

eISSN 2413-9009



# **TRAEKTORIÂ NAUKI**

**International Electronic Scientific Journal**

**Vol. 8, No 2-3, 2022**

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**TRAEKTORIĀ NAUKI = PATH OF SCIENCE****Vol. 8                      No 2-3                      2022**

Founded in August 2015. Publishing monthly.

<b>Publisher</b>	Altezero, s.r.o. & Dialog 4B, Južná trieda, Košice mestská časť Juh, 04001, Slovak Republic Ph.: (421) 905-38-36-97.
<b>Founders:</b>	Altezero, s.r.o., 4B, Južná trieda, Košice mestská časť Juh, 04001, Slovak Republic Publishing Center "Dialog", 2 Club Street, Solonitsevka, 62370, Ukraine

**The journal is abstracted in the following international databases:** AGORA, AGRIS, AiritiLibrary, Baidu Scholar, Bielefeld Academic Search Engine (BASE), CAB Abstract, Central and Eastern European Online Library (CEEOL), Food Science and Technology Abstracts, Index Copernicus (ICV 2019 = 100,0), Google Scholar, J-Gate, OpenAIRE, Polska Bibliografia Naukowa, ResearchBib, ScienceOpen, The Central European Journal of Social Sciences and Humanities (CEJSH), Türk Eğitim İndeksi, Ulrichsweb Global Serials Directory, WorldCat.

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# Правові основи реалізації правоохоронної функції держави у сфері економіки України

## Legal Bases of Realization of the Law Enforcement Function of the State in the Sphere of Economy of Ukraine

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DOI: [10.22178/pos.79-2](https://doi.org/10.22178/pos.79-2)

JEL Classification: H56, H70, K30, O10

Received 28.12.2021  
Accepted 20.02.2022  
Published online 31.03.2022

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**Анотація.** У статті представлено аналіз правової основи реалізації правоохоронної функції держави у сфері економіки, входження України в єдиний європейський економічний та політичний простір. Аналізується значення правоохоронної функції держави у сфері економіки України у контексті правого регулювання, що безпосередньо зв'язано з суверенітетом і захистом національних інтересів. Правове регулювання економіки повинно здійснюватися в двох пріоритетних напрямках: нормативне закріплення прийнятних механізмів, що розвиваються внаслідок дії природних економічних закономірностей; розвиток економіки на досягнення інтересів держави та суспільства в контексті європейської інтеграції. Запропоновано напрями удосконалення правого регулювання економічної сфери України, а саме: вдосконалення нормативно-правової бази реалізації системи заходів забезпечення економічної безпеки; ефективне правове регулювання сфери економічних відносин; дотримання положень, прийнятих законодавством України у сфері запобігання корупційним порушенням; забезпечення чесної конкуренції, підтримка підприємництва та інші.

**Ключові слова:** правоохоронна функція; правове регулювання; економіка; економіка України; національна безпека; економічна безпека; нормативно-правова база України.

**Abstract.** The article presents an analysis of the legal basis for implementing the law enforcement function of the state in the economic sphere, Ukraine's entry into the single European economic and political space. The importance of the law enforcement function of the state in the sphere of Ukraine's economy in the context of legal regulation, which is directly related to the sovereignty and protection of national interests, is analyzed. Legal regulation of the economy should be carried out in two priority areas: regulatory consolidation of acceptable mechanisms that develop as a result of natural economic laws; economic development to achieve the interests of the state and society in the context of European integration. The directions of

improvement of legal regulation of the economic sphere of Ukraine are offered, namely: improvement of the normative-legal base of realization of the system of measures of financial safety maintenance; effective legal regulation of economic relations; compliance with the provisions adopted by the legislation of Ukraine in the field of prevention of corruption violations; ensuring fair competition, supporting entrepreneurship and others.

**Keywords:** law enforcement function; legal regulation; economy; Ukraine economy; National security; economic security; regulatory framework of Ukraine.

## ВСТУП

Реалізація Угоди про асоціацію між Україною та Європейським Союзом зумовлює перехід до соціально-орієнтованої економіки, об'єктивно вимагає цілеспрямованих дій з боку держави, що виконує, крім функцій загального порядку, цілий ряд специфічних функцій, у тому числі у сфері економіки. Без економічного фундаменту, під яким розуміється система виробничих відносин суспільства, будь-яка держава не може нормально існувати, функціонувати і розвиватися. Економіка являє собою складну систему суспільних відносин, що складаються у сфері виробництва, розподілу, споживання матеріальних благ, зумовлює зміст різного роду ідеологічних відносин, форм суспільної свідомості, політичних та правових інститутів. Економіка багато в чому визначає не тільки політику і державний лад, але й право, основні напрями діяльності держави, її функції. Це безпосередньо позначається на внутрішній і зовнішній політиці, змінюючи характер економічних, політичних та правових рішень.

Вагомий внесок у дослідження правових основ реалізації правоохоронної функції держави у сфері економіки зробили такі вчені-юристи, економісти та практики: В. Авер'янов, М. Борщ, Н. Бортник, С. Глущенко, І. Дрозд, О. Калмикова, С. Князь, Н. Коваль, І. Кравченко, Н. Кочеткова, Р. Лісна, О. Мартинюк, В. Ортинський, О. Прокопенко, О. Рудинська та інші. Визнаючи теоретичну і практичну цінність окремих досліджень за проблемою, доцільно відмітити, що сьогодні недостатньо дослідженими залишаються питання тенденцій розвитку правового регулювання економічної сфери України з урахуванням адаптації до вимог європейського економічного простору, виходячи з вимог і порядку денного реалізації Угоди про асоціацію між Україною та Європейським Союзом.

*Метою статті є дослідження правових основ реалізації правоохоронної функції держави у сфері економіки України.*

## РЕЗУЛЬТАТИ ДОСЛІДЖЕННЯ

У Національній економічній стратегії на період до 2030 року [1], зазначено, що незважаючи на те, що сьогодні в Україні питома вага фінансового сектору у ВВП становить близько 7,0 %, що відповідає середньоєвропейському показнику, національний (український) фінансовий ринок порівняно з ринками розвинених країн має певні недоліки, які потрібно усунути. Для цього необхідно ретельно дослідити сучасні тенденції розвитку, що склалися у межах фінансового ринку України, а також у процесі його взаємодії з міжнародним фінансовим ринком. Формування ефективного фінансового ринку вимагає цілісного підходу і злагоджених рішень щодо стратегії та механізмів розвитку [1].

Теоретико-правові дослідження проблеми взаємодії таких інститутів, як держава та економіка, в розряд пріоритетних ставить права і свободи особи, суспільства, інтереси держави та роблять акцент на необхідності вдосконалення нормативно-правової бази, яка б сприяла ефективному прискоренню інтеграції в європейський економічний і правовий простір, забезпечуючи територіальну цілісність і суверенітет України.

Одне з центральних місць в діяльності держави займає виконання завдань забезпечення правопорядку та законності, захисту прав і свобод людини, охорони прав і законних інтересів державних та недержавних організацій, боротьбі зі злочинами та зниження рівня правопорушень. Ці завдання – предмет турботи в першу чергу держави та її органів, про що говориться в Конституції України [2]. Зокрема, в ст. 3 Конституції України вказується, що людина, її права і свободи є найвищою

цінністю. Визнання, дотримання і захист прав і свобод людини і громадянина – обов'язок держави. Ця ідея міститься в ст. 55 Конституції України: «Права і свободи людини і громадянина захищаються судом». Дані конституційні положення вимагають, щоб усі органи державної влади, зокрема правоохоронні, виконували функцію охорони права. Конституція України [2] гарантує єдність економічного простору, вільне переміщення товарів, послуг і фінансових коштів, підтримку конкуренції, свободу економічної діяльності, визнає і захищає різні форми власності, що у повній і достатній мірі відповідає європейським цінностям.

Європейську соціально-економічну систему можна охарактеризувати стабільними відносинами і процесами в суспільстві та державі, що одночасно не тільки спрощує регулювання, а й висуває більш високі вимоги до кінцевих ефективних результатів різних видів людської діяльності. Саме тому можна констатувати, що кількість видів тіншових відносин у сфері економічної діяльності свідчать або про недостатню ефективність нинішньої економічної системи, або про недостатню міру регулювання економічними процесами органами державної влади, наділеними контрольними і наглядовими функціями.

До зниження економічного зростання та потенціалу держави призводять цілий ряд факторів, в тому числі такі, як: прогалини в законодавчій базі суспільних відносин в економічній сфері; неефективне проведення деяких реформ; відсутність конкретних і чітких механізмів оптимального державного контролю у сфері економічної діяльності та інші фактори.

Сприятливий розвиток економічної сфери є досить проблематичним без вдосконалення правового регулювання економіки, підприємницької діяльності. Використовуючи досвід проведення реформ у 90-х роках ХХ століття в державах, які стали членами Європейського Союзу (далі – ЄС), можна зробити висновок про те, що економічна реформа не може бути ефективною без визначеної частки втручання держави у розвиток економічних процесів. У зв'язку з цим в Україні спостерігається певний масив законодавчих актів у цій галузі, ряд економічних заходів, які вживаються державою, наприклад, приватизація державної та комунальної власності, земельна рефо-

рма та інші. За допомогою правового регулювання, податків, публічних закупівель, різного роду адміністративно-контрольних важелів держава повинна надавати різний вплив на економічні процеси.

Система нормативно-правового регулювання сфери економічної діяльності включає значний перелік законів, Указів Президента України, постанов Кабінету Міністрів України, інших нормативних актів, норми яких можна класифікувати в такий спосіб, а саме: принципи, що визначають основи суспільних відносин, захищених правоохоронною системою і основи організації та функціонування цієї системи; регулятивні норми, що закріплюють порядок суспільних відносин, які підлягають охороні; норми, які реалізуються в результаті правоохоронної діяльності за допомогою застосування права; норми, що визначають структуру (організацію) правоохоронної системи і її органів та регулюють порядок діяльності.

У кожному нормативно-правовому акті можуть бути окремі статті, які стосуються іншої групи норм (наприклад, деякі конституційні принципи повторюються практично у всіх кодексах), існують такі акти, які носять комплексний характер (в чинному Кодексі України про адміністративні правопорушення (далі – КУпАП), із змінами і доповненнями, внесеними законами України, є норми, які належать до окремих з цих груп).

Розділ VII Кримінального кодексу України (далі – ККУ) [3] передбачає кримінальну відповідальність за протиправні діяння у сфері господарської діяльності. У ККУ є розділи, що встановлюють відповідальність за злочини проти власності (розділ VI), злочини у сфері службової діяльності та професійної діяльності, пов'язаної з наданням публічних послуг (розділ XVII).

У чинному КУпАП є глави, що передбачають відповідальність за адміністративні правопорушення в галузі фінансів і підприємницької діяльності (глава 12), охорони власності (глава 6).

Цивільний кодекс України [4] поряд з прийнятими відповідно до нього іншими законами, є основним джерелом цивільного законодавства в Україні. У першій книзі ЦКУ містяться фундаментальні норми цивільного права, основні визначення понять цивільного права,

положення про угоди, представництво, позовної давності, права власності тощо.

Однак, економічні правопорушення, які відбуваються під прикриттям норм цивільного права, показали на недостатню завершеність в законі ряду класичних цивільно-правових інститутів. До числа таких інститутів можна віднести недійсність угод, створення, реорганізація та ліквідація юридичних осіб, поступка вимог і переведення боргу, застава та інші, що зумовлює необхідність внесення до ЦКУ ряду змін системного характеру.

На особливу увагу заслуговує масив податкового законодавства. У Податковому кодексі України [5], є положення, які стосуються податкових правопорушень і відповідальності за їх вчинення (глава 11).

Останнім часом практично жоден нормативно-правовий акт, що характеризує соціально-економічну та політичну ситуацію в Україні, не обходиться без згадки про необхідність боротьби з корупцією. До недавнього часу протидія корупційним злочинам носила малоефективний характер. Але, не дивлячись на те, що останнім часом державою вживаються заходи щодо підвищення ефективності боротьби з корупцією, це явище перешкоджає нормальному функціонуванню різних державних механізмів, гальмує економічне зростання держави. Саме цей фактор і викликає у суспільства тривогу та недовіру громадян до державних структур. У зв'язку з цим, особливо актуальним є Закон України «Про запобігання корупції» [6], в якому закріплені основні принципи протидії корупції, правові і організаційні засади запобігання корупції та боротьби з нею, мінімізації та ліквідації наслідків корупційних правопорушень.

Особлива увага приділяється роботі з попередження корупції в організаціях, створених для виконання завдань органів влади, передбачені просвітницькі заходи з інформування громадян про вимоги законодавства протидії корупції.

Застосовувані державою захисні, регулятивні та заходи прямого впливу повинні бути спрямовані на підтримку якісного стану економічних відносин за рахунок припинення і обмеження розвитку негативних явищ у сфері економіки. Ці заходи повинні супроводжуватися відповідними механізмами застосування. Економічна безпека повинна забезпе-

чуватися не якимось одним органом, а підтримуватися всією системою державних органів, всіма ланками та структурами економіки. Регулюючий вплив держави має бути спрямований на те, щоб поступово зменшувати вплив держави на економіку (у міру того, як створюються можливості і умови для створення відносно самостійної системи захисту економічними суб'єктами).

Загальною тенденцією розвитку законодавства у сфері економічної діяльності є деталізація, більш докладне регулювання економічних процесів. Разом з тим саме якість законодавства – одна з неодмінних умов динамічного та прогресивного розвитку економіки.

Однією з важливих особливостей діяльності держави є та обставина, що вимога підвищення ефективності правового забезпечення економіки закріплена в Стратегії економічної безпеки на період до 2025 року [7], в цілому ряді нормативних документів, які впливають з неї. У цій Стратегії акцентується особлива увага на те, що успішне реформування економіки і соціальної сфери припускають вибудовування ефективних механізмів взаємодії суспільства, бізнесу та держави, спрямованих на координацію зусиль усіх сторін, забезпечення врахування інтересів різних соціальних груп суспільства та бізнесу при виробленні та проведенні соціально-економічної політики.

Не можна не погодитися з тим фактом, що відображення реальних загроз економічній безпеці вимагає висококваліфікованих і ефективних політичних і економічних дій, необхідність зміни соціально-психологічних установок, що мають місце в суспільстві. Це обґрунтоване положення підкріплюється в першу чергу європейським досвідом, прикладами країн Балтії, які не тільки змогли подолати агресивний вплив Росії, але і знайти ефективний спосіб в пошуку шляху економічного розвитку, підняти показники економічної сфери на оптимальний рівень за рахунок європейської інтеграції та вступу в НАТО.

Проте, на особливу увагу заслуговують проблеми, що стосуються внутрішніх загроз економічній безпеці держави. У Стратегії національної безпеки України «Безпека людини – безпека країни» [8], відводиться особливе місце всім видам безпеки країни, в тому числі економічній. У Стратегії [8] позначені такі види протиправної діяльності, в яких засто-

совуються інформаційно-комунікаційні та інші високі технології. Особливу позицію в Стратегії національної безпеки України займає положення, в якому основним змістом економічних реформ є створення умов для подолання бідності і надмірного майнового розшарування в суспільстві, наближення соціальних стандартів до рівня держав Центральної і Східної Європи – членів ЄС, досягнення економічних критеріїв, необхідних для набуття Україною членства в Європейському Союзі.

У Стратегії національної безпеки України прописані пріоритетні напрями забезпечення національної безпеки у сфері економіки на довгострокову перспективу (сюди відноситься підвищення рівня енергетичної безпеки). Внутрішні і зовнішні загрози стають результатом недостатнього та недосконалого правового забезпечення економічної сфери держави.

У контексті Стратегії національної безпеки України є ряд чинників, які впливають на розвиток певних загроз економічній безпеці, а саме: недосконалість фінансових інститутів, що склалися в країні; стан фондового ринку; неузгодженість податкової політики країни і ЄС; ступінь ефективності організації державного фінансового контролю, регулювання фінансової системи; нерівномірність регіонального розвитку малого підприємництва, що сприяє подальшому економічному відставанню регіонів; недосконале правове регулювання участі іноземних інвесторів на ринку цінних паперів тощо.

Правове регулювання участі іноземних інвесторів на ринку цінних паперів України здійснюється на підставі чинних Законів України: «Про державну підтримку інвестиційних проєктів із значними інвестиціями в Україні», «Про внесення змін до деяких законодавчих актів України щодо спрощення залучення інвестицій та запровадження нових фінансових інструментів», «Про державне регулювання ринків капіталу та організованих товарних ринків» та іншими нормативними актами [9, 10, 11]. Вони визначають порядок проникнення іноземних інвестицій на ринок цінних паперів. Участь інвесторів у проєктах національного та загальнодержавного масштабу надає ефективну дію, особливо щодо розвитку інноваційних галузей економіки. У зв'язку з цим, підвищене значення в системі еконо-

мічної безпеки набуває правове регулювання даних суспільних відносин.

Одним з важливих напрямів діяльності держави у сфері економічного життя є подолання наслідків ескалації збройної агресії Російської Федерації проти України, які відчутно впливають на державні процеси. Збройна агресія багато в чому визначила подальший напрям розвитку країни. Для подолання несприятливих наслідків збройної агресії, нейтралізації найбільш гострих загроз у сфері забезпечення економічної безпеки, стабілізації соціально-економічного розвитку необхідне здійснення комплексу спеціально скоригованих заходів державними органами в забезпеченні належних і сприятливих умов для економічного зростання держави. Важливою умовою для ефективного вирішення поставлених завдань є узгоджена та злагоджена робота органів державної влади, яка ґрунтується на певній програмі повноважень, на неухильному дотриманні принципів європейського фінансового та бюджетного законодавства.

За призначенням право уособлює втілення справедливості в суспільстві. У зв'язку з цим, втручання держави в економіку, використовуючи правові норми, по суті, є функцією соціального захисту. Тому неефективна реалізація даного напрямку діяльності держави надає прямий негативний вплив на економічну діяльність, що віддаляє процес європейської інтеграції. Важливою умовою оптимального функціонування економічної сфери держави є дотримання пропорції між правоохоронною діяльністю держави і економічною діяльністю різних структур, що має суттєве значення при застосуванні механізму державно-приватного партнерства (*Public-Private Partnership*). Під державно-приватним партнерством можна розуміти оптимальну взаємодію держави та приватного сектора в ефективному вирішенні суспільно значущих соціальних та політичних завдань.

Міжнародний досвід показує, що в умовах ринкової економіки не можна досягти значних результатів тільки за допомогою державних зусиль, необхідно також залучення бізнесу. Особливої актуальності це положення набуває у зв'язку з реалізацією Угоди про асоціацію України і ЄС. Закон України «Про концесію» [12], сприяє розширенню практики реалізації проєктів державно-приватного

партнерства не тільки центрального рівня, а також регіональних та місцевих проєктів. Метою цього закону є створення правових умов для усунення обмежень використання форм державно-приватного партнерства, прийнятих в європейській практиці направлених на підвищення якості товарів, робіт, послуг, забезпечення якими відноситься до ведення органів державної влади та місцевого самоврядування [12]. При розробці закону враховувався досвід Франції та Німеччини.

Державно-приватне партнерство – це юридично оформлене на певний термін і засноване на об'єднанні ресурсів та розподілі ризиків співробітництво публічного партнера, з одного боку, і приватного партнера, з іншого боку, здійснюване на підставі угоди, укладеної з метою залучення в економіку приватних інвестицій. Закон України «Про державно-приватне партнерство» [13] визначає істотні умови угоди, гарантії прав і законних інтересів приватного та публічного партнерів. Ці норми в ряді випадків захищають приватного партнера від несприятливої зміни законодавства, що дозволяє йому зберегти структуру розподілу ризиків проєкту між публічним і приватним партнерами, існуючу на дату укладення угоди. Ця норма розширює можливості приватного партнера для залучення як власного, так і позичкового фінансування для реалізації проєкту. За публічним партнером закріплені повноваження контролю діяльності приватного партнера щодо дотримання ним умов угоди. Зокрема, за виконанням зобов'язань щодо дотримання термінів створення (реконструкції, модернізації) об'єкта, інвестицій в нього, технічного використання і експлуатації.

Закон України «Про захист економічної конкуренції» [14] визначає організаційні та правові засади захисту конкуренції, в тому числі попередження та припинення: монополістичної діяльності та недобросовісної конкуренції; недопущення, обмеження, усунення конкуренції органами виконавчої влади та місцевого самоврядування, іншими органами чи організаціями, державними позабюджетними фондами, Національним банком України (далі – НБУ). Для формування сприятливого інвестиційного клімату та розвитку фінансових організацій необхідно змінити монопольне становище НБУ у вирішенні питань ліцензійних вимог до фінансових організацій, тим самим підвищивши рівень конкуренції у фінан-

совому середовищі, що особливо важливо у зв'язку з асоціацією між Україною та ЄС.

Закон України «Про внесення змін до деяких законів України щодо захисту економічної конкуренції та удосконалення процедур контролю за концентрацією суб'єктів господарювання» [15] удосконалив правові і організаційні засади захисту конкуренції – одного з важливих інструментів ринкової економіки.

Держава повинна уважно стежити за тим, що відбувається в економічній сфері та негайно вживати оперативних заходів з мінімізації негативних наслідків несприятливих процесів. На підтримку забезпечення конкуренції, приватного підприємництва, саморегулювання, держава повинна здійснювати достатній обсяг регулювання, спрямованого, в першу чергу, на створення найбільш сприятливих умов для розвитку національної економіки, забезпечення економічної безпеки України. Варто звернути увагу на той факт, що правові і економічні вчення держав ЄС відрізняються тим, що державі належить не тільки суто охоронна функція.

Аналізуючи законодавство України необхідно відзначити, що в ньому відсутні конкретні визначення ефективної економіки, економічного зростання і розвитку. Не визначені критерії оцінки ефективності економіки. Це може чинити негативний вплив на законотворчу діяльність, оскільки поняття ефективної економіки в наш час неоднозначно.

Аналіз нормативно-правових актів в економічній сфері, прийнятих у 2021 році, дозволяє стверджувати, що законодавець прагне до збільшення валового внутрішнього продукту, купівельної спроможності населення, розширення свободи підприємницької діяльності, оптимізації характеру і меж впливу держави на підприємництво. У зв'язку з реалізацією Угоди про асоціацію між Україною та ЄС, відбулися відповідні закономірні зміни, пов'язані з прийняттям низки ефективних нормативних актів, програм та угод в різних сферах життєдіяльності, проте, важливо не вплинути на швидкість їх реалізації.

Досвід ЄС ілюструє, що зміни у правовій системі необхідно проводити поступово, у міру готовності до них суспільства, і вони повинні бути комплексними. Економічні відносини, суспільний устрій та інші суспільні відносини є системні. Отже, їх регулювання, в тому числі

правове, також має бути системним. Однак, слід мати на увазі, що проблема державної підтримки в Україні не завжди вирішується ефективно.

Національна економічна стратегія України на період до 2030 року передбачає підтримку суб'єктів малого та середнього підприємництва, організацій, що утворюють інфраструктуру підтримки суб'єктів малого та середнього підприємництва, включаючи фінансову, майнову, інформаційну, консультаційну підтримку таких суб'єктів і організацій, підтримку у сфері підготовки, перепідготовки та підвищення кваліфікації працівників, інновацій, промислового виробництва, зовнішньоекономічної та сільськогосподарської діяльності.

Одним з важливих аспектів у сфері реалізації державних функцій в економічній сфері є підписання Указу Президента України «Питання Національної ради реформ і Виконавчого комітету реформ» [16], в якому йдеться про те, що Національна рада реформ є спеціальним консультативно-дорадчим органом при Президентові України з питань стратегічного планування, узгодження позицій щодо впровадження в Україні єдиної державної політики реформ та їх реалізації. До основних напрямів діяльності Національної ради реформ відносяться: підготовка пропозицій щодо визначення основних напрямів і механізмів реформування економіки та інноваційного розвитку, включаючи розробку заходів державної підтримки в даній сфері діяльності; координація діяльності органів виконавчої влади та місцевого самоврядування, підприємницького та експертного співтовариств.

## ВИСНОВКИ

За визначенням Національного інституту стратегічних досліджень напрямами модер-

нізації промисловості у 2020–2021 роках стали створення інституційного фундаменту її розвитку, спрощення умов ведення бізнесу, захист та просування інтересів вітчизняних виробників на внутрішньому та зовнішніх ринках тощо [17, с. 4].

Незважаючи на різні способи державного регулювання економіки, велика частина з них здійснюється в правовій формі. Необхідно підкреслити той факт, що правове регулювання економічної системи в Україні повинно здійснюватися в двох пріоритетних напрямках: по-перше, це нормативне закріплення прийнятних механізмів, що розвиваються внаслідок дії природних економічних закономірностей, а по-друге, це напрям розвитку економіки на досягнення інтересів держави та суспільства в контексті європейської інтеграції. Створення ефективного нормативно-правового регулювання економіки в Україні є цілком досяжною метою. Правове регулювання економічної сфери має бути гнучким, своєчасно і оптимально реагувати на внутрішні та зовнішні зміни.

Важливими напрямами державно-правової діяльності щодо ефективної реалізації правоохоронної функції у сфері економіки України є: вдосконалення нормативно-правової бази реалізації системи заходів щодо забезпечення економічної безпеки держави; ефективне правове регулювання сфери економічних відносин; дотримання положень, прийнятих законодавством України, у сфері протидії корупційним порушень; забезпечення чесної конкуренції, підтримка підприємництва та інші. Необхідно вести розробку та реалізовувати на практиці ті програми, які спрямовані на заохочення розвитку галузей економіки, на забезпечення науково-технічного прогресу, на скорочення енергетичних витрат, на охорону навколишнього середовища.

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# US Intervention in Iraq

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DOI: [10.22178/pos.79-3](https://doi.org/10.22178/pos.79-3)

LCC Subject Category:  
[HN50-995](#)

Received 16.01.2022  
Accepted 28.02.2022  
Published online 31.03.2022

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**Abstract.** The creation and functioning of world peace have always been the mission and goal of international relations, which is based on specific actions and strategies depending on the extent of the situation, but how many successes and results have been cannot always be predicted. The fight against transnational terrorism and the fight against general evil must always rightly be supported by all influential states in the world. The US intervention in Iraq is often seen with criticism and praise from various scholars and states. In our paper, we aimed to present the US intervention in Iraq based on the comparison and presentation of arguments from different studies and experts in the face of the question; was this intervention necessary or not, and was it humanitarian or aggression? We have tried to present the problem in the most scientific and argumentative way through descriptive, analytical and comparative methods, always based on scientific and factual approaches. In conclusion, we can say that based on general facts and arguments regarding the US intervention in Iraq, the goal has not been achieved correctly and that other forms could have been used to achieve the goal. The failure to find nuclear weapons inside Iraq and the failure to democratize it are two key arguments that shed light on hasty military action against Iraq.

**Keywords:** War; Terrorism; Iraq; US; Intervention; Attacks.

## INTRODUCTION

The attacks of 11 September 2001 constitute a significant turning point for many issues in the world and a historic turning point for US foreign affairs and policy. These attacks prompted the US and many countries worldwide to declare the open war on terrorism a global problem.

After the war on terror, a new and challenging era began for the US and the countries host to terrorism which poses a threat to global security. Countries that supported transnational terrorism and cooperated in destabilization and security threats faced harsh attacks and actions against them. One of these countries that were considered in this range of states is the state of Iraq.

The US intervention in Iraq was made under the argument that Iraq, led by Saddam Hussein, had weapons of mass destruction, supported international terrorism, and did injustice to civilians inside the country, violating international.

In our work, we have linked the course of events from the 9/11 attacks to the democratization of Iraq following the overthrow of Saddam Hussein.

We have tried to clarify the fight against terrorism as scientifically and argumentatively as possible in the light of the facts, which began under President Bush's administration, continuing with how Iraqi leader Saddam Hussein was accused of weapons of mass destruction and support for international terrorism.

Also, the US intervention in Iraq has been elaborated in an argumentative manner during this paper, confronting the arguments and facts of various scholars, whether this was a humanitarian intervention or military aggression. We have elaborated on the consequence of all these actions, whether the final goal for the democratization of Iraq has been achieved, and its introduction into a system of functioning democracy with Western features and characters.

In an argumentative and factual way, we have elaborated in an interconnected way our work to produce the most accurate and scientific results based on the confrontation of scientific arguments and studies.

## RESULTS AND DISCUSSION

*11 September attacks.* On 11 September 2001, the terrorist attacks on the World Trade Centre in New York and the Pentagon were unprecedented and shocking for the United States and the world. The 9/11 attacks were a series of coordinated terrorist attacks, led by the terrorist group Al Qaeda, against the United States. Objects of the attack were important buildings in the US, such as the Twin Towers, where the headquarters of the World Trade Organization was located in New York, the Pentagon building and the White House. Thousands of civilians were killed in the attacks of 11 September 2001. There was an unprecedented fear in the United States and the vast majority of the world when one of the hijacked planes crashed after passengers tried to retrieve the plane); all 19 terrorists died.

This event shocked the US with “the biggest casualties experienced in the United States in a single day since the American Civil War” [10].

The 9/11 attacks had profound and profound effects on the well-being of the US people and all areas in general. The 9/11 attacks surprisingly hit the United States. They showed that no country could guarantee overall security in the maximum possible way. It cannot be untouched by any accidental and planned strike, mainly from various recent groups. So after the attacks, the biggest US law agencies started researching and crafting new strategies to protect the US from any terrorist attack and set out to create new policies for the US.

The terrorist attacks of 11 September 2001 (9/11) in the US remain one of the global events of the decade, exerting a profound influence on world affairs [2]. After 11 September 2001, world affairs at the international level would take different directions. The US, led by President Bush, would change US foreign policy and declare war on terror war of time which must be fought in every way and form, given that it is a threat to every nation and state.

World affairs would now bring unpredictable innovations to most countries, especially the Middle East, known as a haven for terrorism and a constant instigator of the latter by disobeying international law. With an emphasis on Iraq, Eastern countries would enter a vortex of crises, resulting in an inevitable war that would bring instability to the nations and the Middle East region.

*The fight against terrorism.* Violence is present everywhere in the history of humanity, where it sometimes appears as the only force that regulates the relations between social groups and peoples. Is violence the driving force of history? It is undeniable that we encounter it in various forms, especially in the ideological structure, as a dynamic and indispensable to the essential sequences of the evolution of human societies. Manifestations of ideological violence abound in the history of humanity. Words to express this violence are numerous. War crimes are one of them. Exterminations, expulsions, acts of terror, mass crimes and targeted crimes are other [9]. Thus terrorist acts are a force that expresses violence and poses a general danger.

Terrorism is now a global problem that people today have to face. The West has tried to take some measures trying to combat this phenomenon. Some measures include the legal punishment of terrorists at the national and international level or their punishment through a military war called “war” [9]. Terrorism over the years has been constantly on the move, rising and falling, but in general, has it been the action of all means in attacking the objectives and interests it has aimed for. This is the goal of terrorism to act in many ways, comprehensively and in different forms and methods, to promote violence and fear on a large scale [8].

The terrorism committed against the USA on 11 September 2001 was against the latter and the whole world. Therefore, it was necessary to fight together against this global problem.

While it is widely acknowledged that US foreign policy changed quite radically after the terrorist attacks of 11 September 2001, what is less apparent in the comments on these events is how the US-adopted foreign policy strategies have continued to evolve and change since then. This is partly because the Bush administration often presents America’s responses as part of a relatively continuous or uninterrupted approach [6].

In 2005 before the UN, Bush said that the world has a “very serious obligation” to stop terrorism in its current stage of creation. The fight against poverty is also part of this war because deprivation promotes despair and terrorism. For this reason, all trade barriers, subsidies, and customs should be removed to open up development opportunities for developing countries. “What will spread is either hope or violence,” Bush said. “We must foster hope” [4].

In its post-9/11 policies, the administration has shown a tremendous tendency to reassess the terrorist threat and the responses required to deal with it. As a result, when analyzing Washington's reactions to the 9/11 attacks, it is possible to identify three distinct and successive strategies that have been adopted to prosecute the War on Terror: The first of these strategies, which can be termed 'Against' -terrorism', focused narrowly on the terrorists themselves, incorporated traditional anti-terrorism techniques and logically led to the war in Afghanistan when the Taliban refused to stop al-Qaeda's shelter. Although partly enhanced by the US experience in Afghanistan, the second strategy, 'Pre-emption and Preemption,' represented a step-change in Washington's conception of the terrorist threat and how to deal with it. The invasion of Iraq was the ultimate manifestation of this policy. The desire to overthrow Saddam contributed to developing this strategy. However, the invasion of Iraq did not mark the full effect of Washington's policy response to the terrorist threat. A third approach, the 'Strategy for Democratization in the Middle East, has also been developed by Washington. This approach aims to identify both the root causes and long-term solutions to the American War on Terror [6].

So in the aftermath of the events of 11 September 2001, the Bush administration took action and strategy against terrorism and the proliferation of weapons of mass destruction. The American system of fighting terrorism and counter-proliferation of weapons of mass destruction would go as far as direct frontal warfare and intervention in countries that would violate these strategies and harbour terrorism.

*The US accuses Saddam Hussein of nuclear weapons.* The rule and regime that Saddam Hussein had extended saw that it would end soon after the 9/11 attacks. The US and the Bush administration would continue with their strategies to overthrow and fight irresponsible and dangerous leaders in the Middle East.

The Bush Doctrine relies on a definition of threat based on what it sees as a combination of "radicalism and technology" - specifically, political and religious extremism coupled with the availability of weapons of mass destruction (WMD). In his West Point speech, President Bush stated: The greatest danger to freedom lies in the intersection of radicalism and technology. When the proliferation of chemical and biological and nuclear

weapons, along with ballistic missile technology - when that happens, even weak states and small groups could achieve catastrophic power to strike large nations. Our enemies have stated precisely this purpose and have been caught seeking these horrible weapons [11].

The way the Bush administration conceived of the terrorist threat, as articulated by its answers to its questions, signalled how US foreign policy would respond immediately after 9/11. The model adopted was the traditional counterterrorism technique, linked to a policy focus in Afghanistan, where the preferred approach was regime change. The basic principle that guides US foreign policy was a realistic approach, which identified states as a problem, considered the state system and changed states' primary behaviour as the preferred solution. This approach was, in part, an attempt to construct the terrorist threat in such a way as to restore 'security' in the realm of state-threatening threats, dismissing suggestions that this was a threat that went beyond the state's capacity to deal. In practice, this meant a typical policy response in many ways to what followed previous terrorist attacks: identifying and prosecuting internal and external suspects through the criminal justice system, with the clear indication that if those suspects extend beyond national and international legal achievement, then a military response can be expected [6].

So the Bush administration and the people who supported the latter would invite to invade and invade Iraq on suspicion of possessing nuclear weapons and being a haven for terrorism. Although the Bush administration had previously sent constant administrative threats to Saddam Hussein to stop any claims, development and possession of weapons of mass destruction, the United States was constantly on high alert to respond to Iraq after seeing the threat of danger from the latter. Bush responsibly saw intervention in Iraq as a precaution and a precaution to react in time before it was too late.

The Bush administration's statements and actions regarding Iraq strongly believe that war is imminent. Its readiness to start a war with Iraq is based on the administration's judgment that time is not on the American side. In his address to the nation from Cincinnati on 7 October 2002, Bush asked: "If we know Saddam Hussein has dangerous weapons today, and we do, does it make any sense for the world to wait to confront him as he

grows even stronger and develops even more dangerous weapons? ... If the Iraqi regime is able to produce, buy or steal an amount of highly enriched uranium a little larger than a single softball, it could have a nuclear weapon in less than a year. And if we allow that to happen, a terrible line would be crossed. Saddam Hussein would be in a position to blackmail anyone who opposes his aggression. He would be in a position to dominate the Middle East. He would be in a position to threaten America and Saddam Hussein would be in a position to pass nuclear technology to terrorists" [1].

Based on all the information and strategies from his administration and coordination policies, President Bush was convinced that Iraq should be attacked and that Saddam Hussein possessed weapons of mass destruction. The Bush administration has repeatedly accused Saddam Hussein of possessing weapons of mass destruction. He had directly and concretely warned and threatened to suspend or face unprecedented US action and allies.

*Was the US intervention in Iraq a humanitarian intervention or military aggression?* The intervention in Iraq was preceded by a series of threats and sanctions against the latter, which failed miserably due to Iraq's disregard and neglect. The continuation of the old Avaz from Iraq prompted the US and its partners Iran to intervene militarily in this Middle Eastern region. The implementation of US self-defence with a partner and the performance of all forms to maintain international peace and security led the US to intervene in Iraq.

In his speech to the United Nations (UN) in September 2002, President George W. Bush described the possible use of force against Iraq as necessary to implement existing Security Council resolutions and to eliminate a dangerous threat to peace and international security. The Security Council responded by adopting UNSCR 1441, which found that Iraq was in material violation of previous Security Council resolutions and threatened with severe consequences for failing to do so. When Iraq refused to comply with these resolutions fully, the United States led an ad hoc "ready coalition" that invaded Iraq on 19 March 2003, quickly defeated the Iraqi armed forces, and ended Saddam Hussein's regime [14].

President Bush clarified that the major attacks on Iraq received funding that the course of the war and now was on the side of the US and that the

situation would be brought under control and would have throughout the region of Iraq. But President Bush could never show whether a nuclear weapon was found or not, which raised great dilemmas and discrepancies around the world and for many well-known connoisseurs of global affairs.

But the question arises whether the intervention in Iraq was military aggression or humanitarian intervention for specific purposes of stability and maintaining general security?

Examination of the factual and legal environment leading to the war in Iraq will show that there was sufficient legal authority for the 2003 conflict with Iraq. On 2 August 1990, Iraq invaded Kuwait. The next day, the Security Council adopted Resolution 660, the first of many resolutions condemning Iraq's actions and seeking withdrawal from Kuwait. After the diplomat failed, the Security Council adopted Resolution 678, which gave Iraq until 15 January 1991, to fully implement Resolution 660 Paragraph 2 of Resolution 678 authorizes member states to "use all necessary means to uphold and implement Resolution 660 (1990) and all relevant subsequent resolutions and to restore international peace and security in the area" [14].

These and a series of interconnections that continued to try to control Iraq are often used as arguments for the legitimacy of the intervention in Iraq. Until the military intervention in Iraq, many authors and scholars tried to base their intervention in Iraq on international law based on diplomatic actions and the constant threats made to Iraq. They also rely on the inspection of Iraq for nuclear weapons and the latter's elimination, which is against the argument that no nuclear weapons were ever found in Iraq. At least officially, it was never proven by the Bush administration.

One state cannot strike another simply because the second may one day develop an ability and desire to attack it. However, few will make a strike from one war to another against a second state program to create new types of weapons. Between these two, they say that there are countless models of facts. After all, every offer must find legitimacy and what the state believes it has been made to be. Everyone should be judged not on abstract concepts but the events created there. While nations should not use prepayment as a pretext for aggression, being in favour or against preference in the abstract is a mistake.

The use of pre-emptive force is sometimes legal and sometimes not [13].

Can the war in Iraq be justified as a humanitarian intervention? This question received little serious attention before the war because the occupation was primarily to save the Iraqi people from oppression. Indeed, if the Iraqis had overthrown Saddam Hussein and dealt credibly with the issue of weapons of mass destruction, there would undoubtedly have been no war, even if the next government had been just as oppressive. Over time, however, the Bush administration's main justifications for the war lost much of their force. No weapons of mass destruction were ever found. No significant pre-war links to international terrorism were revealed. Establishing stable institutions in Iraq makes the country an increasingly tricky terrain for developing democracy in the Middle East. The administration's primary justification for starting the war is that Saddam Hussein was a ruthless and dangerous tyrant, an argument for humanitarian intervention [12].

In most cases, various authors and scholars offer a range of facts and arguments that the intervention in Iraq was not a humanitarian intervention but military aggression with specific intentions. They also claim that apart from any case of loss of human lives by military nature, there was no aggressive action against the population on particular grounds. "There were no ongoing or imminent massacres in Iraq in March 2003. This absence is crucial in undermining claims that the invasion of Iraq was a humanitarian intervention" [12]. Other peacekeeping operations could also be used, leaving violence and military action as a last resort. Saddam Hussein could be overthrown in other forms of power by excluding the latest military action as happened in Iraq. The Security Council did not approve the intervention in Iraq.

In summary, the invasion of Iraq fails to test for humanitarian intervention [12]. But, to go with arguments and factual support regarding the US intervention in Iraq, we can ask the question, after the intervention in Iraq and its occupation, was Iraq democratized according to the main objectives of the Bush administration's foreign policy?

*Did Iraq democratize after the intervention?* Peace-building over the years has been part of the main arguments of international relations aimed at resolving conflicts, nation-building and

making essential reforms in various institutions and sectors of the state. It includes strategies to prevent future recurrences of the war, which is vital for maintaining global security and protecting the security of civilians [7].

Based on the fact that the countries of the Middle East were far from Western democracy, one of the objectives within the foreign policy strategy of the Bush administration was the democratization of Iraq and the extension of the latter as precisely as possible.

Promoting democracy in the Middle East has been a critical goal of the Bush administration's foreign policy since September 2001. The democratization of the Arab world, in particular, is seen as an essential instrument in the fight against terrorism. To help democratize the Arab Middle East, the US launched some policies that have encouraged reform [3].

Iraq entered a new phase of political transition in 2003 following the intervention of the United States and its allies and the fall of Saddam Hussein. The US intervention in Iraq led to the collapse of Saddam's regime and led to the destruction of the Sunni-dominated Iraqi state. The purpose of the intervention was to build a liberal state with a presence of democracy, human rights, the rule of law and a system where the government is accountable to the country's citizens. The involvement of the United States in Iraq can be explained by its role as a hegemonic power to maintain global peace and security because Saddam Hussein was accused of possessing weapons of mass destruction that could endanger global safety [7].

The US-led invasion and its efforts to rebuild Iraq's political system in 2003–2004 were low-staffing and organizationally incoherent. The violence that prevailed in Iraq from 2004 to 2008 had both regional and domestic leaders [5]. These and many other challenges prove that Iraq was not democratized even after the intervention and was not put on track. However, there has been progress and improvement in some areas. Iraq was not democratized, but it was left in a stifled "transition" with ongoing problems within the system, which today have consequences and difficulties in functioning.

## CONCLUSIONS

In conclusion, we can say that the US intervention in Iraq did not meet all the merits and goals set. This can be seen from the argument and the result we have clarified during this paper. The attacks of 11 September 2001 and the war on terror were the beginning of military action against Iraq.

The constant threats against Iraq and the accusation of nuclear weapons caused the situation to slide toward military action against Iraq. The overthrow of Saddam Hussein could have been done in other ways before he took the last step, the military one. Although the trumpeting of global security and possible prevention is consistently used as an argument, it still clarifies that the intervention in Iraq was not humanitarian. It

has also never been proven that nuclear weapons were found inside Iraq.

The fight against global terrorism and global security should be at the forefront of each state, especially for robust conditions. Still, actions in some instances should be spared as the cause of causing long-term damage to another state. We may ask whether Iraq has been democratized after all those interventions and actions against it. The answer is lacking as well as a result as well. Several internal and external factors have influenced the lack of a satisfactory result. That is why some goals have been achieved, and some strategies have been met.

Railing an adequate democracy in the Middle East in general and emphasizing Iraq requires hard and challenging work, which is often seen as difficult but not unattainable.

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# Typological Foundations of Objects/Subjects: Design-Graphic in Communication Space

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DOI: 10.22178/pos.79-1

JEL Classification: Z19

Received 28.01.2022

Accepted 20.02.2022

Published online 31.03.2022

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**Abstract.** Book art and publishing, visualisation of information in sign and paper products, the creation of analogue data storage devices, and overall digitalisation in production are the basis for developing the art and design culture of the social, visual, and informative communication environment of human activity. This research is based on the provisions of the post-nonclassical scholarly paradigm, the principles of determinism, conformity, and complementation, and the formation of typological foundations of objects/subjects of design-graphic in visual information environment. The study aims to determine the peculiarities in organisation and formation of typological classification of objects/subjects of design-graphic in the communication space. According to the results, the typological foundations of objects/subjects of a design-graphic and interdisciplinary approach and system analysis of objects/subjects of design-graphic have defined the tools to form a visual information environment, thereby ensuring its integrity, a connection between its elements, and substantiating it.

**Keywords:** typological foundations; objects / subjects of design-graphic; communication space; communication design.

## INTRODUCTION

In Ukraine, the primary areas of art and design activity in the communication space of the formation of the visual information environment, objects/subjects of the print, and analogue and digital media environments are determined by book art and publishing, visualisation of information in sign (corporate identity) and paper products (posters, leaflets, advertising, exhibition materials), creation of analogue data carriers, and the objects of the digital production.

Industrial revolutions – their products and technological capabilities – the development of print, the introduction of analogue and electronic media (since the mid-twentieth century), digital media, and the global networks (since the 1980s) contributed to the emergence of new design activities and a commodity – the modern professional visual graphic design language. The visual

language of communication design forms the medium of presenting an informative message.

The establishment of design objects' typology in the communication space of European design and the development of the project culture – in the context of socio-cultural transformations and innovative technologies – are inseparably linked with the search for modern visual means of communication, forms of communication, and information transfer.

## MATERIALS AND METHODS

Scientific systematisation and classification of standard features in structural and functional characteristics of objects/subjects of design-graphic helped create such objects/subjects' typological classification.

Communication space is a natural socio-economic and continuous part of a social system with a set of diverse existential and partial local spaces. Such spaces include internal and external structural and functional interrelated components of procedural-subject forms of expression, visual communication, and connection and interaction [2].

Objects that are primarily intended to convey a visual message are instruments of communication design. In such cases, information is conveyed through visible text and/or images.

Communication design is the foundation of communication. A designer needs to identify and implement the visual settings for emphasising the visible text (content). The typological formation of design-graphic objects in the visual-informative communication environment depends on the direction of activity, functional and structural components of the environment, their interrelations, and interactions (Figure 1). Integrated environment design is essential in the organisation and typological formation of objects/subjects of a graphic design product.

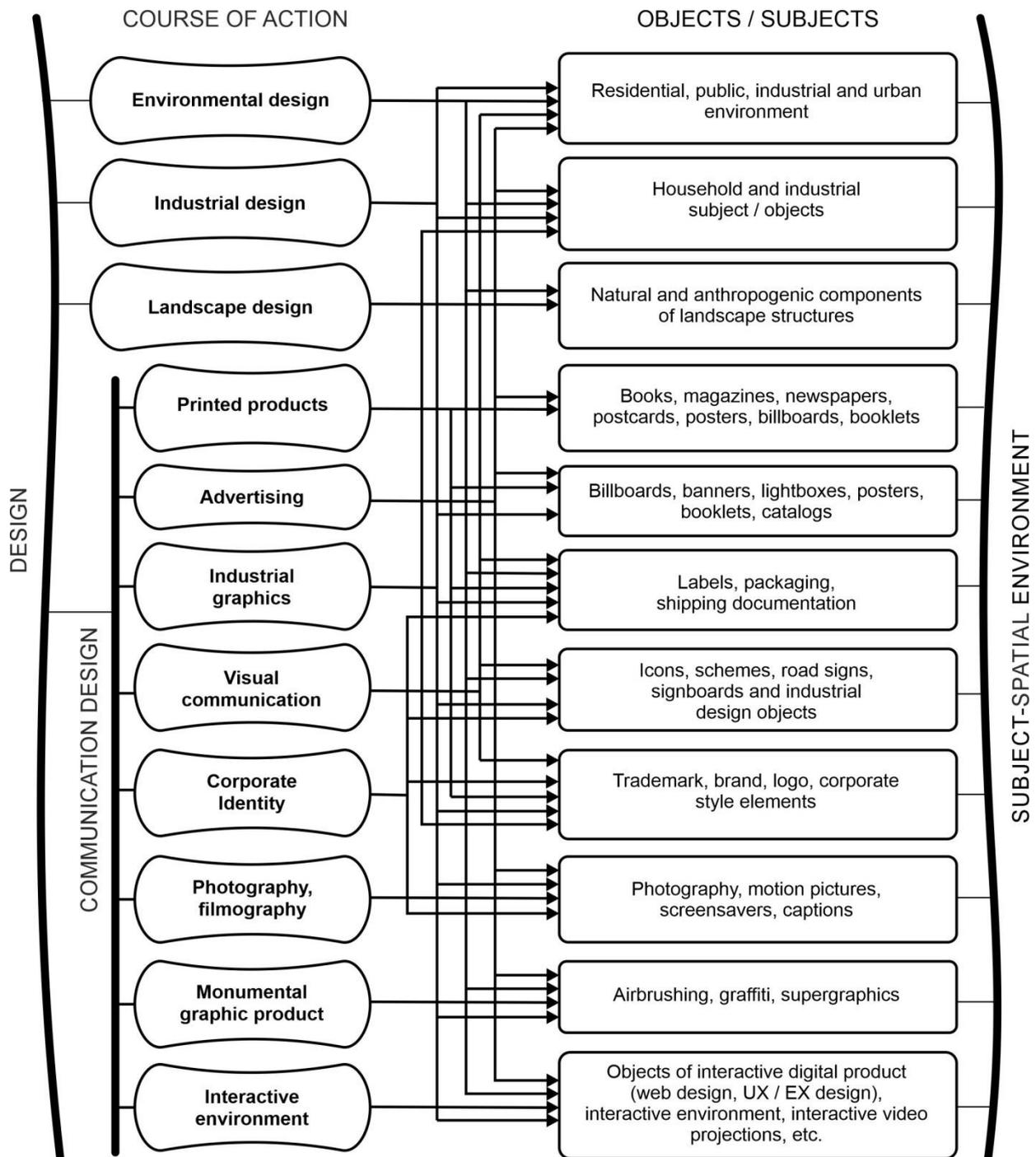


Figure 1 – The design structure of the objects/subjects of the visual information environment

Visual graphic text is any object that functions as a sign system and is perceived visually. Information about the source of the message can be conveyed by using a signature, a trademark, a logo, or the stylistics of the message inherent to the source. Visual communication creates texts that are easier to perceive and are more memorable. The relationship to the recipient of the message is represented by specific parameters, including a) the shape, plane, space, colour, and format of the message, b) using versatile visual means of accentuation, reproduction, and digital design, c) using unique advertising and printing materials, methods of decoration and d) using the latest technology.

Objects/subjects of design-graphic are visual forms of communication that help convey textual and/or illustrative information for transmitting and reading/deciphering a message. They are a part of a specific visual and informational communication space. The chief function of design objects is to enable communication between a person and the elements of useful content and structure of the communication space. Additionally, design can simplify and increase the comprehension speed and help the consumer avoid information overload. Further, it provides psychological comfort and allows for a quick search of the required data.

The typology of design activities and graphic design objects in the visual communication space reveals specific features of the visual graphic language used in the following: printing products, adverts and graphical book elements, posters, placards, branding, elements of outdoor advertising, photography and cinematography, and an interactive environment's design. Communicative design encompasses informational, advertising, and corporate areas of activity [9]. The products of communicative design in these domains include exhibitions, photography, objects of corporate identification, advertising, printing production, and objects of the digital space.

**RESULTS AND DISCUSSION**

The product of communication design is a visual message conveyed through print, analogue, and electronic data carriers. Artistic activities in the communication space include visualising information, visual communication between an object and a person, and integral interaction. Such activities entail the following: the design of printed

products and electronic publications, advertising and book graphics, the creation of posters and placards, some elements of outdoor advertising and packaging, digital production, and an interactive environment.

The typology of design objects shows the communicative features of a printed, analogous, or electronic product and the creation of essential tools in forming a visual information environment.

The structure of the visual information environment serves as a basis for the typology of objects/subjects of graphic design in the communication space. The space-time continuum of the visual information environment with its interconnected structural and functional components, be it a human being, a community (the human activity), an object/subject, or the space (visual information environment). It accumulates the object and space environment and realises the factors of influence, which consider human nature, human activity, and its essence and interrelations with the environment (Figure 2).

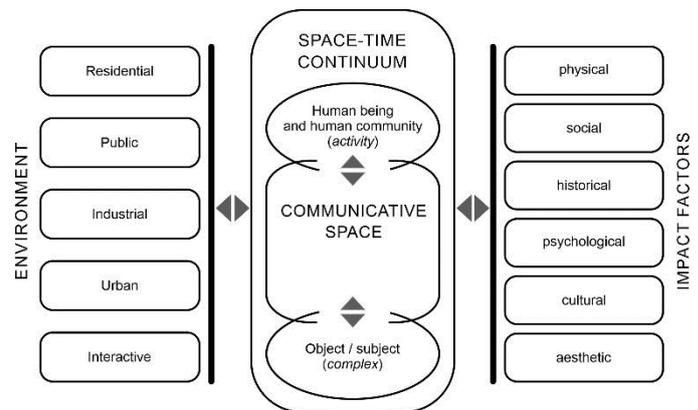


Figure 2 – The environmental structure and the influence factors in the communicative space in the context of action

The structure of the environment entails the following essential blocks: the social system environment, which implements functional, technological, informational, and communicative processes, and the influence factors in the context of action. Impact factors by the context of action include physical, social, historical, psychological, cultural, and aesthetic contexts. The physical context is related to the human body and environmental conditions (temperature, lighting, noise).

The social context reflects the socio-cultural situation in which the communication occurs [12].

This includes perceiving the same visual message may be different at a formal meeting compared with perceiving it privately, or while outside, at an exhibition or in a theatre. For example, advertising banners on the city streets and posters and placards are designed for situational familiarity with an event. At the same time, the identical advertisement for the periodical is intended for a private setting (message – recipient).

The historical context contains the territorial boundaries of the region and "links between the event participants that influence the understanding of the communicative situation" [12]. These modern features are manifested in the transformation of industrial paradigms into the new post-industrial changes in design values, globalisation and national-oriented processes, and cultural and civilisational landmarks for different spheres of life. The formation of a communicative message with a specific content may be continued without a direct reference to the event. This is because such a historical event becomes a constant at some point in time and is mentioned repeatedly.

The psychological context concerns the mood and feelings that a communicative product invokes in consumers [12]. The same messages can be perceived differently depending on an individual's psychological state (annoyance, euphoria, etc.).

The cultural context includes the aspects of beliefs, values, relationships, social hierarchy, religion, and chronology [10]. Communication primarily assumes that all participants in a group share the same beliefs, values, and norms that are typical for that social group. The cultural and ethnic diversity of the population of regions – where different geopolitical areas have been interconnected over many centuries – reveals diverse project and cultural contexts.

The aesthetic context is concerned with human feelings and emotions. Communication design reveals the issues of informational interactions between people based on visual and graphic elements that enable the participants to get ideas about objects, phenomena, and processes involved. This is called visual communication. All things of communication design have a communicative function. A common visual language unites them.

In communication design, the process, object/subject of communication, and the result of

its visual perception form an aesthetic, emotional, and spatial environment. The primary function of objects/subjects of design-graphic is to provide communication between an individual and the elements of an informational communication environment. Communication is the visual exchange of information through signs, symbols, and images. The visible message transfers the information in the context essential for clearly understanding such information. The language of communication is symbolic by nature. Therefore, the sign is a unit of message transmission that carries a distinct function, independent of the message's form due to its graphical reproduction.

The concepts of thought, idea, and information form the semantic structure of a communication process. Sign systems (codes) create a common information space (infosphere) and belong to the category of formative means.

The communicative space of the visual information environment is created through communication design to provide visual communication, thereby forming the interrelation between the elements of object/subject content and the addressee [7].

In the second half of the nineteenth century, typography, photography, and filmography had become the primary means of communication. These domains reflected the life of society at that time and served as ways to visualise objects and subjects for their popularisation in press and advertising. The collage method involves a combination of photos, images, and text. Designers used it to create postcards, adverts, placards, playbills, shop windows, and signboards during that period.

Since the beginning of the twentieth century, artistic and project activity concerning the objects of design-graphic of the visual information environment is based on the synthesis of architecture, art, design, and innovative production technologies. The development of cinematography, theatre, and the cultural and entertainment industry was accompanied by printing products. Despite the low functional circulation and the one-off purpose of posters, tickets, playbills, and flyers, these incidental leaflets often became true works of graphic art. Advertising, book and magazine, applied and industrial graphics, photography and cinematography are prominent in newspapers, magazines, reference publications, posters, exhibitions, the objects of corporate identification, and visual communication. As

shown by newspapers and magazines, the press has become one of the most sought-after media, where graphic advertisements often successfully and initially complemented the verbal media. The most common are printed texts of short advertisements, tips on cooking for homemakers, traditional medicine recipes, etc.

During different periods of development in society, visual means of message creation through the design-graphic have changed consequential to historical and chronological periodisation. A common feature in the elements of visual communication was the use of ornamental details and the combination of serif (Antiqua), sans-serif (Grotesque), and display fonts. The concept of visual communication was created by representatives of two professional groups: artists and printers. Printers saw the benefit of using ornaments and combining different fonts, styles, and sizes. Artists saw print reproduction as a secondary element and paid more attention to ornaments and illustrations, even though, in many cases, the captions and images were well-integrated [4].

In Europe, the development of mechanical engineering in the second half of the nineteenth and first half of the twentieth centuries introduced new ideas and principles in designing periodicals related to the context of modern technological means. The invention of the printing press, phototyping, colour photography, linotype, and multicolour letterpress, along with the development of offset printing technology and photocomposition, has given the designers wider opportunities to create modes and elements of visual communication.

A striking example of the artistic and design facet of visual coherence are the advertisements in periodicals of the second half of the nineteenth and beginning of the twentieth centuries. Typical combinations of title and text fonts of different characters and sizes (serif, sans-serif, decorative fonts, and display typefaces) had a proportional ratio of sizes and precise symmetrical construction. The display typefaces and their combination with serif (Antiqua) and sans-serif (Grotesque) can be seen in books and magazines, posters, and securities.

The course of the twentieth century's historical, cultural, and artistic events expanded the range of visual communication object design tasks. The communicative functions of the visual information environment and objects of design-

graphic were not limited to highlighting the design subject/object. Instead, such functions generated the expected public reaction. Attention can be drawn with clarity of form and content (perception and understanding of individual elements, such as letters, numbers, icons, diagrams, signs, symbols) and the organisation of the sequence of perception, which is the hierarchy of complex structural information. The structuring of such data required a new approach, which determined the emergence of the latest element of communication design, infographics, which conveyed the idea of the message through typography, pictograms, illustrations, photographs, and colours.

The choice of visual message components largely shapes the semantics, enhances the message's meaning, and depends on its content. The visual organisation of the environment ensures the establishment of clear links of importance, inclusion, connection, and dependence while organising and forming a communication space, controlling the sequence of perception, and ensuring the reception of messages.

The communication environment is viewed through the prism of the technological environment. Historically, we can distinguish print, analogue, and digital environments [9]. They form the visual information environment structure of technological development and the means of communication (Figure 3).

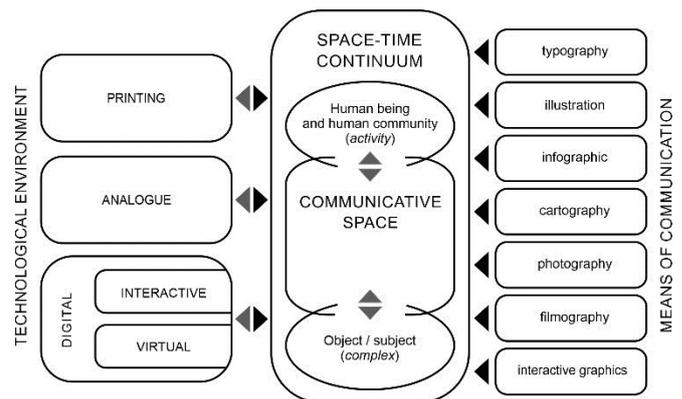


Figure 3 – The structure of the technological environment and means of communication in a communicative space

For full disclosure of the typology of objects/subjects of the communicative space, it is necessary to consider print, analogue, and digital environments and their content by function and purpose, the nature of the information, the spa-

tial and mobility aspects, and manufacturing technology, and means of communication.

According to the functional purpose, print production is divided into book, periodical, and display advertising production.

By purpose, printed products are divided into artistic, scientific, science fiction, and reference books; periodicals are categorised into general and specialised papers and magazines; advertising production includes mass production that is accessible to everyone (low quality and low cost) and elite publications (access closed or territorially limited, for instance, an exhibition or a museum) that have high design and artistic quality, are not widely distributed, or are pretty expensive.

By the nature of the information, books and periodicals are divided into general and specialised editions.

By the placement method in the environment and mobility, we distinguish stationary, mobile, proximate, and distant objects of design-graphic. They can be found in the interiors of public or residential buildings and urban or landscape spaces. The response to these objects depends on the design object's location and «visibility», i.e., the contrast.

According to manufacturing technology, the typology of design objects considers the duplication and reproduction process: letterpress, intaglio, lithography, chromolithography, molding, photo printing, film production, and digital technologies.

We also distinguish the typology of the objects of design-graphic according to the following additional features:

- 1) Form: sheet, brochure, code, corporate style elements, volumetric space structures.
- 2) Genre: documentary, advertising, artistic.
- 3) Iconic nature: text (book and magazine products), visual (posters, postcards), branded (corporate style, packaging, label), imaginative and emotional (photo, film production).
- 4) Means of formation: sign, symbol, colour, shape, movement.

The visual communication environment consists of static and dynamic objects/subjects. The objects of the print environment are static, while the things of analogue and digital media are active. Dynamics can be understood as a character-

istic of a particular data carrier. This division is based on the technological characteristics of displaying visual information. The existential environment of static and dynamic objects/subjects ensures interactions with them through common visual and communicative means.

The product of the analogue environment is not limited by space, unlike the printed medium, but by the time interval (playback time). Print and analogue environments form a traditional communication environment [9]. The print environment contains objects that can be reproduced with the help of printing technologies. The analogue environment surrounds a person and reflects the environment's electronic original [5, p. 17]. In this case, the analogue object is the object and subject form of any document that can be transferred through a physical data carrier [5, p. 26].

A communicative space is created by forming a substantive visual information environment – concerning the purpose and tasks – and making the functional, technological, aesthetic, and emotional foundations for the resolution of such tasks.

In the corporate sphere of communication design, the image of a product or company is created by projecting graphic elements of corporate identity. The marketing and product philosophy based on image and graphic style design is called a brand. A vivid example is the brand creation of Emil Rathenau's AEG electrotechnical concern in Germany (project created by Peter Berens) and Ivan Levynskyi in Galicia, an architectural and construction firm with numerous factories, warehouses, complexes of shops, and residential buildings (project created by Ivan Levynskyi). Products of these enterprises were distinguished by high technical and artistic quality, which was confirmed by top awards at international exhibitions, competitions, and fairs. A striking example of branding a product in the corporate sphere of the communicative design was the product images of the Baczewski vodka factory (J. A. Baczewski). Advertising in the press, outdoor advertising, posters and postcards with the logo and product image, branded packaging, and exhibitions have popularised this brand throughout Europe.

Furthermore, in Europe, collective corporate activity emerged in the form of industrial and creative associations: 1878 – The Land Commission for Industrial Affairs under the management of

W. Dzieduszycki (Austria-Hungary, Galicia); 1907 – Verkbund Art and Industrial Union (Germany); 1910 – «Zespół» art association (Austria-Hungary, Galicia); 1912 – The Society for the Improvement of the City of Lviv and Outskirts (Austria-Hungary, Galicia); 1929 – «Artes» association of artists (Galicia) and others.

The pinnacle of the grand pyramid of corporate identity is the trademark, as it is the most vital visual tool that forms the enterprise's image.

The personal brands of medieval craftsmen and artisans of manufactories were prototypes of the first trademarks. These were transformed into full-fledged elements of corporate identification because of the intensive development of industrial production in the nineteenth century.

By the middle of the nineteenth century, international industrial exhibitions – where manufacturers demonstrated achievements in all fields of activity – had become quite widespread. Trademarks performed the role of business cards. During this period, "the Paris Convention for the Protection of Industrial Property distinguished trademarks from the general concept of branding and recognised them as an exclusive right" [8].

In 1886, in the territory of Austria-Hungary, the government issued orders [3] restricting the use of exclusively emblematic and ornamental industrial marks for the identification of goods [13]. The law had requirements for the graphic and textual part of the signs, thereby stimulating the transformation of the visual culture of the industrial movement. Among the various types of industrial signage, verbal markings were the most popular and consisted of letters, words, sentences, surnames, names, or initials. The most common signs were the following: a) Proper names. These include *Siemens & Halske*, I. Levynskyi factory, J. A. Baczewski company, *The Tinned Food Factory of Zygmunt Rucker, Wicksell and Son, Petro Mikolasz and Company, Zeleniewski, Fitzner and Gapner, Sonya-Film* studio, etc.; b) initials and abbreviations, such as *GazZet* confectionery factory, *Maslosoyuz, Koopplast* enterprises; c) geographical names, for example, trademarks of Leopold and Lviv glass, *Polonia* leather and shoes factory, *Bawar* beer enterprise, *Dnister Bank, Carpathia* insurance company; d) newly coined words, for example, *Branka* confectionery factory, *Arma* metal factory, *Urania* cinema and arbitrary names that render the image with an identity, such as those of *Contract* factory, *Aida* cigarette factory, *Atlas* printing house, electric enter-

prise *LUX*, which are not directly related to the product types [1].

Analysis of elements of sign and corporate visual identification provides an opportunity to trace the integration of applied and canvas graphics into industrial (corporate identity) graphics. Such aspects of individual enterprises of the early twentieth century contained some basic stylistic tendencies and peculiarities in their industrial signs' structure. This revealed the standard features in their graphic structure and connected to contemporary European art. Based on the above, we can argue that the existence of corporate identity is an exclusive design phenomenon in the communicative space. Further, we can determine the significant role of design-graphic in its formation and development.

Analysis of corporate identification objects of enterprises and organisations led to the creation of their typology, according to the following criteria:

1. By objects that are marked: we can distinguish company trademarks that give information about the manufacturer or seller of the goods, service marks, trademarks of wholesale or retail sellers of goods, assortment trademarks, and specific trademarks. These provide verbal information about the name of the product and its image.
2. By form of ownership: public, private, corporate. After analysing the graphic material explored in this research, it is necessary to note the clear advantage of corporate trademarks.
3. By designation: verbal, pictorial, volumetric and combined signs.
4. By the features of assembly: the corporate identity elements can be divided into typographically assembled, those produced with the assembled fonts, signs, rulers, ornamental pieces, and estampe, or those created with unique printing blocks and mixed elements.

In visualising industry subjects, the main typological groups entail corporate identification of the manufacturer/seller of products and corporate identity of the goods.

Corporate identification of manufacturer/seller is divided into the following sub-groups: advertising signs, inscriptions and announcements, the design of show windows and premises of shops, clothing and accessories, and commodity-accompanying documentation.

The typological group of the corporate product/service identification is divided into the following sub-groups: external packaging/information (pre-made packaging forms, special packaging paper, labels, tags, marks, checks, price lists); newspaper and magazine advertisements; trading hall design, showcases, sign street objects, parks, where the sale or advertising (exhibition) of goods or other services related to the circulation of goods is provided; accompanying promotional products (cards, promotional tickets, posters, flyers, etc.).

Typological variants of corporate identification as an artistic process can be represented through the following groups of trademarks:

1. The predominance of pictorial symbolic images (drawings and photographs).
2. Preference for font characters (typed, ornamental, typographic or hand-drawn).
3. Consisting exclusively of composite font elements (letters and setting rules).
4. Containing hand letters (display type) exclusively.

In the graphic art of the second half of the nineteenth and twentieth centuries, we consider the font an essential element of the typology of corporate style. By typographic nature, the font systems are divided into serifs (transitional serifs and modern serifs), sans-serifs, and display faces.

## CONCLUSIONS

During social and cultural transformations of human society, widespread access to innovative technologies in design, and the development of

project culture, the formation of the objects of design-graphic typology is connected with the search for updated communication methods in the print, analogue, and digital technological environment of the communication space.

Systematising and analysing the objects of design-graphic in the space-time continuum of the visual information environment formed the basis for their typologization by their general characteristics, structure, the context of action, mode of replication and reproduction, and communicative means. These processes allowed us to reconstruct the process of transformation of applied tradition to objects/subjects of communication design.

This study presented the typological foundations of objects/subjects of design-graphic in the communication space, which are a part of the general structure of theoretical and methodological foundations of creating an informational and visual communicative environment.

## Geolocation Information

The Paper's study area includes the following regions: Galicia, which was a part of Austria (1772–1867), Austria-Hungary (1867–1918), and the Second Commonwealth of Poland (1918–1939), with the centre in Lviv.

## Funding

This research did not receive any specific grant from funding agencies in the public, commercial, or not-for-profit sectors.

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# Problem and Prospect of Microfinance Banks in Ilorin Metropolis, Kwara State, Nigeria

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DOI: [10.22178/pos.79-4](https://doi.org/10.22178/pos.79-4)

JEL Classification: D53

Received 16.02.2022

Accepted 28.03.2022

Published online 31.03.2022

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**Abstract.** In 2005, the Nigerian government launched the Microfinance Banking Scheme to offer funding to economically active impoverished people who cannot obtain loans from traditional banks, create jobs, promote rural development, and alleviate poverty. This study looks at the theoretical issues these institutions have had to deal with since their creation. It also examines the business climate to analyze the potential of microfinance institutions in the Ilorin metropolis, Kwara State. According to the research, microfinance banking in the Ilorin metropolis faces enormous challenges due to inadequacies in infrastructure, social misconceptions, a poor legal and regulatory framework, unbridled competition from other financial institutions, abandonment of core microfinance functions, and a scarcity of qualified workforce. The research highlighted areas where these institutions might capitalize despite the numerous hurdles. Some of these potential include expanding entrepreneurial awareness, increased government involvement, significant unbanked rural areas, and a high number of disadvantaged individuals. According to the study, with correct regulatory interventions and the dedication of other stakeholders to the primary objective of microfinance banking, its issues may be solved, and its prospects may be improved. As a result, this study suggests that the future of microfinance banking in the Ilorin metropolis, Kwara State, and Nigeria is promising.

**Keywords:** Microfinance; Bank; Sector; Interest; Economic Development.

## INTRODUCTION

Microfinance banking institutions provide services to the poor, lower-income earners, and small and medium-sized business owners who do not have other options for obtaining financial assistance from traditional banks [5]. On the other hand, these banks face many issues that make it challenging to achieve their goals. Nigeria is rich in natural and human resources, with over 150 million people mainly devoted to agriculture and small-scale business. Micro, small, and medium-sized enterprises (MSMES) and peasant farmers in need of financial assistance to improve their standard of living dominate the sector [6].

A microfinance bank is a financial institution that provides financial support to unemployed or small people and organizations who have not had other choices [6].

Microfinance is the most beneficial and widely used financial method on the planet. It gives loans to the poor and middle class, whom the government or any commercial bank would not lend, to help disadvantaged people with their financial problems. Microfinance aims to improve low-income, low-wealth persons' access to loans and savings services in both wealthy and developing countries worldwide. It is the fastest in the world and the most well-known technique for poverty alleviation [10]. The federal government

has passed legislation that will boost the participation of rural and urban residents in economic growth programs: The Directorate of Food, Road, and Rural Infrastructure (DFRRI), the Better Life for Rural Women Program, the Family Economic Advancement Program, and the Peoples Bank Scheme Community Banking Program. It performs essential roles, especially in rural areas, such as giving loans, reducing poverty, creating jobs, strengthening small and medium enterprises (SMES), and increasing agricultural productivity [13].

On the other hand, microfinance banks in Ilorin Metropolis have been unable to achieve 40% of their corporate objectives due to the following risks: political concerns, marketing, economic issues, and technological factors. This study investigated microfinance banks' performance, issues, and prospects to determine their contribution to community economic development through savings mobilization and loan granting to agricultural producers, medium-sized enterprises, and other small and medium-sized businesses. A lack of banking culture in rural areas and among the urban poor is likely impeding the establishment of financial institutions. Traditionally, these people borrow money from friends and relatives and repay it in the same amount, no matter how long the loan lasts. As a result, individuals have trouble grasping the notion of bank loan interest payments. The high-interest rate charged by microfinance leaves something to be desired [2]. Microfinance institutions charge 30 to 100 % interest on loans and 4.5 to 6 % interest on savings, according to a UNDP survey from 2003. Microfinance bank rates are considered too high, which may be detrimental to the firm. Corruption is a cankerworm that has decimated Nigeria's economy in various ways. The impacts of corruption are not limited to the microfinance industry. Corporate governance, forgeries and frauds, theft, and consumer debt repayment refusal are all instances [1]. Another critical issue mentioned by the report is a lack of assistance for human and institutional capacity building [4, 9] both cited this as a factor limiting the operation of microfinance banks in Nigeria. Since the beginning of community banking in Nigeria, human capacity in the microfinance sub-sector has been challenging. This study aims to identify the issues that the microfinance scheme faces, analyze the scheme's prospects, and offer solutions for avoiding the pitfalls that its predecessors fell into and

overcoming current challenges. The following are the precise objectives:

1. To identify the challenges that microfinance banks confront in Ilorin Metropolitan Area.
2. Determine how rural and urban microfinance banks have contributed to providing credit to the poor.
3. Evaluate the efficacy of various programs to foster entrepreneurship and its finance and how they have influenced the achievement of the goals.
4. Make recommendations based on the research findings.

### History of Banking in Nigeria

Nigeria's first commercial bank was established in 1892 by the African Banking Corporation of England, afterwards renamed British West Africa Bank, and the International Journal of Management Science and Entrepreneurship, later called Bank of West of Africa, in 1894. Other

institutions such as Nation Bank Plc. were established to compete with international banks' monopolies. They are all governed by the Central Bank of Nigeria (CBN). This was done to aid the growth and prosperity of the country's economy and financial system. This is the responsibility of the Nigerian Central Bank (CBN). The central bank's (CBN) duties include the following:

1. Banker to the Government. The government requires a bank account with the central bank to deposit and withdraw funds. It also acts as the government's agent, receiving tax receipts and depositing them directly into the government's central bank account and making payments on behalf of the government.
2. Bankers Bank. The Central Bank owes money to commercial banks. They borrow from the central bank when they run out of cash.
3. Because commercial banks usually require liquid cash to meet their demands, the central bank serves as a lender of last resort for them.
4. To meet demand, they frequently require liquid cash. All monies released due to crude oil exports are received by the central bank and deposited in the government account for quick distribution when needed.

## The reason for the installation of microfinance banks

Community development is critical at this stage of Nigeria's economic growth since the country must be built from the ground up. For rural households, obtaining decent funding is often difficult. Several governments have tried to address these concerns by expanding financial services to rural areas. This idea was spurred by President Ibrahim Babangida's government's founding of the People's Bank of Nigeria to bridge the gap between regular banking and the people's bank and the idea for microfinance in 1991. One of the project's objectives is to

1. To promote local development
2. To create public knowledge about rural community banking
3. To teach rural and low-income people about credit and savings and dissuade them from relying on local money lenders, which is typical among rural residents?
4. To promote rural sectors such as farming, trade, art and craft, and small-scale investors.

Agree on an efficient fiscal system that meets the national economy's need for proper second orientation for rural populations.

## The impacts of microfinance on socio-economic development

Microfinance banks contribute to a society's, a state's, or a country's overall socio-economic development. It also aids firms in expanding their operations by increasing inventory, revenue, salaries, and the ability to stay in business [3]. As a result, people's standard of living rises. Microfinance banks, on the other hand, have the following consequences in Ilorin Metropolis:

*Poverty Alleviation.* The word "poverty alleviation" refers to the process of reducing poverty. Microfinance plays a crucial role in a country's attempts to eradicate poverty. This is because the government's primary purpose in alleviating poverty is to provide as many job opportunities as possible and a revenue-generating mechanism for enterprises. In the microfinance business, microfinance banks play an essential role. They offer loans with reasonable monthly instalments, making debt repayment more manageable. LAPO has aided several small business owners in acquiring funding for their endeavours [13].

*Job opportunities* include persons, groups, and enterprises that get loans from microfinance banks and employ others in their activities, creating job possibilities for those individuals, organizations, and businesses. On the whole, small companies tend to give individuals opportunities to work. Secretaries, receptionists, sales officers, cleaners, and other professionals are just a few of the jobs available in small firms [11].

*Increasing small and micro enterprises (SMES).* People with business ideas might use microfinance institutions as a platform to make their ambitions a reality. Gone are when people believed that business was solely for the wealthy and powerful. Anyone can now create a small business and apply for a loan from any microfinance institution. Take, for example, FBN Microfinance Bank, a Nigerian affiliate of First Bank. This microfinance bank offers lending products to small enterprises, artisans, petty traders, and individuals to help them manage their businesses daily. They provide various credit options for multiple demographics. The following are some of the items available: "Level Don Change" is a short-term facility for long-term customers with a good track record, designed to help them acquire company assets and increase their revenue. "Kia-Kia Loan" is a lending facility designed to help existing clients with good credit history with urgent requirements. "Easy Loan" is a short-term loan for salaried individuals to acquire household necessities and various other financing options [13].

*Boosting agricultural production.* Agriculture is a realistic choice for most disadvantaged individuals living in rural areas. Microfinance institutions can also help farmers acquire funding. They can get loans to buy sophisticated farming equipment like tractors and ploughs, among other things. Microfinance institutions can help farmers feed their families and market their agricultural products by providing loans [13]. SMEs are essential to the economy because many of their manufacturing inputs are sourced locally, reducing the load on limited foreign exchange earnings and helping to close a portion of the trade imbalance:

- SMEs are the backbone of the country's economy;
- make domestic savings available and use them to foster indigenous entrepreneurship by developing local technologies;

- assist manufacturers in obtaining high-quality parts, components, and intermediate goods, allowing them to improve their worldwide competitiveness;
- promote technological innovations; manufacture customized items in small numbers to meet today's and tomorrow's needs;
- the ability to expand export options and successfully replace imported goods.

### Who needs microfinance?

Robust economic growth is hard to achieve without well-targeted measures that provide access to production factors, particularly financing, for the poor and low-income. Microfinance provides financial services to the underprivileged who have been overlooked by traditional financial institutions [14]. A large section of the Nigerian populace still lacks access to financial services. The number of persons served by traditional financial markets increased marginally from 35.0 % in 2005 to 36.3 % in 2010, according to 2010 Enhancing Financial Innovation and Access [14]. Those in financial hardship might use their resources to help others through clubs/pools, Asusu, Ajo, and money lenders; in 2010, the overall access rate was 53.7 %, suggesting that 46.3 % of Nigeria's adult population, or 39.2 million adults, were financially excluded. (34.9 million people, or 39.7% of the adult population, are economically disadvantaged, according to the EFInA access to financial services in Nigeria 2012 survey. Only 28.6 million people were banked, or 32.5 % of the adult population [7].

In addition, a 2014 poll found that 36.9 million Nigerians, or 39.5 % of the adult population, have access to financial services. Financial services are available to only 33.9 million people, or 36.3 % of the adult population. However, the number of financially disadvantaged people continues to rise: 36.9 million (39.5 % of the adult population) lack access to financial services. The questionnaire also includes questions about Adult Nigerians' knowledge and perceptions of financial services and current financial behaviours. Such as saving, borrowing, and sending remittances), income sources and levels, and use of a variety of financial services, including mobile money, insurance, microfinance, and informal credit services, are all included in the study [7].

### METHODOLOGY

Primary and secondary sources will be used to compile the data for this study. The preliminary data was gained using a questionnaire and a personal interview, while the secondary data was gathered through a survey of relevant resources on the study's subject. A non-probability sampling approach was used to choose respondents from the study's target demographic.

### RESULTS AND DISCUSSION

In response to their difficulties, they devised the microfinance plan. Many of these problems continue to afflict microfinance banking. On the other hand, this section deals with some of these concerns.

1. *There is a lack of banking culture in impoverished rural and urban communities.* A lack of banking culture in rural areas and among the urban poor is one factor against microfinance banks. Traditionally, these people borrow money from friends and family and repay the same amount borrowed over the life of the loan, regardless of the length of the loan. As a result, they have difficulty grasping the concept of interest payments on bank loans.

2. *Inadequate basic infrastructure.* Microfinance banks in Nigeria face several challenges: a lack of basic infrastructure. The lack of fundamental infrastructure exacerbates these banks' operational issues, which are already burdened by high operating costs due to their business model.

3. *Community and microfinance bank failures and withdrawals in 2010.* The loss of several community banks and the suspension of the licenses of 224 microfinance banks in 2010 severely harmed public trust in these institutions. Many microfinance banks that have opened in areas where failed community banks have operated face an uphill battle in convincing these people that they would not lose money in a bank failure. The unexpected revocation of 224 microfinance bank licenses has heightened public distrust of financial institutions.

4. *Inadequate support for human and institutional capacity development.* Another major issue that has been identified as impeding the success of microfinance banks in Ilorin is a lack of assistance for human and institutional capacity building. Human capacity has been a problem in Ilorin's microfinance industry since the days of

community banking. According to [8], one of the primary issues in the microfinance sub-sector is the recruitment of a competent and appropriate workforce. He attributed this to the industry's failure to compensate employees fairly. Microfinance institutions may face human resource issues such as a lack of training opportunities and poor working conditions. These banks reflect human characteristics.

5. *Corruption in the microfinance sector and among customers.* Corruption is a cankerworm that has wreaked havoc on the Nigerian economy. Corruption hurts the microfinance industry. Examples are flaws in corporate governance, frauds and forgeries, theft, and consumer unwillingness to repay debts.

Prospects of microfinance banking in Ilorin metropolis:

1. The government's renewed interest in the microfinance sub-sector and the improved regulatory environment improve microfinance banks' prospects for growth and success. One example is the CBN's training program development for regulators, promoters, and practitioners.

2. The inclusion of microfinance bank deposits in the deposit insurance system demonstrates regulatory intention to keep the micro-finance and banking sub-sector thriving. The public's trust in the sector has risen as a result. Furthermore, as specified by the NDIC Act of 2006, the increase in the deposit insurance maximum from one hundred thousand nairas to two hundred thousand nairas is a further predictor of regulation intended to instil trust in these institutions.

3. It is indisputable that Nigeria's microfinance sub-sector offers numerous opportunities. Researchers concur that microfinance institutions have a sizable emerging market. According to [12], approximately 70% of Nigerians function in the informal sector or agricultural production. Based on the nation's population of about 150 million people, we estimate that at least 105 million people are working in this industry.

## CONCLUSIONS

Nigeria is a nation with enormous resources; however, despite its large population, it remains impoverished. In an attempt to address this, the government issued microfinance policy recommendations in 2005. One of the provisions of this guideline was the permission of microfinance

banks. As a result, Nigeria's microfinance banking sub-sector is still relatively new, beginning in 2007. It is going through a difficult and attempting stage, as many innovative concepts do. In Nigeria, microfinance banks face several challenges, including frequent changes in policy, inadequate infrastructure, and cultural misconceptions. Banks are also hampered by corruption, fraud, forgery, and poor corporate governance. Regulators, organizers, professionals, and other microfinance financial services stakeholders must work collaboratively to overcome these challenges. This ensures that they do not suffocate the sub-sector as previous government microfinance initiatives did. Given their potential for poverty alleviation, all these institutions must thrive and grow. The magnitude of poverty in the country, the massive impromptu finance sector, the largely rural community, and the participation of much more than 70% of the community in agricultural production and tiny to medium enterprises point to a vast untapped economy for these banks. If the massive market issues outlined above are overcome, microfinance financial institutions in Nigeria will have a bright future.

The following recommendations are suggested to alleviate the problems that microfinance banks in Nigeria face for them to capitalize on the enormous market prospects: Capacity building for practitioners by the CBN and NDIC is a positive step forward which should be lengthened for the boards of directors of these institutions. This will ensure that the directors who develop these banks' policies and top management are on the same page.

They should be educated on microfinance banks' operating parameters, techniques, and priorities.

They should be notified that these banks are not small commercial banks and that microfinance institutions have financial and social goals.

The government must follow through with its promises to improve its infrastructural facilities.

Even though power is a significant expense for microfinance banks, it should be given special consideration because one of the fundamental issues affecting microfinance finance in Nigeria is a lack of banking culture.

These banks must start educating their customers on financial literacy before making loans. Clients should be educated on the complexities of such facilities, such as repayment options, interest rates, and the advantages of adhering to the

terms of the credit service agreement. Micro-finance institutions, particularly those from northern Nigeria, should be assertive in product design. Because so many people in the region conform to religious beliefs that forbid them

from paying interest on loans, banks should provide them with interest-free loans. As with traditional banks, officials must encourage interest-free micro-finance banking by creating success criteria.

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# Effective Maintenance of Physical facilities in Secondary Schools Bauchi State, Nigeria

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DOI: [10.22178/pos.79-5](https://doi.org/10.22178/pos.79-5)

LCC Subject Category: L7-991

Received 16.02.2022

Accepted 28.03.2022

Published online 31.03.2022

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**Abstract.** This study investigated the effectiveness of maintenance of physical facilities in Bauchi State Secondary Schools, Nigeria. The study adopted a descriptive research design populated with Principals, vice principals, and Maintenance Officers, numbering 72. The samples were based on twenty-four Senior Secondary Schools, derived through stratified random sampling techniques based on the senatorial districts using SPSS Software, Version 23. Statistical methods used in analysing the data include percentage, mean, standard deviation, and independent t-test statistics. Results show poor maintenance culture in public schools, which implies that the physical facilities are seldom maintained. Funding was part of the major problems that hindered the maintenance of the school facilities. It was recommended that there is the need for a thorough understanding of the practical principles and practices of managing school physical facilities by the school administrators in secondary schools to enhance facilities' lifespan and ensure maximal usage, which will guarantee optimal efficacy in the utilisation of facilities in the long run.

**Keywords:** Effective; Maintenance; Physical Facilities; Secondary Schools.

## INTRODUCTION

Education is an indispensable tool for personal and social development. Many people view education as a good investment for national development due to the quality of human resources produced for economic growth using the right mix of inputs. Facilities management is an integral part of the overall management of the school. The actualisation of these goals and objectives of education requires the provision of maximum utilisation and appropriate management of these facilities [9]. Furthermore, advances in science and technology necessitate that the school manager adopts modern facilities management methods to maintain the facilities for a conducive atmosphere for teaching and learners [14]. This will improve the quality of teaching and learning.

School facilities constitute the significant components of direct and indirect action elements in the learning environment. Several studies have shown a close relationship between the physical environment and students' academic performance. Authors [14, 8] reported that the "quality of education that children receive bears direct relevance to the availability or lack of physical facilities and overall atmosphere in which learning occurs". The school facilities consist of buildings and equipment for academic and non-academic activities, areas for sports and games, landscaping, farms and gardens, including trees, roads and paths [1]. Others include furniture and toilet facilities, lighting, acoustics, storage facilities and packing, security, transportation, ICT, cleaning materials, food services and special facilities for the physically challenged persons [1]. These facilities play a pivotal role in actualising

the educational goals and objectives by satisfying the physical and emotional needs of the school's staff and students.

According to [12] the committee that was set up to look into the reasons behind rotting in Zamfara schools came out with the following findings: most boarding schools have no beds for students, and where there are, students sleep in triple-decker beds due to lack of space. And the results also revealed that the condition was awful as some rooms have cracked walls, no lockers for students, most ceilings in both classrooms and hostels are sagging, and doors and windows are broken. There were also poor sanitary conditions in most schools and bad stinking toilets. The toilet facilities in the state are grossly inadequate and are of poor quality, and the available toilets are substandard, with most collapsing after their construction.

Author [4] stated that utilisation is the degree or extent to which an item has been put into practical usage. There are various degrees of utilisation: non-utilisation, under-utilisation, maximum utilisation, optimum utilisation and over-utilisation. Non-utilisation occurs when a facility is not put into use at all. When a facility is not used at its total capacity, underutilisation occurs. There is over-utilisation when a facility is used more than its capacity. These degrees of utilisation constitute a waste of resources and are counterproductive. On the other hand, maximum utilisation occurs when facilities are put into practical usage according to primary objectives. Optimum utilisation occurs when facilities are used for many purposes by the school and community members. Resources put into maximum and optimum usage is not wasted. Instead are likely to enhance the achievement of educational objectives [4].

Facilities tend to depreciate as soon as they are provided and used. Therefore, maintenance needs to be done through repair and servicing components to restore their physical condition and sustain their working capacity. Maintenance enhances performance and durability and prevents wastage. Maintenance is categorised as preventive, corrective, breakdown and shutdown maintenance services [4].

The phenomena that some schools have surplus facilities and others lack them indicates poor planning. Author [9] reported that physical facilities problems emerged during successful enrollment. The school facilities seem to affect learning,

which is hard to measure indirectly. The population of students has continued to grow every year at the expense of the only available physical facilities for their usage. This was evident in the Teacher Registration Council Nigeria (TRCN) release of 2006/2007 enrolment for Nigerian secondary schools, revealing that secondary schools' figures grew from 10,608 in 2006 to 13,462 in 2007 [7, 13]. This indicates that the population of students, teachers and other personnel also increased in the schools, a situation where greater demands would be mounted on the available facilities. Similarly, in the study conducted [3] on the Universal Basic Education in Nigeria, it was established that school facilities were inadequate or not available at all. However, there has been a consensus among scholars, researchers, educational planners and administrators that most of the existing physical facilities in our secondary schools are in a state of disrepair [8].

In the same vein, like what operates in the industrial sector, ensuring that the existing physical facilities in the schools are utilised and maintained is imperative and incumbent on the school administrators and the staff (both teaching and non-teaching). According to [6], the school system needs infrastructure investments and improvements resulting from growth in student population, compliance with class size standards, actual wear and tear, neglect, age of the structure, state and federal mandates and technology [7].

Beyond the utilisation variable, the researcher observed further that some facilities were dilapidated, constituting themselves into a death trap that usually affects classroom pedagogy convenience. The above scenario is subjective to low maintenance culture [2]. Therefore, on the strength of these observations, therefore; this research intends to empirically investigate the extent of physical facilities' effective maintenance in Bauchi State Secondary Schools. Since Educational conditions and needs are constantly changing, the policy of developing school building programmes should be a continuous one and should be recognised in the continuing development of the teaching-learning process. A study of physical facilities and equipment in secondary schools in Bauchi State and the maintenance culture of these facilities has become necessary.

According to the National Policy on Education, secondary education aims to prepare individuals for good living and higher education. Therefore, school physical facilities are the life wire of any

institution to carry out training within the organisations. The supply in quality and quantity and their utilisation remain essential in school plan maintenance, such that the life span of these facilities is guaranteed if given due consideration. Existing literature, document analysis, and physical observations of school plants in some pilot schools suggested that school facilities directly link teaching and learning are overused and/or underused [6]. They observed that most schools' classrooms were inadequate in decency, space, ventilation, and insulation. The incinerators and urinals were not conveniently replaced, and most schools were poorly maintained.

Similarly, [5] reported that even if the educational curriculum is sound and well operated while the school facilities are in disrepair and poorly managed, teaching and learning activities will be harmful. In a nutshell, the resultant effects of these deteriorating conditions and poor maintenance of school physical facilities could be threats to school management and students' academic performance. To this end, this researcher focuses on finding out the effective maintenance of physical facilities in Bauchi State Secondary Schools, Northeastern Nigeria.

The study *aims* to determine the maintenance culture of physical facilities in Bauchi State Secondary Schools, Nigeria. Specifically, the objective of the study is to:

1. Identify the state of school facilities in terms of availability, adequacy and functionality for effective teaching and learning,

2. Maintenance culture of rural schools as compared to that of their urban counterparts

## METHODOLOGY

The study adopted these methods to achieve the objective using research questioners and hypotheses.

*Research Questions.* The following research questions guided this study:

1. Are there adequate functional facilities for teaching and learning in public senior secondary schools in Bauchi State?
2. What is the Maintenance culture of rural schools compared to their urban counterparts?

*Hypotheses.* The null hypotheses were tested at a 0.05 level of significance using Statistical Package for the Social Sciences (SPSS) Software Version 23.  $H_0$  means there is no significant difference between the maintenance cultures of rural schools compared to that of their urban counterparts.

## RESULTS AND DISCUSSION

The stated research questions did the analysis and hypotheses tested for the study [11, 10].

*Data Analysis and Interpretation.* Table 1 presents the analysis of facilities in public senior secondary schools in Bauchi State, Nigeria.

Table 1 – Adequacy of Facilities in Public Senior Secondary Schools in Bauchi State

Facilities	Total No. of Students	No. of schools	Total No. of Requirement	Total No. Available	Short fall	Remarks
Laboratories	17,030	24	173	84	89	Inadequate
Computer	17,030	24	44	19	25	Inadequate
W/shop	17,030	24	45	17	28	Inadequate
Classroom	17,030	24	442	392	50	Inadequate
Chalkboard	17,030	24	465	345	120	Inadequate
Exam Halls	17,030	24	41	18	33	Inadequate
Dining Halls	10,400	16	14	8	6	Inadequate
Libraries	17,030	24	46	23	23	Inadequate
Toilets	17,030	24	485	397	88	Inadequate

The Table 1 revealed that Bauchi State Secondary Schools are operating with facilities that are grossly inadequate for an effective teaching/learning process meant for 17,030 students

enrolled in the various programmes of the sampled schools. Furthermore, the Table disclosed that various short-falls exist for different facilities (Laboratories, computers, Workshops and Exam-

ination halls) meant for teaching/learning purposes. This situation calls for concern to improve the effectiveness of the Bauchi Schools' learning environment.

Table 2 presents the facilities culture of rural schools compared to their urban counterpart.

Table 2 – Facilities Maintenance Culture of Rural Schools as Compared to their Urban Counterparts

Location	No of Students Enroll	No of Schools	Mean Maintenance	Remark General
Urban	9830	12	2.6	Seldom Maintenance
Rural	7200	12	2.5	Seldom Maintenance

From the analysis indicated in Table 2 above, the schools in Bauchi State appear to have similar maintenance cultures for both rural (2.6) and urban (2.5) locations. This means that Bauchi Schools seldom maintain their facilities irrespective of their sites.

Hypotheses one ( $H_{01}$ ) revealed no significant difference between the maintenance cultures of rural schools and that of their urban counterparts, as presented in Table 3.

Table 3 – Mean( $\bar{X}$ ), Standard Deviation (SD) and Independent t-test (t) of the Differences Between Maintenance Culture of Facilities in Rural and Urban Schools

Comparing Variables	N	$\bar{X}$	SD	t	df	Decision
Rural Schools	8	418.8	48.53	1.04	22	Rejected
Urban Schools	16	861.25	439.15			

Results in Table 3 revealed that the calculated variable for both rural schools ( $X=418.8$ ) and urban ( $X=861.25$ ) is more than the critical value (1.04) at 22 degrees of freedom (df) for the hypothesis, which indicates a significant difference between the maintenance cultures of rural schools as compared to that of their urban counterparts. Therefore the null hypothesis is rejected, and its alternative, which indicates no significant difference between the maintenance cultures of rural schools as compared to that of their urban counterparts, is accepted

## CONCLUSIONS

Adequate and appropriate physical facilities are critical and indispensable in the educational process. Apart from the fact that they lead to goal attainment, their presence in the required number and their adequacy help the teachers to carry out their designated responsibilities. However, it needs to be richly stocked with necessary physical facilities; it is another thing for such facilities to be effectively utilised and maintained. The organisation gains when the existing physical facilities are maximally used and effectively maintained to keep or restore their longevity. Based on the results of the data analysis, it was concluded that the maintenance culture in secondary schools is poor and not regularly done. Also, the funding is a significant problem inhibiting against proper maintenance of school facilities.

Government should minimise the provision of classroom blocks in the rural areas and increase the same in the urban areas due to the continuous increment in the enrollment of students compared to the rural areas. Adequate attention should always be given to school physical facilities maintenance by the governments, administrators, teachers and students.

## Conflict of interest

The authors declared that there is no conflict of interest in this work.

## Acknowledgement

We are grateful to the Bauchi State Ministry of Education and Principals of Schools visited during this research.

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