

STATE AND LEGAL PROVISION OF CHILD'S RIGHTS TO EDUCATION IN UKRAINE IN THE 1920S

ДЕРЖАВНО-ПРАВОВЕ ЗАБЕЗПЕЧЕННЯ ПРАВ ДІТЕЙ НА ОСВІТУ В УКРАЇНІ В 20-ТІ РОКИ ХХ СТОЛІТТЯ

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The article examines the state and legal provision of children's rights to education in Ukraine in the 1920s. The prescriptions of normative legal acts which regulated the realization of children's right to education were analysed. The actual state of affairs in the field of state and legal provision of children's rights to education is considered using examples. The article is structurally divided into five parts based on the logic of the material's presentation. Thus, the first part emphasizes the relevance of this study for Ukraine, given that the COVID-19 epidemic and the Russian invasion of Ukraine will inevitably have a negative impact on children's right to education. Statistics on damage and destruction of educational institutions are provided, which impedes access to education for children throughout the country, especially in conflict-affected areas. The state-legal provision of children's rights to general school education and the specifics of its provision in Ukraine in the 1920s are analysed in the second part, as well as the specifics of guaranteeing and realizing the rights of children to special education, namely the education of children with physical and/or mental disabilities, pedagogical, craft and industrial schools and educational workshops, etc. are analysed in the third part. The fourth part of the article is devoted to consideration of new standards of state-legal provision of children's rights to education in the 1920s. The fifth section summarizes the results of the study and provides recommendations for overcoming the consequences of the COVID-19 pandemic and the war in Ukraine in the state-legal provision of children's rights to education.

Key words: children's rights to education, education for children with disabilities, the Public Education Code of Ukrainian SSR of 1922, state and legal provision of education in critical conditions, appropriate level and quality of education.

У статті досліджено державно-правове забезпечення прав дитини на освіту в Україні у 20-ті роки ХХ ст. Проаналізовано приписи нормативно-правових актів, які регулюють реалізацію права дітей на освіту. На прикладах розглянуто фактичний стан справ у сфері державно-правового забезпечення прав дитини на освіту. За логікою викладу матеріалу стаття структурно поділена на п'ять частин. Таким чином, перша частина підкреслює актуальність проведення цього дослідження для України, враховуючи, що епідемія COVID-19 та російське вторгнення в Україну неминуче негативно вже вплинули на право дітей на освіту, а також це буде мати наслідки в майбутньому. Наводиться статистика пошкоджень і руйнувань навчальних закладів в Україні, які відбулися протягом повномасштабного вторгнення, що перешкоджає доступу дітей до освіти по всій країні, особливо на територіях, максимально уражених конфліктом. У другій частині аналізується державно-правове забезпечення прав дитини на загальну шкільну освіту та специфіка його забезпечення в Україні у 1920-х роках, враховуючи наслідки Першої світової війни, іспанки та голоду 1920–1923 рр., а також особливості гарантування та реалізації прав дітей на спеціальну освіту, а саме освіту дітей з вадами фізичного та/або розумового розвитку, навчання в педагогічних, ремісничо-промислових школах і навчальних майстернях тощо аналізуються в третій частині. Четверта частина статті присвячена розгляду нових стандартів державно-правового забезпечення прав дітей на освіту у 1920-х роках. В цій частині статті аналізуються приписи Кодексу законів про народну освіту 1922 р., а саме перелік мережі дитячих закладів, видів закладів по соціальному вихованню дітей, стандарти державно-правового забезпечення прав дітей на освіту тощо. У п'ятому розділі узагальнено результати дослідження та надано рекомендації щодо подолання наслідків пандемії COVID-19 та війни в Україні у державно-правовому забезпеченні прав дітей на освіту.

Ключові слова: права дітей на освіту, освіта дітей-інвалідів, Кодекс народної освіти УРСР 1922 р., державно-правове забезпечення освіти в критичних умовах, належний рівень і якість освіти.

Introduction. In the modern world, the phrase "child's rights" is often used by politicians, legal experts, and ordinary citizens. There are many explanations for this: a shift in emphasis and a change in priorities, not only worldview, but also political, the adoption of documents on the status, role and importance of the child as the future of any society, the increase in the number of cases and the diversification of reasons for the violation of basic rights and freedoms, including children.

However, consideration of a problem, even a complex one, begins with highlighting the historical aspect, that is, from the moment of its creation or emergence. Considering this, first of all it should be pointed out that the very concept of child-centrism appeared at the beginning of the 20th century and intensified after the horrors of the First World War. The above-mentioned events of the previous century clearly demonstrated that children, as one of the most vulnerable sections of the population, needed the help and support of the state, especially in matters of the implementation and protection of rights, one of which is the right to education.

Continuing the coverage of the topic, it should be noted that after the First World War in the territory of Soviet Ukraine, the rights of children began to be recognized by the state, moreover, they were actively developing. This is confirmed by the fact that on the territory of the Ukrainian

SSR, reforms in the field of education took place at a rapid pace, despite the difficult conditions, there was a need to overcome the consequences of military operations, the Spanish influenza epidemic, and famine. All this happened precisely in the 1920s. In my opinion, the current situation in Ukraine is reminiscent of the events of the last century, since in the 2020s, Ukrainian society faced such trials as: firstly, the COVID-19 pandemic, which not only affected the rights of children, but also continues to affect the realization of the rights and satisfaction of the interests of the younger generation. Some authors [1] noted that those already facing restrictions on the rights to health, work, education, social protection and an adequate standard of living of the pandemic have been disproportionately affected by COVID-19. Secondly, the brutal Russian war that was unleashed against Ukraine and which brought a lot of pain and suffering. As it well known, the military personnel of the aggressor state deprived Ukrainian children not only of the right to education, but also to life, which is recognized as the highest value in civilized societies. According to OCHA's report as of June 20, 2023 [2] damage and destruction to educational institutions continue to hamper the access to education for children across the country, especially in conflict-affected areas. Indeed, since February 2022, 3290 educational institutions have been damaged by bombing and shelling with 262 of them having been

destroyed completely. The region's most severely affected are Zaporizhzhia, Donetsk, Luhansk, Kharkiv, and Kherson oblasts, with the situation most severe in settlements close to the frontline. Thus, online education has been reported to be the predominant modality for children in northeast and central Ukraine. Although, Internet connectivity emerged as the most significant barrier to children's education. Lack of motivation was another reported barrier, as children struggled with a constant flow of tasks and found online learning less engaging. The lack of motivation was identified as a primary hindrance to children's access and full participation in distance education.

However, terrible statistics will not be cited, since the topic of the publication is the children's right to education and its guarantee. We have focused on the events of recent years only with the aim of succinctly explaining where and why problems with specialists in various fields arose in Ukraine, which, of course, will have negative consequences in the near future and will affect many areas of life in our society.

Both during the COVID-19 pandemic and during war, the situation with school and university education can be seen as a problem. This conclusion could be made due to the fact that Ukrainian children have been forced to study online for three years, which, as it turned out, was not very easy for our country due to the lack of Internet connection in some places, its instability or low speed, and also because, that not all children (it is referred to the economic aspect) have the means necessary for such training (cell phones, computers, laptops etc.). With the beginning of the armed aggression, other problems were added: some children are in the occupied territories of Ukraine, and, unfortunately, do not have the opportunity to connect to online lessons due to the lack of an Internet connection; another part of the children, despite the fact that they seem to have a stable Internet connection, are forced to interrupt their studies due to numerous warnings of air raids and shelling. No less worrying is the fact that some of the children were forced to leave Ukraine altogether and will probably never return. They are going to schools in the countries where they stayed or found shelter, learning the language, adapting. Losses in the material and technical base cannot be ignored, it is about damage or even destruction of schools, colleges, technical schools, etc., which will lead to the actual cessation of the existence of educational institutions where children could receive a specialty/qualification. It is quite clear that all of the above will lead to a shortage of qualified personnel in Ukraine in the immediate future.

As it was already mentioned above, Ukraine faced a similar situation in the last century. In view of this, it is considered expedient to analyse the experience of that time authorities in the field of children's educational rights, to identify positive and negative features of state policy in this field, as well as to prove that the history of Ukraine has experience and certain traditions of restoring and reforming school education, providing all children with access to education and the possibility of developing their intellectual abilities, solving the problem of the qualified personnel shortage. The results of this study can be useful for modern Ukraine in overcoming the consequences of the COVID-19 pandemic and the terrible war.

1. State and Legal Provision of the Right of Child to Receive General Education

In 1919, after the formation of a new state – Soviet Ukraine – there was an objective need to streamline the education system, which would ensure the rapid training of qualified specialists. Achieving economic progress and industrial development required a greater number of educated workers.

According to statistics [3], on the eve of the First World War, in Dnieper (or under-Russian) Ukraine, there were illiterates for every 100 recruits: in Podillia – 86, in Kyiv Oblast – 83, in Volyn – 82, in Kharkiv Oblast – 79, in Poltava Oblast – 77, in Chernihiv Oblast – 75, in Katerynoslav Oblast – 74, in Kherson Oblast – 70. The literacy rates of the Ukrainian people were lower than those of other European nations.

In view of this, after the formation of the Ukrainian SSR, the need for educated specialists became more acute. That is why the active reformation of the sphere of education began, which undoubtedly affected the educational rights of children.

Olga Sukhomlynska [4] defines the period of 1920–1933 as a stage of experimentation and innovation in Soviet pedagogy. It was the need for rapid training of specialists that forced to resort to radical, bold steps. A legislative framework was needed for this. Therefore, the government of the Ukrainian SSR issued a number of normative legal acts that ensured the implementation of reforms in nurseries, primary and secondary schools, technical schools, theological schools, seminaries and higher education. The article will consider exactly those reforms that related to the educational rights of children, that is, persons who have not reached the age of 18.

Thus, in 1919, a temporary regulation was issued regarding the secondary school [5] (*note: in the documents of that period primary and secondary schools were regulated under common name secondary school*), which stipulated that from now on, instead of secondary school diploma, certificates of attendance of the course at the educational institution would be issued. The scoring system and homework were abolished, as well as the compulsory study of Latin in classical gymnasiums. However, in the presence of a corresponding application of the students, it was allowed to teach Latin as an additional one. As another innovation should be recognized the eighth year of studying of the gymnasium was henceforth considered graduation. In addition, a separate Resolution of the People's Commissariat of Education introduced certain changes to the organizational and cultural and educational work of students [6]. In particular, the resolution established that one day a week was released from lessons and was given for the organizational and cultural and educational work of students, namely: for the organization of student meetings, lectures, performances, vocal, musical and other classes, which were considered as self-activity of students. Theological schools and seminaries underwent reorganization. According to the Resolution of February 15, 1919 [7], all theological schools and seminaries were transferred from the department of religious affairs to the department of the People's Commissariat of Education, thus turning into schools of a general educational nature. Such subjects as the Bible Chairs, the Church Slavonic language, church history, liturgical chants and ancient languages were excluded from the program. In addition, the fifth and sixth classes of theological seminaries as special theological ones were abolished. Instead, the fourth-grade course was considered completed. In my opinion, all these changes were aimed at the maximum simplification of education, minimization of the academic load, liquidation of theological schools and seminaries and the use of their material and technical base for general education.

As it was already emphasized earlier, higher education has undergone changes as well [8]. From now on, it was forbidden to ask for diplomas or any documents other than ID and age when entering a higher education institution. Children of both sexes who reached the age of 16 could enter the higher education institution. Thus, the state tried to ensure unimpeded access of all children to higher education.

No less important from the point of view of guaranteeing the unhindered realization of children's right to access to education should be recognized the Decree of the Council of People's Commissars of March 4, 1919 [9], according to which tuition fees were abolished in all types of schools, regardless of the department to which they belonged.

Moreover, in order to make it as easy as possible for children to get an education, the People's Commissariat of Education by its Resolution [10] abolished state exams and examination boards. To obtain a certificate of graduation from an educational institution, it was enough to pass all subjects according to one or another curriculum.

The National Revolution of 1917–1921, although defeated, forced the Bolsheviks to reckon with the fact of national revival

in Ukraine. That is why, in its Resolution "On compulsory study of the local language in schools, as well as the history and geography of Ukraine" dated March 9, 1919 [11], the People's Commissariat of Education, among other things, recognized the need to introduce one of the local languages as compulsory subject in schools of all types, that is, Ukrainian, Polish, or Hebrew were to be studied in schools with Russian language teaching, and in areas inhabited by Germans, Czechs, or other nationalities, German, Czech, and other languages, at the choice of the students themselves or their parents. Compulsory study of the history and geography of Ukraine was also introduced. Therefore, in most of the territory of the Ukrainian SSR, the Ukrainian language of instruction was introduced as the main or additional language. Later, this policy of the Bolsheviks turned into the so-called policy of "korenization" (in Ukraine, "Ukrainization"). According to Kostiantyn Kondratiuk [12], in 1929, 80% of schools, more than 60% of technical schools, and 30% of institutes introduced the Ukrainian language of instruction. More than 97% of children studied in their native language. Thus, children not only received the right, but also in practice studied in schools in their native language.

It is worth noticing that the entire population of the Ukrainian SSR aged from 8 to 50, who did not know how to read and write, in order to eliminate illiteracy, was obliged to study literacy in Ukrainian, Russian or any other language at the request of the student in existing public schools and started schools for the illiterate population [13].

Matthew D. Pauly provides in his research [14] the following statistics regarding children who have been taught literacy. At the beginning of the 1925 school year, only 34.8% of all children aged 8 to 15 studied in the Ukrainian SSR. If the account is limited to children aged 8 to 11 years, then 63% of this subgroup was enrolled. It is significant that in a predominantly ethnic Ukrainian village, school enrolment of children aged 8 to 11 was worse than in the city, namely 59% versus 79%. Although the number of children attending school increased during the 1920s, rural areas, of which 87.5% of the population in 1926 were ethnic Ukrainians, continued to lag behind.

The fact that women were actively involved in work, especially field work, was not overlooked. In view of this, the question of caring for their children, who still needed attention and upbringing due to their age, arose objectively. That is why the Resolution of the Council of People's Commissars of the Ukrainian SSR [15] stipulated that, in order to reduce the unproductive work of peasant women in housekeeping and child care, at least 1,000 rural crèches were to be established in Ukraine during field work. Thus, the state provided, on the one hand, additional human resources for production, on the other hand, it exerted an education and upbringing influence on children.

State and Legal Provision of the Right of Child to Receive Special Education.

Among children there were some of them with certain physical or psychological disabilities. Their upbringing and education took place separately, which was foreseen by the relevant regulations. [16] For example, separate education of certain groups of children was envisaged. Thus, nervous and mentally ill children were educated in the relevant institutions of the People's Commissariat of Health Care (sanatorium schools, hospital schools, etc.), mentally immature children were educated in auxiliary schools of the People's Commissariat of Health Care, physically disabled children (deaf-mute, blind and physically challenged) were educated in special institutions of the People's Commissariat of Health Care. The upbringing of morally deficient minors (*note: this wording is a quote from the legislation of Ukrainian SSR*) was carried out in the relevant institutions of the People's Commissariat of Education or the People's Commissariat of Health Care (observation and distribution centres, medical and auxiliary colonies, etc.). In turn, minors who were accused of socially dangerous activities were sent

to one or another institution of the People's Commissariat of Education or the People's Commissariat of Health Care by decision of the Commission for Minors. A separate Resolution [17] regulated the functioning of institutions for children with physical disabilities. Thus, all schools for the blind and deaf-mutes were reorganized into orphanages for the blind and orphanages for the deaf-mutes, where minors under 18 were accepted. However, as some scientists emphasize [18], despite the state's efforts, the living conditions in the special institutions to which the child was admitted were extremely unsatisfactory. In the first half of the 1920s, Ukraine was experiencing a deep economic crisis, which affected the income of the population and financing of children's institutions, which was insufficient [19]. In particular, one of the most painful issues was insufficient nutrition in children's residential institutions. In confirmation, the following fact should be cited. The pages of the local newspaper "Luhanska Pravda" in the 1920s were full of information about the poor conditions of children in some orphanages, the inhumane and immoral attitude of the administration and staff towards the educate [20]. According to the report of members of public and government institutions, the shelters lacked furniture, particularly beds: children slept two or three in one bed, sometimes just on the floor, no one even dreamed of bed linen [21]. The Ukrainian SSR was a part of the USSR and in fact was isolated from other states and did not receive any assistance from foreign states, including funding for education and the exercise of this right by children. The vast majority of the finances of the Ukrainian SSR (as well as the USSR as a whole) went to the militarization of the economy. This is what led to the fact that insufficient funding was allocated to the development of education on the territory of the Ukrainian SSR, which resulted in terrible conditions for children to exercise their right to education.

At the same time, after analysing the prescriptions of the legislation in force at that time, it could be stated that the Soviet authorities provided children with the opportunity to receive education and upbringing in accordance with their physical and psychological characteristics, however, in practice, the conditions of children's stay in special institutions were terrible and needed improvement.

In addition to the physical conditions of education and training of children in state institutions, there was also a problem with the teaching staff. That is why the issue of rapid training of social education workers arose, which was regulated by a special Resolution of the People's Commissariat of Education [22]. Thus, based on its content, it is easy to see that all teachers' seminaries and similar schools were transformed into free of charge three-class pedagogical schools, to which both boys and girls at least 15 years of age were admitted, while no entrance exams were foreseen. According to the Resolution of August 5, 1920, all students and cadets of pedagogical schools received full social security, boarding schools were organized for non-locals at pedagogical schools. The resolution stipulated that from September 1, at least half of the pedagogical schools in the province should be taught in Ukrainian (for all subjects), and in other schools, Ukrainian Culture and Lifestyle and the Ukrainian language should be taught as compulsory subjects for all students.

Moreover, the extremely urgent need of the Ukrainian SSR to eliminate technical illiteracy, as well as highly qualified agricultural workers, qualified specialist workers and educated teachers forced the authorities to adopt a number of resolutions. For example, the Decree of the Council of People's Commissars of November 25, 1920 [23], provided for accelerated graduation from the Kharkiv Secondary Agricultural School in Derhachy. The next Decree of the Council of People's Commissars "On Educational, Professional and Technical Obligation" of November 30, 1920 [24] established the obligation of adolescent students from the age of 14 to study directly at those enterprises where factory schools were not organized. A student's working day on courses was reduced to six hours. For teenagers under the age of 18, the daily number of classes

on the courses was to be less, in addition, the working time for them was also reduced to six hours. The important fact is that they could not be involved in all types of compulsory labour. Also, it should be added that for workers who were students of the courses in accordance with the educational obligation, their full earnings were kept, and their violation of educational discipline and obligation was considered as absenteeism from work and was punished accordingly. Furthermore, all former students of higher technical educational institutions who completed a part of the course (had credits) were given the right to return to the educational institutions where they previously studied, or similar ones, with enrolment in a course, semester or trimester that corresponded to their knowledge, through business trip from the institutions where they worked.

In my point of view, the following deserves special attention. Those students who did not show up at educational institutions were recognized as deserters and were subject to punishment according to wartime laws [25].

A vivid example and confirmation of the fact that in the times under consideration there was an acute need for qualified workers is the Resolution of the Council of People's Commissars of the Ukrainian SSR "On students of institutes excluded in the order of socio-academic verification" of October 9, 1924 [26]. Thus, according to it, students of institutes, dismissed in the order of socio-academic verification, students excluded from the last and penultimate courses in order to provide an opportunity to work in a specialty, were given the right to take exams for the full course of the corresponding institute, as well as externs. Excluded students of all courses, starting from the second year, were also given the right to take exams at schools of the relevant specialty (these are technical schools, professional courses) for the qualifications provided by these schools, and excluded first-year students of all faculties were given the right to enter the institute, just like externs from the 1925/1926 school year on general grounds. Another Decree of the Council of People's Commissars of the Ukrainian SSR of March 5, 1921 [27] made the occupations of students of all pedagogical school institutions of Ukraine a condition of school labour.

For the completeness of the issue coverage, it should be pointed out that in 1922, in order to improve the material condition of the higher school, tuition fees were introduced in all institutes, technical schools and higher three-year pedagogical courses of professional education (with the exception of worker-peasant faculties and evening worker technical schools). Only those students were exempted from tuition fees, who were subject to the Decree of the Council of People's Commissars of the Ukrainian SSR of December 6, 1921 on the social security of students [28].

Among other types of schools, artisanal industrial schools and educational workshops should be mentioned [29], which were schools of lower professional education, and their task was to train skilled workers in the field of artisanal industry. In addition to providing practical knowledge by profession, such schools were supposed to provide political, public education and general education knowledge: craft and industrial schools in the scope of a seven-year labour school program, and educational workshops in the scope of a four-year labour school program. Teenagers aged 14 to 18 who had completed a full four-year labour school were admitted to artisanal industrial schools, and teenagers of the same age who could read and write and knew the four basic rules of arithmetic were admitted to educational workshops. It was also assumed that students can receive a certain number of scholarships at the expense of state and local budgets or from interested economic bodies and cooperative organizations.

Establishment of New Standards of State and Legal Provision of Child's Right to Education

First of all, it should be pointed out that on November 22, 1922, an important event for the field of the Ukrainian education took place, namely the adoption of the Code of Laws on Public Education [30]. According to paragraph 17 of the introduction, the social education of children and training in vocational

schools and courses up to the age of 17 inclusive was declared general, mandatory, free of charge and cumulative for both sexes. Moreover, children of the proletariat and the poor had priority for education. According to Art. 124 students who received scholarships had to serve in the service of their profession for one and a half years for each year of receiving the scholarship after completing the course of study. Article 167 fixed the list of the network of children's institutions. Thus, children's institutions were divided into:

a) all institutions for normal children (*note: this wording is a quote from the Code*): orphanages, boarding schools, day care centre, labour schools, nurseries, children's clubs, libraries, spring-summer trimester institutions;

b) all institutions for juvenile delinquents and the homeless: the main and auxiliary homes for delinquents, a labour colony for them, a labour home for girls, an open orphanage for homeless children;

c) all children's institutions for defective childhood (*note: this wording is a quote from the Code*): the main and auxiliary homes for defective children (*note: this wording is a quote from the Code*);

d) institutions for the deaf-mutes: the main and auxiliary houses for the deaf-mutes;

e) the main house for the blind;

f) all children's institutions for examine and distribution of children (reception centres, collectors).

The Code provided for the existence of two main types of institutions for social education, namely:

1) residential care home, where minors stayed all the time until the age of 15;

2) institutions where minors stayed for only a few hours (schools, nurseries, etc.) to a whole day (day care centre).

At the same time, the upbringing of normal and defective children (*note: these wordings are quotes from the Code*) was supposed to take place in different types of institutions. Education of delinquent children of different sexes together was not allowed. Providing education to physically or mentally disabled children was carried out at the expense of their relatives (except for children of the proletariat and the poor).

Due to financial difficulties, as well as the fact that the system of such institutions was in a state of formation, it could not accommodate all the children who suffered from social upheavals.

However, even in this form, such institutions were a salvation for children deprived of parental care, saved them from starvation and provided an opportunity to acquire relevant knowledge and work skills [31]. For example, even the name "open orphanage" in itself suggests that any child had the right to come to this orphanage, eat, wash their things, rest and find shelter.

As is evident from the foregoing, educational institutions covered the entire child population. Moreover, even school and extracurricular activities for children were actually combined into a single system of their education in the new, soviet spirit. However, due to a lack of funding, orphanages were actively transformed into agricultural collectives, production workshops, etc. However, it made possible to combine study, education and work. Thereby, the children received knowledge of biology, zoology, botany, natural science, etc., and the orphanages themselves received their own sources of funding. I totally agree with Maryna Bogomolova's point of view [32] that the system of social education was one of the leading directions of reforming school education in Ukraine in the 1920s.

In order to illustrate above mentioned, it should be added that in 1924–1925, the maintenance of one educatee of a home for working-age teenagers per month cost 3 karbovantsiv (*note: Ukrainian currency of that time*) 70 cents, in the colony – 7 karbovantsiv, which were paid from the state budget. Therefore, it was more profitable to create such institutions than ordinary orphanages with the full support of the state, or to give children under patronage, in which the child cost the state 50 karbovantsiv [20].

It should be noted that the realities of life in orphanages differed from the norms prescribed in the legislation. The general strategy of orphanages was calculated on survival, which at that time was the most important thing for the majority of the country's population. Thus, Oksana Mikheieva in her research [31] gives examples of the children's lives who were left without parental care. As the scientist notes, in the Information Summary of the Donetsk Emergency Commission and Special Departments on the Political State of the Donetsk Province for the period from December 15 to January 1, 1921, the state of orphanages could be characterized as extremely difficult. Documents attested to overcrowding in orphanages. For example, in Bakhmut, orphanage No. 1, which was designed for 70 people, had 103 children at the time of the survey. The houses were not well heated, the leaders together with the children were forced to dismantle the fences in order not to freeze. That is why it is difficult to talk about the quality of education and upbringing of children in educational institutions. The main goal at that time was the education of a new Soviet person. Maryna Bogomolova notes [32] that at the beginning of the 1920s the idea of social education was system-forming and determined the content, nature, principles, forms, methods, techniques and means of teaching and upbringing children in Ukraine.

However, speaking about the negative aspects of the implementation of children's educational rights, one cannot fail to mention the positive ones as well. As it known, the First World War and the Civil War in Ukraine left behind 7 million homeless children who often became criminals. And for re-education, they were sent to orphanages for "morally defective children" (*note: this wording is a quote from the Code*). The Soviet teacher A. Makarenko, during his activities, turned the institution into a labour colony, where every teenager had a chance to start a new life [18]. This really allowed through labour and during it to provide appropriate education, skills, and also to discipline children in a certain way. The main thing is that the schools were not formed randomly, there was a certain systematicity, the norms of the number of teachers, etc. were fixed.

Thus, the Resolution of the Council of People's Commissars of the Ukrainian SSR [33] stipulates the procedure for conducting preparatory and statistical work (it concerns the calculation of the child population, the determination of where to open schools, the radius of the school district, the norms of the number of students per teacher, etc.). Thus, the radius of the school district should not exceed 3 versts (*note: unit of distance equal to 1.067 kilometres*). The number of teachers was calculated on the basis of no more than 40 children per teacher. A normal type school was supposed to be a 4-set school with 4 teachers. Due to local conditions, it was allowed to include 3-, 2- and one-set schools with a four-year course of study in the network. Moreover, the expansion of the school network and the network of points for the elimination of illiteracy for teenagers of socially educational age that were not part of the first group of schools was foreseen [34], as well as the obligation of employers of domestic workers teenagers, up to 16 years inclusive, to release them to attend elimination schools of illiteracy [35]. As a result, in 1926 the number of illiterate populations of the Ukrainian SSR was 58.4% [3]. So, as it could be seen, the reform had positive consequences in the form of a decrease in the number of the illiterate population, which will continue to decrease further (closer to the end of the 1920s).

Conclusions. There was an active development of education during the 1920s that corresponds to the realities of the time in the Ukrainian SSR. In fact, at that time, the education system was built from scratch, since the education system on the territory of Ukrainian lands during their stay under the power of Russian Empire was not sufficiently developed and regulated by legislation. Thereby active construction

of the education system, the situation with the realization of children's educational rights improved. Thus, all children had access to education, regardless of gender. Moreover, training in professional schools and courses was mandatory. Children of national minorities had the right to study in their native language, and compulsory study of the Ukrainian language, history and culture was also introduced.

In order to rapid training of specialists, all bureaucratic points in education were cancelled. In particular, homework and knowledge assessment were abolished in schools, a diploma or some kind of certificate, etc., was not required during admission to higher schools. All this really gave the desired result, although illiteracy was not completely eliminated.

However, there were also negative aspects. For example, cancelling homework and assessing knowledge leads to unsatisfactory consolidation of knowledge and deprives students of motivation to study. The government of Soviet Ukraine also limited the right to receive religious education. A negative point was the lack of sufficient funding to ensure children exercise their educational rights. Also, fixing the norms of the students' number according to the teacher did not allow to ensure the quality of the provided/received knowledge. The policy in the field of education and upbringing of children with physical or psychological disabilities should be mentioned. Thus, although these kinds of children were given a certain education and upbringing, and attempts were made to adapt them to life, children with physical or psychological disabilities were actually isolated from other children and received education and upbringing out of contact with physically/psychologically healthy children.

Having analysed the educational rights of children in the 1920s, certain recommendations for overcoming the consequences of the COVID-19 epidemic and the war in Ukraine in the field of implementing the educational rights of children can be provided. It was in the 1920s the creation of an education system was taking place, since the children's right to education was not institutionalized at that time, whereas today it is about reforming the education system and bringing children's right to education and its implementation in line with international standards. It is worth emphasizing that, regardless of the form of ownership, level of education and specialization, all children must, first of all, study such a subject as the history of Ukraine (the history of the state and law of Ukraine in law institutions of higher education). Secondly, considering the war in Ukraine, it is necessary to simplify the procedure of admission and graduation from educational institutions as much as possible, but at the same time maintain the balance of simplification of the procedure of obtaining education/quality of education. Thirdly, it is also necessary to further develop inclusive education, which currently exists in Ukraine, to improve the conditions and quality of its provision. Fourthly, and this is the most important, it is necessary to ensure funding of education at an appropriate level in order to ensure the opportunity for children not only to exercise their educational rights, but also to receive a quality education, that is, it is worth striving for the fact that the actual conditions of providing education and upbringing coincide with those declared in the legislation. All these recommendations are closely related and can be implemented with the support of Ukraine's partners. It is referred to assistance in eliminating the consequences of the war in Ukraine in the field of education. Ukraine needs help from other states to create and restore material resources, without which children's right to education cannot be realized. The aid that Ukraine currently receives from other countries should be not only military, but also humanitarian, in this case this is a reference to financing education, which will enable Ukraine to provide children with a high-quality realization of their right to education.

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