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“INVESTMENT CONFLICT”: STRATEGY AND WAYS OF THE RESOLVING OF THE PSYCHOLOGICAL AND SOCIAL CONTRADICTIONS IN THE MODERN WORLD

Abstract. Modern development of investment law, states, society needs to use and define such category as “investment conflict”. The author proves this provision and defines this phenomenon at first time, analyses it from the position of archetypes, spirituality as basic conditions for the development of modern world, finds and describes some problems and ways of its resolving in accordance with the topic of the article.

Keywords: investment conflict, development, crisis, spiritual, church upbringing of the individual, archetypes (spiritual life, as the experience of the unconscious and powered by the God) and orthodoxy, spiritual valuables.

“ІНВЕСТИЦІЙНИЙ КОНФЛІКТ”: СТРАТЕГІЯ І МЕХАНІЗМ ВИРШЕННЯ ПСИХОСОЦІАЛЬНИХ ПРОТИРІЧ В СУЧАСНОМУ СВІТІ

Анотація. У статті вперше обґрунтовано необхідність позначення категорії “інвестиційний конфлікт”, наведено її визначення й проаналізовано з позицій архетипіки, духовності як умови розвитку світу, виявлено низку проблем і вказано основні напрями для їх вирішення відповідно до теми доповіді.

Ключові слова: інвестиції, інвестиційний конфлікт, розвиток, криза, формування інвестиційного світогляду, духовне виховання особистості, архетипіки і православ'я, духовні цінності, духовна безпека, духовне життя (як досвід несвідомого і керованого Богом).

“ІНВЕСТИЦИОННЫЙ КОНФЛИКТ”: СТРАТЕГИЯ И МЕХАНИЗМ РАЗРЕШЕНИЯ ПСИХОСОЦИАЛЬНЫХ ПРОТИВОРЕЧИЙ В СОВРЕМЕННОМ МИРЕ

Аннотация. В статье впервые обоснована необходимость обозначения категории “инвестиционный конфликт”, приведены ее определение, анализ с позиций архетипики, духовности как условия развития мира, выявлен ряд проблем и указаны основные направления для их решения согласно теме доклада.

Ключевые слова: инвестиционный конфликт, развитие, кризис, духовное воспитание личности, архетипика и православие, духовные ценности.

Target setting. Analysis of legal innovations in the post-Soviet space shows that investment law is actively developing in Ukraine, Belarus and Russia as a branch of economic law, academic discipline and science. The definition of system-forming categories and their study, which will allow forming the structure and content of investment legislation in the future, is important in the development of this discipline. However, the nature of the investment has necessitated the introduction of investment law categories such as ‘*investment conflict*’. For the first time in this article, attention will focus on the issue of a person’s preparedness for ‘*staying*’ in ‘*an investment conflict*’, getting out of it, overcoming the corresponding crises,

about ‘*investing*’ in this person himself, though it paradoxically sounds. Since the effectiveness of the entire political and economic system depends, first of all, on the degree of human development in various relations.

Analysis of recent research and publications. Modern textbooks on investment law, recent publications do not include the term ‘*investment conflict*’. This scientific paper is the first attempt to define and consider this phenomenon. Taking into account the declared theme of the conference held by the Ukrainian School of Archetypics, and proceeding from some approaches set forth in the joint article of E. A. Afonina and O. V. Sushyi, who considered the phenomenon from

a different angle (for more details see below), namely spirituality as a condition for the development of the modern world [1, p. 97]. From the point of view of the approach proposed above, no category of investment, which itself is responsible for the development (this is its essential characteristic), nor even the term '*investment conflict*' are also not considered. This research is new, taking into account the work of priests, conflictologists, psychologists, mediators, lawyers, etc. And it can lay the foundation for further researches, including the legislature, the development of complex of organizational measures for the solution of emerging issues, the conditions for investment development of states and their subjects.

The purpose of the article is to formulate the notion of '*investment conflict*' and to consider the issues outlined above.

The statement of basic materials. The content of the main courses of investment law and investment legislation has recently tended to become really capable of providing '*service*' of such a broad category as '*investment dispute*'. But if we use a broader approach to the development of these academic disciplines and legislation, with the subsequent application in the economy, policies for effective structural changes, it is necessary to designate such a concept as an '*investment conflict*', which is inherently much broader and Significant, in comparison, with the first phenomenon. This concept consists of two component categories: '*investment*' and '*conflict*'. At the same time, before formulating the concept of '*investment conflict*', it is necessary to

briefly describe the main essential signs of its constituent phenomena.

The concept of '*investment*' is one of the most studied phenomena in law, in view of the fact that there is no single definition for all states. The main features of this category are the following:

1) Investment is property, service works, if broader, it is an object of civil rights that is diverted from current consumption, for the purpose of investing it in an object that will bring future profit and/or achieve another positive social effect, not connected with personal consumption;

2) Investment is based on an investment project, between the moment of investing and the moment of achieving investment objectives, it is a certain period;

3) Investment is associated with the risk of its loss;

4) Investment is a category responsible for the economic and social development of the state, citizens, in fact, to a rather large extent, with a competent approach it provides it.

This concept is revealed in indissoluble connection with a group of other investment categories, the main of which are the '*investment contract*' and the '*investment commitment*'.

Investment is, in fact, the relationship between the investor and other entities whose interests affect the investment project. Investments are effective if the balance of interests of the participants in the investment project and the interests of the persons affected by it in one way or another are ensured, they are implemented on a bona fide, professional basis.

The concept of '*conflict*'. The word '*conflict*' comes from the Latin word

'*conflictus*'. It means '*collision*' and virtually unchanged included in other languages. According to Webster's dictionary (1983), the notion of '*conflict*' was initially interpreted as a '*fight, battle and struggle*', then its meaning widened to include '*dramatic difference or opposition of interests, ideas, etc.*' Thus, now this term implies not only the physical opposition itself, but also its *psychological* content.

Set out the characteristics of these terms, it allows us to conclude that the phenomenon itself is investment. It is also essentially in conflict in relation to the investor, taking into account the investment objectives and the conditions for its effectiveness. The analysis of this provision will be stated after the definition **of the definition of 'investment conflict'**, by which we propose to understand the **sharp divergence, opposition, clash of interests, investor's ideas with the objectives, investment conditions, investor and interests, ideas of other subjects of the investment project or entities, whose interests, needs are influenced by the investment project, in the process of implementing investment activities on the basis of the investment contract.**

The above definition of the investment conflict characterizes it as a collective concept. It can be classified according to numerous criteria, and this work is the goal of independent research. This conflict is a kind of social conflict, can be legal and non-legal, in particular, intrapersonal, political, military, corporate, state, economic, financial, industrial, etc.

Given the theme of the conference and its relationship with the problems of archetypes, we would like to ana-

lyze some of the types that make up the investment conflict from a so called approach to *spirituality* and *integrity* ('*indestructibility*' – *verbatim in Ukrainian*) of the *spiritual boundaries* of human, community and civilization as the basis for sustainable *development* Social world, the main principle of the construction of the modern world order, proposed by E. A. Afonin and O. V. Sushyi [1, p. 97]. The investor and his potential ability primarily represents the interest to carry out effective investment (see above, means of effective investments), and in fact, the consistency of his interests and values, and worldview with the norms of religion and the interests of the subjects of the investment project, i. e. '*intrapersonal investment conflict*' and its human potential. The question arises, what is human potential? In fact, these are the '*investments*' that parents have invested in a person in the form of upbringing, education, he himself, society and the state. But if we talk about spirituality, then it's absolutely necessary to talk about God as a participant in the formation of this potential, and from the very beginning to determine whether He, in principle, was in this process, whether the circulation of other participants to Him in one form or another and from which stage.

Analyzing the concept of conflict, it should be noted that its components are interests, values and their collision. But the condition of managing and resolving conflict is, first and foremost, the vision and understanding of the causes of the problem, which generates the specified impact, the ability of a person to '*give value*' to sacrifice something (i. e. '*parting with value*') to see new and

more significant interest, and, in fact, a higher significant in a spiritual sense, the value, the resolution of the problem, a different view of the situation, changing attitudes, this is, in principle, the understanding of what is happening. For conflict it is necessary to know the theory of personality, and if we talk about spirituality, the theory of man's spiritual life [2]. And the question arises about the *truth* of the source of information, or rather religious doctrine in the context of the existence of various sects and types of religions. Proceeding from the historically established tradition for Belarus, Ukraine, we share the approach proposed by A. I. Osypov, that today the spiritual security of man is provided by Orthodoxy and the Orthodox Church only [3]. And, in our opinion, between the archetype and the Orthodox Christian church teaching, points of interaction can be established, provided that the following questions are raised: what is the control of the unconscious, how does the unconscious and spiritual, the spiritual life of man, religion, the church correspond?

The problem of forming the personality of the investor is the main for creation the conditions for the development of investment activity and, as a consequence, the state, in principle a person who will want and who can be enterprising, active, creating for self-sufficiency and development and (or) development of the world around him harming the interests of other entities and countries. Here, the following *problems* occur, which '*investment conflict*' as a notion indicates itself on it.

The source of personal development should be a full-fledged Christian family and a religious Orthodox state.

The relationship between the system of needs and the value system must be clearly defined, in terms of understanding sin and virtue, passion, and the highest value must be God and love to Him for a person from early childhood. It is necessary to attract the full potential and accumulated experience of the Orthodox Church, as set forth in the writings of its ascetics and works of Orthodox Russian culture [5], art and literature to ensure this goal [6]. There are the works of St. Reverend Silouan from Athos, and it's not surprising if we start talking about spirituality, it's a recognized giant of spirit [7] and the public's attention in modern conditions is great, as evidenced by the events of August 016 in Belarus among the latest tendencies [8]. A person must be brought up in the faith and always feel God, be afraid to offend Him. The result will be that crises (an indispensable sign of which is the uncertainty and inability of a person in them to be until a certain moment of adaptation) will be perceived as a new stage of trust to God (which is given the situation) and the level of development, but not alone and without '*intellectual patterns*'. But with an inner understanding of the meaning of what are happening and the vision and finding of points and conditions of growth, under the influence of the Holy Spirit. It controls the whole person, including his unconscious part, which gives him priceless life experience in the form of grace, the development of the ability to love, create, be kind, as evidenced also by recent psychological studies of foreign scientists [9]. A good example is culture, monuments of the ancient centre of Kiev (St. Princess Olga, Apostle Andrew the First-

Called, St. Cyril and Methodius). But the most important task of the family and the state is to reveal to the person the person of Christ and to create conditions for contact with Him [6]. As an example, the attempts of the staff of the M. Bulgakov's Museum House in Kiev to 'restore the norm' in modern life through the translation of the experience of family life of the specified writer [10]. The teaching of the church about the passions, their impact on man and the opposition to them, chastity are important for the development of the doctrine of intrapersonal conflict. Person should be informed of this knowledge from childhood; the ability to make the right, bright choice in the direction of ensuring good must be formed, *conscience* and the ability to hear and save it all life should be born. The doctrine of *prayer* [11], the Guardian Angel is important here, if the theme of violation of spiritual boundaries is touched [12]. *Most importantly: what is the spiritual border, how to work with it, from the point of view of archetypics and Orthodoxy?* Particular attention should be paid to prayer for God: it should be seen as a means of constant human contact with the source of strength, love, development and God. Prayer is the main means of man's self-development of his potential, survival and self-understanding. And it an attempt to solve problems that are insoluble for people at the modern level, for example: the General Prayer for Ukraine on April, 017 in Kiev. And, the result of such education should be a clear understanding of the Gospel, the teachings of the Orthodox Church and the development of the ability to serve God, and not Mammon, in other words, as a wealth in the con-

text of investment conflict [13]. Human should love other people and very often place their interests above their own, at least in the family after the first highest value like love for God [14]. Investments should be allowed to a man who can earn money (capital) in honest way, but perceive them not as an end in themselves and the highest value, but only a means of achieving much more valuable, good and development goals. Here, as a consequence, health, diligence, education, interest and love of life, people and quality are important and such quality as *responsibility for all their actions, for other people and compassion. They should be formed by parents and the person himself in the course of his life in the first place.*

Realization of the indicated directions will allow to form a person who can invest in himself in the form of self-improvement efforts in the form of a simple goal of 'being good', 'a path to holiness'. The goal (task) at the state level should be set to develop a model of interaction between a person, the Church and the state to ensure spiritual development and spiritual security of the individual, the state, including in conflict and crisis situations. And many, even the most serious crises, need to be grateful, if they form a new view of values, a person gets the experience of living without the missing value, overcoming suffering, and the most difficult situations turn to God only [15]; if a person does not wants to give up, *humiliated, and as a result he receives what he has really need, but, from the point of view of God.* There is an important question: what is pain? Apparently, this is a state of parting, a loss of that is very valuable. Human has lost everything,

except God during the process of life. Therefore, the condition for its stability is *the acquisition of contact with God and its preservation throughout life as the highest value* after death thanks to faith and earthly life according to the Commandments, conscience and the churching. And here we can conclude that the crisis is a situation when the subjects have incorrectly arranged values; this is the condition for the change in the necessary vector and as a consequence of development. Person has a new level of self-knowledge, understanding of relationships, experience that allows changing and developing individual structures of different levels, beginning with a person, family, society, science, moral and moral categories, etc. after accepting the pain, crisis, living them by this person. As it paradoxically sounds, but those countries that have accumulated negative experience, should study it [16, p. 11], structure relations; see the true causes and seek peaceful solutions for them, using the existing experience (in the form of crises and conflicts) of other states, including through appealing to archetypes, mediation, the development of a dialogue between the authorities and the public, the implementation of the reached agreements. Crises, conflicts and stresses should be the first helpers. Individual states can create their own unique systems of relations and institutions, using proper work with them.

Conclusions. Given the definition of *'investment conflict'* and its analysis from the standpoint of archetypic, spirituality as a condition of development of the world confirmed the correctness and relevance of the outlined approach identified a number of issues and point-

ed out the main directions for their solution. The consolidation of this category in legislation [17] through public awareness to it, and the ways of resolving investment conflicts of various types. It will serve as a basis for initiating significant and necessary changes in such communities. Sufficiently promising and vital will be the development of an interdisciplinary theory of investment conflicts with the observance of the principle of objectivity and taking into account the above problems and features.

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