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**THE NATURE OF INTELLECTUAL MIGRATION:
DEFINITION OF THE TERM AND CONCEPTUAL APPROACHES TO ITS
CHARACTERISTICS**

The article deals with the core definition of the concept of «intellectual migration», which characterizes one of the most urgent aspects of the migration movement in the modern international space. The positions of different experts to the terminology that characterizes these processes are studied. The conceptual approaches to the characterization of the processes of intellectual migration from the point of view of influence on the donor countries and the recipient states, which are involved in the migration movement, are explored.

The phenomenon of intellectual migration in the scientific environment is recognized as a multifaceted and influential element of the international system. Among the various aspects of migration forms this kind of movement of citizens, to a large extent, affects the redistribution of force and potential in the global space, between different regions and states. Some researchers focus on the scientific nature of intellectual migration. However, there is a more widespread view that these processes concern the entire spectrum of interstate movement of persons involved in the creative and intellectual work. The reasons for implementing the migration movement of these categories of citizens in general correspond to the general concept of labor migration, which is usually caused by the search for better living conditions and professional self-realization abroad. At the same time, different dimensions of the studied problem have different connotations and importance for the involved actors. In modern conditions of globalization, the processes of reverse and temporary intellectual migration (in the format of experience exchange, participation in grant activities) are an indispensable condition for the inclusion of the state in the world scientific environment. It becomes an important element of increasing the country's potential for intensive development on the international space. At the same time, the irreversible emigration of the intellectual elite is becoming a leading security threat to states that are losing their intellectual potential. The fact that Ukraine also directly suffers from this phenomenon determines the relevance of the study of migration problems for national science, creating the request for theoretical and practical studies from the authorities.

Key words: *intellectual migration, intellectual capital, «brain mobility», «brain drain», scientific community, external migration, exchange of experience*

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**THE MAIN APPROACHES TO THE INTERPRETATION OF THE SYSTEM
OF CHECKS AND BALANCES IN UKRAINIAN POLITICAL SCIENCE**

The article deals with the peculiarities of the main approaches to the theoretical substantiation of the system of checks and balances in the political science of Ukraine. The main historical stages of the development of domestic researchers ideas about the functioning of the checks and balances system are outlined and, on their basis, typical problems in the study of this political phenomenon through the prism of Ukrainian state-building practice are analyzed.

Keywords: *separation of powers, system, checks, balances, political science, Ukraine, democracy.*

A clear distinction between the powers of the branches of state power is an important prerequisite for building a democratic society. The political experience of Western democracies proves that effective separation of powers of the branches of power is a guarantee of democratic development and ensuring the constitutional order in the state. The features of the mutual restraints system presuppose the application of an integrated approach, which goes beyond purely system analysis of the distribution of power. Being a multi-faceted, labile and multidimensional phenomenon, the system of checks and balances becomes a complex and multifaceted subject of political analysis. Throughout history, the existence of certain pragmatic knowledge regarding the separation of powers and individual practical skills in the division of powers in the political practice of the states of the world gradually changed, and in our time there is a need for a deep theoretical elaboration of accumulated knowledge about the system. Modern political science is increasingly focusing attention on issues related to the delineation of authority and the solution of problems relating to mutual competences between the poles of power.

The intensification of interest in such problems is determined by the globalization processes taking place in the contemporary international arena, the scientists predicted the «wave of democracy outflow» and the growth of authoritarian tendencies in the world. The fact of the erosion of state sovereignty and the internal transformations of post-socialist countries including the obstacles that are on this path are also not overlooked. Ukraine is no exception in this regard.

At the current stage of development of Ukrainian statehood, the study of the checks and balances system is particularly important. The transitional character of the political regime, the imperfection of modern Ukrainian legislation, the short time of functioning of the checks and balances system since the independence of Ukraine, as well as some national peculiarities, have led to an intensification of the scientific search for Ukrainian researchers in this field.

In the historical retrospect, the issues of the distribution of power and authority among its branches were researched by M. Drahomanov V. Lypynskyi S. Orikhovskyi and others [6; 7; 8]. Such domestic scholars as N. Haidayenko, I. Kresina, V. Rebkalo, L. Sylenko, M. Tsvik, V. Shapoval and others are actively searching for ways of theoretical substantiation of the system of checks and balances in Ukraine [2; 15; 13; 14; 18]. Among the Ukrainian scholars, representatives of the sciences adjacent to the political science who are actively involved in the study of the problems of the checks and balances system N. Zhuk, M. Onishchuk, I. Protsyuk, V. Surnin, Y. Shamshychenko, and others should be mentioned. [3; 4; 9; 11; 16] At the same time, in modern Ukrainian political thought, there is not a single approach to the study of the system of checks and balances and there are no principles of theoretical and methodological analysis for the study of the fundamentals of the system functioning.

The purpose of the article is to analyze the main approaches to the interpretation of the checks and balances system in Ukrainian political science.

Problems of distribution of powers are directly related to the development of state-building practice in Ukraine. Therefore, in our opinion, it is worth highlighting the following stages in the development of ideas about the separation of the poles of power and the relationship between them in the history of Ukrainian political thought:

The I stage (IX – XII centuries) – the period of ideas about the functioning of the state administration apparatus, associated with the emergence of statehood on Ukrainian lands. In this period, the main provisions of socio-political thought, depicted in the chronicles, are singled out. In the pure form, the problem of delimitation has not yet risen, however, at this stage the problems of the current nature, the legal regulation of social relations, the relationship between the church and the state, the problem of the integrity and sovereignty of political power were reviewed [5, p. 16-22].

The II stage (XVI – beginning of the XVII century). For this period, the ideological and political movement for the liberation of the Ukrainian people against the Polish magnates was in priority. Among the philosophers of this period S. Orikhovskiy is worth mentioning. In particular, the enlightened monarchy limited by law was an ideal for S. Orichovskiy. He opposed the theological theory of the divine basis of state and power, considered unacceptable subordination of secular power to the spiritual. The philosopher made an attempt to delimit their powers: the bishop during the service is not subject to the king; the power of the king does not apply to the church; the sphere of influence of the bishop is limited to the walls of the cathedral [7, p. 174].

The III stage (second half of the XVII – the end of the XVIII century) – Ukrainian political thought of the Cossack-Hetman period. The first document in the history, which stated the separate elements of the system of checks and balances was the «Pact and Constitution, laws and liberties Zaporizhia Army» that was the agreement between Hetman P. Orlyk and officers of the Zaporizhzhya Cossacks and in 1710. The main provisions of the Constitution of P. Orlik generally depict a parliamentary republic. In the 16 articles document describes the basic powers of the three branches of government (legislative, represented by the General Council, the executive led by Hetman and general officers, judicial implemented through the activities of the military court) with elements of mutual checks. The Constitution presupposes the mutual accountability: Hetman had to report to the General Council, and the latter, in turn, should report on public affairs. In addition, the General Council had the power to express the nobility to the Hetman and, on his submission, approved the staff of the General Officer. The text of the Constitution is permeated with the main idea of limiting hetman power by other branches, and the principle of the independence of judges was also highlighted [10].

The IV stage (XIX – beginning of XX centuries). An outstanding figure in the Ukrainian political thought of the middle of the XIX century was M. Drahomanov. In his state-legal concept, the thinker distinguished three branches of power: legislative, executive and judicial. Expected elements of the system of checks and balances were envisaged, namely: the legislative power belonged to two thoughts - the state and the union; amendments to the basic laws were to be made in the case of the consent of a third of the votes of members of the two dumas and approved by the State Council elected from the two dumas, as well as by delegates from the regional assembly; the head of state appointed ministers responsible to both the [6, p. 56-60].

At the beginning of the XX century V. Lypynskiy paid attention to the issue of the delineation of power and the relationship between them. Thinker advocated the establishment of a legal monarchy in the traditional form of the Hetmanate. It provided for the restriction of the power of the head of state by two chambers of law: the lower – the Congress of Soviets of individual lands, representing the interests of the territories, the highest – the Labor Council, the state – represents the interests of labor. In his concept, V. Lypynskiy stressed that such a division of powers would prevent the establishment of centralization like Moscow terror and the Polish monarchy, where the king is a puppet in the hands of the gentry [8].

The V stage (1919-1991) – the Soviet period in Ukrainian political thought. This stage of the development of political ideas in Ukraine was accompanied by inhibition of theoretical substantiation and practical implementation of the mechanisms of the system of checks and balances. At this stage, the principle of the division of power was preserved only formally. Formally, the highest legislative body of the Ukrainian soviet republic from 1920 to July 1938 was the All-Ukrainian Congress of Soviets, and from July 1938 – the Verkhovna Rada of the Ukrainian SSR. However, in fact, since the establishment of Soviet power in Ukraine until the restructuring, power was in the hands of the Communist Party (CP) of Ukraine within the Communist Party of Soviet Union. The Central Committee was the supreme body of the Communist Party, and the Secretary General of the Central Committee of the CP of Ukraine was the leader of the state. All candidates for the Verkhovna Rada deputies were subject to

compulsory approval by the leadership of the Communist Party, the nomination of alternative candidates was not allowed. The system of checks and balances was functioning in the state apparatus without alternatives [5, p. 292-311].

The VI stage (from 1991 – modern times) – Is connected with the Ukraine's independence gaining. At this stage, the development of the theory of the system of checks and balances has been activated and becomes a necessary guarantee for the building the young Ukrainian democracy. A characteristic feature of this stage is the diffusion of the practical implementation of state power in the theoretical positions regarding the functioning of the system of checks and balances. The need to search for an optimal power distribution system between the poles is one of the main obstacles on the path to independent development of Ukraine. Lack of theoretical developments in this field causes a number of problems in the practical implementation of the power branches authorities.

Scientists of this period share practically the only ideas in the view of the redistribution of power and the functioning of the system of checks and balances. In particular, M. Tsvick emphasized that among the basic requirements for the distribution of power in a democratic state is the independence and separation of the branches of power according to the functional capabilities, a clear separation of political and legal forms of activity, mutual influence, balance and control between them [18].

According to the Ukrainian scientist Y. Shemchushenko, the problems of optimizing the state system in Ukraine, improving the activities and interaction of the legislative, executive and judicial authorities, as well as the problem of systematic development of Ukrainian legislation, are crucial for building a democratic society [3, p. 207].

Among the main problems of contemporary political science in Ukraine related to the study of the checks and balances system as a special phenomenon of a democratic society should be called:

The problem of the correlation of legal and political aspects in the functioning of the system of checks and balances. It should be noted that, for the most part, the system of checks and balances is considered through the prism of legal science. However, over the past decade, the political component of the system has gradually come to the fore in the studies of Ukrainian political scientists. This also includes the problem of choosing the directions and methods of studying the system of checks and balances. According to the Ukrainian researcher N. Haidayenko, the question of choosing a research methodology is key because it is necessary to distinguish political knowledge about the system [2].

The problem of a comprehensive study of the system of checks and balances. There is an important problem in the modern political study – the construction of a modern theory of a system of checks and balances with the modernization of existing theoretical positions and taking into account the multilateral nature of the origin of the division of powers and mutual restraint. The need to elucidate practical advice for political activity necessitates an integrated approach to studying the problems of the system of checks and balances, using a wide array of methods. In particular, according to the law scientist N. Zhuk, the system of checks and balances is a multidimensional and multifunctional entity, which is itself the basis for self-regulation of state power. In addition, the scientist substantiates the thesis of multidimensionality and multivariation of the checks and balances system nature [9; 12; 14].

The problem of accumulation of empirical and theoretical knowledge regarding the functioning of the system of checks and balances. Given the peculiarities of the nature of the origin of power and its distribution, the accumulation of facts and the possibility of their processing are often problematic. The interpretation and processing of facts and the avoidance of subjective judgments and evaluations is equally important. The search and study of the principles, patterns and functions of the system of checks and balances are aimed primarily at the development of practical recommendations for political practice. However, the complex

connections of the theory of the system of checks and balances with practice are limited by the limited arsenal of methods used in its study.

In particular, scholars V. Rebkalo and V. Shakhov emphasize the key theoretical problem of contemporary political science in Ukraine is the problem that there is no adequate coverage in the domestic literature of creating a system of checks and balances in the process of implementing the principle of the distribution of power [15, p. 15].

Polarity of the results of qualitative assessment of the checks and balances system. The problem in the processing of empirical data concerning the functioning of the system of checks and balances is the possibility not only to describe the observed phenomena, but also to explain them, to distinguish the characteristic features and to find the causal relationships.

In our opinion, the system of checks and balances, namely, the relationship between its key elements can be subjected to quantitative analysis methods. The use of alternative methods of research can create the conditions for the possibility of obtaining more objective knowledge about the system of checks and balances. This problem is an urgent field for future researches in this direction.

The problem of the correlation between theoretically substantiated provisions of the system of checks and balances and the practical implementation by the subjects of the policy of authority, taking into account the peculiarities of the political system of the state, actual needs and moods in society, as well as the presence or absence of personal interests of the parties. The theoretical developments of the future comprehensive theory of checks and balances should harmoniously lie in the practical sphere of implementation by the parties of the policy of their powers within the system, but the emergence of an imbalance may be inevitable without taking into account latent factors: from national peculiarities to the current balance of power in the political arena of the state [1; 4].

It should be noted that the complexity of this problem is observed in the adoption of constitutionally important decisions. Often, changes related to the optimization of the system of checks and balances in order to improve its functioning are carried out exclusively politically. Therefore, the taken decisions are not practical and expedient, but are politically beneficial for those who accept them in particular period of time.

Despite the current intensification of attention to the problems of separation of powers in Ukraine, finding the optimal system of checks and balances, it should be mentioned that the updating of the importance of checks and balances takes place on a peak of a conflict related to the inability of the system to the harmonious functioning. Most often, this is due to the imperfection of the domestic legislation and the availability of gaps that serve as favorable area for the emergence of speculation and political maneuvering.

The study of the system of checks and balances can not be detached from political practice. Therefore, according to N. Haidayenko for transferring logical practical developments in theoretical principles a comparative and institutional approaches should be applied and the study should not be limited only by the system approach [2].

According to I. Protsyuk, the division of powers contains an institutional and functional component. The institutional aspect implies the existence of three branches of government, at the same time functional – is basic for their interactions relative independence and mutual dependence [11, P.5] The system of checks and balances is responsible precisely for the functional content of the separation of powers. However, its study can not be isolated from the institutional component.

The following areas of the checks and balances system research in contemporary Ukrainian political science can be singled out:

Study of checks and balances as a mechanism of legally binding authority powers (jurisprudence approach) (N. Zhuk, I. Protsiuk, L. Sylenko, A. Yakovlev and others.). Political science is fully in line with the requirements of post-classical (modern) science. According to

this, researchers should be aware that its object is complex integral formation, labile, and yet multifaceted. The emergence of new theoretical developments in the distribution of power within different approaches, as well as the interpenetration of methods from various sciences can be an evidence of it. In Ukraine, in particular, the most deeply the system of checks and balances is studied in the field of legal science [3; 4; 11; 13].

The direction of the study of functional imbalances in the system of checks and balances between the branches of power in Ukraine (O. Valevskyi, M. Onishchuk, I. Salo and others). Many modern scholars and public figures focus their attention on the problems of functional filling of the system of checks and balances, as well as the practical implementation of the branches of power of their authorities. Political experience of Ukraine testifies the need to reform the provisions regarding the functions of the branches of power, as well as the harmonization of national legislation to prevent the emergence of contradictions in the interaction between the power branches [1; 9; 12; 14].

Study of the system of checks and balances as a political phenomenon, the attribute of democracy (N. Haidanenko, V. Rebkalo, V. Shakhov and others). Representatives of this trend focus their research on the political nature of the phenomenon of checks and balances, considering it as one of the conditions for building a democratic society [2; 15; 17].

However, it should be added that the division into such approaches, given the specifics of the object being studied, is rather arbitrary. In our opinion, the study of the system of checks and balances in a single key is unjustified. The interdisciplinary character of the phenomenon of the system of checks and balances determines the consideration of knowledge and theoretical developments in legal science, philosophy and sociology.

To sum up, the following key points should be emphasized. The system of checks and balances is an important attribute of democratic development. Being a multivariate phenomenon, which is an interdisciplinary object of research, the problems of functioning of the system and the laws of its development find their place in the historical development of political thought and political practice at the same time. The study of the role and place of the system of checks and balances in building a democratic society in modern Ukraine is of particular importance. It is worth noting that, at the current stage of development of political thought, the theoretical substantiation of the system of checks and balances requires a deeper analysis and accumulation of new theoretical knowledge. The study of this phenomenon, taking into account the integrated approach and using methods of qualitative and quantitative assessment deserves particular attention. The question of accumulation of theoretical knowledge, approbation of new research methods and the application of different approaches to the study of mutual restraints and balances remain open and may constitute perspective directions for our further research.

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ОСНОВНІ ПІДХОДИ ДО ТРАКТУВАННЯ СИСТЕМИ СТРИМУВАНЬ І ПРОТИВАГ В УКРАЇНСЬКІЙ ПОЛІТИЧНІЙ НАУЦІ

У статті розглядаються головні особливості підходів до трактування системи стримувань і протываг і політичній науці України. Розкрито особливості дослідження системи стримувань і протываг, як багатовимірного феномену політичної практики та теорії. Автор аналізує характерні риси системи стримувань і протываг та специфіку їх дослідження в українській політичній науці.

Здійснено загальну типологію історії розвинуку ідей української політичної думки стосовно принципу розмежування владних повноважень та їх взаємних стримувань. Відтак, виокремлено шість історичних етапів розвитку (від княжої доби до сучасності), на кожному з яких мав місце певний інтерес до вирішення актуальних проблем прототипу сучасної системи стримувань і протываг.

Автор наголошує на критичності та важливості останнього (сучасного) етапу розвитку підходів до теорії системи стримувань і протываг. Виокремлено ключові проблеми, пов'язані з теоретичним вивченням системи стримувань і протываг сучасної України, серед яких проблема комплексності вивчення явища, його міждисциплінарний характер; неоднозначність якісної та можливості кількісної оцінки функціонування системи; методологічна проблема; співвідношення теорії і практики тощо.

На основі комплексного аналізу літературних джерел автор обґрунтовує необхідність розрізнення трьох основних підходів до вивчення системи стримувань і противаг у сучасній українській політичній науці. А також робить висновок про необхідність пошуку можливостей створення інтегрального підходу до дослідження системи стримувань і противаг, зважаючи на природу цього явища.

Ключові слова: поділ влади, система, стримування, противаги, політична наука, Україна, демократія.

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ОСОБЛИВОСТІ ЗАСТОСУВАННЯ СИСТЕМНОГО ПІДХОДУ В ПОЛІТОЛОГІЇ (НА ПРИКЛАДІ ЧЛЕНСТВА КИТАЮ В БРІКС)

У статті розглядаються особливості та основні принципи застосування системного підходу в політології. На прикладі членства Китаю в БРІКС пояснюється використання логічного системного аналізу, здійснюється моделювання системи міжнародних відносин та визначається місце БРІКС та Китаю в ній. В результаті дослідження виявлено зв'язки між елементами системи міжнародних відносин, які впливають на її трансформацію та зміну систем нижчого рівня.

Ключові слова: системний підхід, системний аналіз, система міжнародних відносин, Китай, БРІКС.

Використання системного підходу є розповсюдженим явищем при проведенні досліджень у будь-якій сфері, адже він здатен забезпечити комплексний аналіз складних явищ, процесів, структур. Системний аналіз є одним з методів дослідження системного підходу, і хоча він зародився як метод дослідження у точних науках - сучасні тенденції до міждисциплінарності дають змогу розширяти інструментарій дослідження. При застосуванні системного підходу та його методів в політології, дослідники стикаються з проблемою застосування системного аналізу, розуміючи його як детальний опис предмету дослідження. Насправді, він передбачає дотримання певних принципів та створення логічної схеми, яка відображає структуру, закономірностей, зв'язків між елементами, наслідками досліджуваного явища.

В статті демонструється використання системного підходу у політології на прикладі аналізу членства Китаю в БРІКС з метою формулювання певних закономірностей функціонування системи міжнародних відносин, зв'язків між її елементами та факторів, які можуть впливати на її трансформацію. Вихідними даними для нас виступають БРІКС (неформальна група країн, яка об'єднує Бразилію, Росію, Індію, Китай та Південну Африку), Китай (як міжнародний актор і член БРІКС), система міжнародних відносин (як середовище взаємодії між світовими акторами), політична система Китаю (як середовище де через реакцію на зовнішні збудники приймаються рішення щодо внутрішньої і зовнішньої політики держави).

Проблема застосування системного підходу має доволі високий рівень наукової розробки. Їй присвячені роботи таких дослідників як В. Афанасьєв, А. Богданов, Л. фон Берталанфі, Н. Вінер, І. Добронравова, М. Згуровський, Д. Істон, А. Лукін, Д. Неліпа та інші. Проте використання системного підходу та системного аналізу у кожному конкретному випадку може викликати труднощі у дослідників, тому важливо мати приклад, на який можна орієнтуватися здійснюючи дослідження.