of project work in different branches and sectors. Modern organizations more and more frequently use the project-oriented approach as a response to the dynamically changing environment – the growth of competition, necessity of timely and adequate reactions to market changes, necessity of prompt adaptation to changes in the environment, limited resources are all only a part of the main reasons that force organizations to apply project management principles and methods. Project management closely depends on the effective management of project communications so that in case of insufficient information, the project can hardly be successfully realized. The need of effective communication related to information exchange in the process of realization of a certain project is obvious with view of the effective and efficient achievement of the project objectives within the prescribed deadlines, planned resources and desired quality.

In this connection, the report offers methodological guidance for effective management of project communications. For the purpose, first, the essence of the concepts “Project Communication” and “Project Communication Management” is explained and the main reasons why communication is so important for project success are given. The basic challenges that project managers face when they develop and maintain the effective system for project communication management are identified. The requirements and stages for development of a Project Communication Plan are described in details. The different tools and methods for improving project communication are identified and summarized.

Keywords: *project management, project communication, project communication management, communication management practices*

NEW MEDIA – NEW CHALLENGES IN KAZAKHSTAN

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Abstract

The traditional division of media policy and the telecommunication policy become outdated. The digital, multimedia interactive communication technology expands the borders between the countries, becomes more accessible in different regions of the world. There is a merger between transferring channels both telephone, and cable networks. The sector of Mass Communication becomes exchange capable and inter additional. Change of nature of communication became feature of new mass media. It is difficult to distinguish the mass and personal form of communications. Consumption of new media has more individual and interactive character.

Today Kazakhstan actively introduces new information technologies in media sphere. The huge territory of the country promotes development of satellite TV. The Kazakhstan spaceport "Baikonur" is the big help in this direction. In 2011 the telecommunication Kzatsat-2 satellite which provides the republic with satellite communication, and also digital television and broadcasting was launched. Kazakhstan won't depend on foreign communications operators with the start of "Kzatsat-3".

According to the Ministry of Communications and information of PK on the beginning of 2011 in the country was 4 million 300 thousand Internet users, already by the end of 2014 – was 12 million Internet users. The market of mobile telephony is actively developing in the country. The total of the registered subscribers of cellular communication in 2013 in Kazakhstan was 32 million people.

The rapid development of a blog sphere, civil journalism in Kazakhstan is a striking example. The number of users of social media is growing. Facebook became the most advanced social network in Kazakhstan, the second place takes on VK, and the third position belongs to a network of microblogs - Twitter.

МЕДИУМИТЕ И ГОВОРОТ НА ОМРАЗА: ПРИМЕРИ ОД ПРАКТИКАТА ВО РЕПУБЛИКА МАКЕДОНИЈА

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Апстракт

Медиумите, како моќни средства за масовна комуникација, имаат исклучително голема улога во промовирањето на различностите, нивното почитување, толеранцијата и рамноправноста. Но, и покрај тоа, често пати и самите стануваат промотори на јазик на омраза. Во поново време, освен преку традиционалните медиуми, говорот на омраза најде нов начин на своја манифестација – преку социјалните мрежи на Интернет, чија популарност и широка употреба овозможува одредена содржина да допре до илјаднитна публика.

Во трудот се обработува говорот на омраза од аспект на негова присутност во средствата за масовно информирање, со посебен осврт на социјалните мрежи на Интернет. Целта е да се даде приказ на состојбата во Република Македонија во однос на ова прашање.

Притоа, преку метод на дескриптивна анализа, поткрепен со низа примери од практиката, се доаѓа до заклучок дека во Република Македонија е забележливо присуството на злоупотреба на Интернет порталите и на социјалните мрежи, но

и на другите медиуми, во насока на непочитување на
различноста, ширење предрасуди, нетолеранција и стереотипи.

Клучни зборови: говор на омраза, медиуми, Интернет
портали, социјални мрежи.

MEDIA AND HATE SPEECH: CASE STUDY OF REPUBLIC OF MACEDONIA

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Abstract

The media, as a powerful means of mass communication, play extremely important role in promoting tolerance, equality, respect for diversity. But despite this, often they themselves become promoters of hate. More recently, except through traditional media, hate speech has found a new way of its manifestation - via social networks on the Internet, whose popularity and widespread use allows specific content to reach thousands of audience.

The paper deals with hate speech in terms of its presence in the mass media, with special emphasis on the social networks on the Internet.

The purpose is to reflect the situation in the Republic of Macedonia regarding this issue.

Through the method of descriptive analysis, supported by several examples from practice we are coming to the conclusion that in Republic of Macedonia there is a noticeable presence of misuse of Internet portals and social networks, and other media, in terms of disrespect for diversity, spreading prejudices, intolerance and stereotypes.

Keywords: *hate speech, media, Internet portals, social networks.*

ЈАЗИЧНИТЕ ОСОБЕНОСТИ НА НОВИНАРСКИТЕ ТЕКСТОВИ КОИ ГИ ТРЕТИРААТ ЕВРОАТЛАНСКИТЕ ИНТЕГРАЦИИ

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Апстракт

Предмет на анализа на овој труд се новинарските текстови кои ја третираат проблематиката на евроатланските интеграции. Како корпус беа земени новинарски текстови од различни пишани медиуми и веб портали на кои се објавуваат вести. Анализата се сосредоточува на структурата на овие текстови, на лексиката која во нив се користи, на стилските фигури и на нивните морфосинтаксички карактеристики. Целата ќе биде да се увиди дали постои доследност во користењето на одредени јазични средства и со каква прагматична цел се употребени.

***Клучни зборови:** новинарски текстови, евроатлански интеграции, јазични средства, прагматични аспекти*

Abstract

The object of analysis of this article are the journalistic texts dealing with the Macedonian Euro-Atlantic integrations issue. The corpus is represented by journalistic texts published in different written media or on web portals. The analysis focuses on the structure of these texts, on their lexical characteristics, morphosyntactic aspects and on the figures of speech. The objective is to find if there is a pertinence in the use of certain language tools and the pragmatic aspect of their usage.

***Keywords:** journalistic texts, Euro-Atlantic integrations, language tools, pragmatic aspects*

MEDIA AND POLITICAL CHANGES IN THE BULGARIAN SOCIETY FROM 1989 TO 2015

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Abstract

In light of the whole history, the period of time from 1989 to 2015 is a very short period, but for Bulgaria it is a whole era associated with enormous changes in the social and political life of the country. These are years of post-totalitarian conversion when a new political system and a new government structure of the country were established with regard to its democratization and changing the way people view the world.

The primary facilitator of these changes is the media. They have become a kind of a social tool for synchronization and, in a sense, a conduit of public opinion.

The media occupy a special place in the structure of modern society, are at the heart of almost all events that occur in the country and the world. They are an integral part of the political life of the country. Policy, to a greater extent than other types of social activities, needs special mechanisms to implement information exchange in establishing and maintaining constant communication between its subjects. The mechanism of functioning of the state system in this period is due not only to socio-economic difficulties, but also fundamental changes in the world caused by geopolitical vacuum in connection with the collapse of the socialist camp in Eastern Europe. The policy of Bulgaria is inextricably linked to processes of state-building, the implementation of socio-economic reforms, the creation of a democratic legal framework of the Bulgarian society.

Based on the public behavior and political consciousness of the Bulgarians, the important task is to define the position and role of the media in the new environment of freedom of choice, values of the past.

As direct carriers and disseminators of knowledge and policy-relevant information, media have different capabilities and power of influence depending on the way of their perception. Thanks to them, it has also become possible to share many democratic ideas, which had been viewed earlier as an utopia. On its way to becoming a democratic society, Bulgaria faces many problems, the solution of which requires a new approach to the media.

Keywords: *political, media, creative, communication, processes, society*

ЈАЗИЦИТЕ- МОСТОВИ И СИДОВИ ВО КОМУНИКАЦИЈАТА

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Апстракт

Јазикот е основното средство за комуникација помеѓу луѓето и оттаму произлегува неговата значајна улога во општеството. Јазикот настанал како резултат на потребата на човекот да ги искаже своите мисли и чувства. Секој човек е роден со способност да зборува. Ниедно друго живо суштество на нашата планета нема говорни органи како човекот, ниту мозок кој може да ги сфаќа симболите така како што може човекот. Од нас зависи колку ќе го усовршиме знаењето на јазикот и неговиот систем.

Човечкиот јазик е најсовршено средство за комуникација. Комуницирањето е посебен процес на динамичка социјална интеракција која вклучува размена на идеи меѓу две или повеќе лица. Тоа, исто така ги изразува чувствата или што е уште позначајно однесувањето на луѓето. Вообичаено се вели дека секое однесување е комуникација, а секоја комуникација предизвикува однесување. (Mikanowicz & Shank, 2006). Ние комуницираме кога праќаме порака или примаме порака од некого. Тоа се чини како едноставен процес, но всушност се работи за сложен процес на активности каде што постои голем простор за погрешно толкување.

Што се случува кога одеднаш ќе дојдат во допир различни култури и, се разбира, нивните јазици? Од друга страна, пак,

кога ќе дојде до изолација на одделни групи, како се одразува тоа врз нивниот јазик? Да видиме како се изградиле мостови — но и ѕидови — во комуникацијата.

Клучни зборови: *јазик, комуникација, знаење*

LANGUAGES – BRIDGES AND WALLS IN COMMUNICATION

Abstract

Language itself is the basic means of communication between people and therefore it has a significant role in the society. It appeared as a result of the people's need to express their thoughts and feelings. Each person is born with an ability to speak. No other living being on this planet has speech organs as humans do, nor the brain that is able to understand symbols in the same way. What level of knowledge of a language and its system we will attain depends on us. People's language is the most sophisticated means of communication. Communication itself is a special process of dynamic social interaction which includes exchanging ideas between two or more persons. It is usually said that every behaviour is communication and every communication causes behaviour (Mikanowicz & Shank, 2006). We communicate when we send to or receive a message from someone. This seems to be a simple process but, in fact, it is a complex process of activities where there is much space for wrong interpretation.

What happens when different cultures and, of course, their languages suddenly come in touch? On the other hand, when some group becomes isolated, how that affects their language? Let us see how bridges – and walls at the same time – have been built in communication.

Key words: *language, communication, knowledge*

**ANALYSIS OF THE DEVELOPMENT OF THE CONCEPT
OF THE INFORMATION SOCIETY IN WORKS BY Y.
MASUDA, M. CASTELLS, W. G. MARTIN**

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Abstract

The current phase of development of society is a qualitatively new phase of evolution. Most researchers term this phase of historical development as the 'postindustrial society' or the 'information society'. Such an 'information society', as a social and economic system, has been the object of attention of researchers since the 1960s, when many scientists recognised the features of a new era. A special role for knowledge and the technologies based on it, the domination of information, the development of information technology, an acknowledgment of the a special role of information as an important resource, an increase in the role of the services sector and improvements in the quality of life have been recognised as the major features of such a society. In an information society only law can ensure that information is developed within the framework of legality and the rule of law.

Keywords: *information society, information technology, legal regulation, information, knowledge.*

DEMETROPOLIZATION OF CULTURE IN THE PRINT MEDIA IN MACEDONIA

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Abstract

This paper discussed current issues in the print media in the Republic of Macedonia in the field of culture. The focus is on the coverage of cultural events outside the nation's capital. The survey covers a two-month monitoring of print media during the summer - July and August (2015), when in cities across the country there are various cultural events, most of which are within the events summarized in "Cultural Summer".

The goal is to see the frequency of coverage of cultural events by the print media in a demetropolized atmosphere; journalistic genre forms that are transmitted through the events; and cultural expressions and contents that are most present in journalistic media perception and written register. The analysis focuses on the presence of articles in the daily newspapers: "Dnevnik", "Nova Makedonija", "West", "Utrinski vesnik", "Free Press," and "Night" associated with cultural content in the field of theater, film, concert music, exhibitions and promotion of books.

Keywords: *cultural events, cultural content, cultural summer, printed media.*

