

найбільш оптимального правового режиму взаємовідносин працівників та роботодавців з метою консолідації суспільства і підвищення добробуту держави в цілому. Зараз найактуальнішим для національної науки трудового права є теоретичне обґрунтування та активне втручання в процес кодифікації трудового законодавства України. Трудове законодавство України повинно відбивати загальнолюдські цінності, враховувати досягнення світової цивілізації, спиратися на політичні, національні, економічні та культурні особливості нашої країни і тим самим сприяти становленню України як демократичної, соціальної та правової держави.

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MASSIVE OPEN ONLINE COURSES (MOOCS) IN CANADA

Over the last several years, Massive Open Online Courses (MOOCs) have received significant coverage in the higher education literature [1]. Advocates suggest that MOOCs will make high quality education more accessible and decrease the substantial costs of higher education. Conversely, some critics take issues with academic rigor in MOOCs, and fear MOOCs will serve only to generate profit for exclusive universities and private corporations, ultimately at the expense of faculty and students [2]. Despite ongoing discussions over using MOOCs in higher education, debates and critiques of MOOC seldom pay attention to current college students' perceptions and attitudes toward MOOCs. It is heretofore unclear how familiar college students are with the MOOC concept and how they view MOOCs as a source of learning.

The MOOC craze peaked at a time when universities were confronted with the consequences of austerity measures following the 2008/2009 economic crisis [3]. As public funding decreased, interest in MOOCs grew. But MOOCs, along with other trends such as the rising power of academic publishers, are inevitably enmeshed within and shaped by the struggles accompanying the growing corporatization of the university [4]. In Canada, educators and students are debating the effects of public funding cuts, the perception of higher education as a skills-enhancing educational package purchased by students to ensure access to the job market and the growing decision-making power of higher education bureaucracies.

The first MOOC experiments came from within this existing online education infrastructure. Long before the Ivy League universities took an interest in such courses, Canadian educators were offering them; yet, they did not manage to attract institutional endorsement. One of the first MOOCs

worldwide – CCK08 – Connectivism and Connective Knowledge – was developed in 2008 by George Siemens and Stephen Downes at the University of Manitoba. It was offered to both for-credit students and anyone in the world interested in participating. The course focused on education, proposing the notion of connectivism as a pedagogical model [5]. This model largely refers to an educational environment where students learn from each other.

Once MOOCs remove barriers to access, getting an education becomes an individual responsibility/ choice. When articulated with the utopian idea of the democratizing potential of digital technologies, this vision effectively leads to an individualized take on education aligned with a neoliberal vision of public goods. MOOCs become a symbol of an education system that looks more like a catalogue of products, allowing individuals to pick their favorites and build the 'knowledge' profile that best suits their needs. Furthermore, MOOCs are free of charge, at least for now: in itself, this feature appears to render obsolete long-standing complaints that the format of the education system reproduces socioeconomic inequalities. While a choice-driven view of education is empowering, it is primarily so for those who are already specialized and in a position to assess their own gaps in knowledge or to afford the luxury of expanding their horizons. The existence and consequence of digital divides is never featured in the dominant discourses. Such divides overlap with historical structural inequalities, yet the perceived ubiquity of ICTs in Western societies often blurs the lines between structural inequalities and choice.

This is particularly interesting when considering that the Canadian higher education system is largely public and non-profit and that in Canada, the provision of social services is a central part of the construction of national identity. The prevalence of the economic frame is, of course, part and parcel of the growing grip of neoliberalism upon the social imaginary that goes beyond the boundaries of a single country. Yet, the lesson here is that this economic framing of education cannot and should not be left unchallenged. Indeed, dissent to this narrative is present in Canada and stems primarily from within the ranks of faculty members themselves, who propose counter-discourses drawing attention to the techno-capitalist agenda behind the MOOCs craze. They also bring up the possibility that MOOCs are imagined not (only) in economic terms, but also as civic spaces where individuals, by learning from others, begin to recognize and, ideally, learn to respect our necessarily positioned perspectives and knowledges.

The efforts to shift the social imaginary away from the prevailing economic framing of higher education may not automatically result in a change in the technological infrastructure (and the networks of power within which they are embedded and produced). Nevertheless, re-focusing the debate on higher education as public good and discursively recovering the multiple social functions of universities entails legitimizing new social actors and creating the opening where alternatives can become conceptualized, as well as acted upon.

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КЛАССИФИКАЦИЯ ИНСТИТУТА СУДЕБНОГО ПРЕДСТАВИТЕЛЬСТВА В ГРАЖДАНСКОМ ПРОЦЕССЕ

Посредством судебного представительства в правоприменительной практике достигается возможность эффективной реализации ряда основополагающих принципов отечественного судопроизводства: равный доступ к правосудию; право лица на своевременную квалифицированную помощь; равенство всех перед законом и судом и другие.

Вопросы классификации судебного представительства имеют существенное значение не только для теории названных отраслей процессуального права – верное понимание оснований возникновения судебно-представительских отношений в существенной степени способствует разрешению ряда практических вопросов. Например, благодаря верному определению вида и оснований возникновения представительских правоотношений на практике становится возможным правильно обозначить перечень документов, необходимых для установления объема полномочий конкретного представителя и / или их подтверждения перед судом; разрешить вопрос целесообразности заявляемых стороной к компенсации судебных расходов, понесенных на оплату услуг судебного представителя по делу, некоторые иные вопросы.

Анализ трудов отечественных авторов – исследователей процессуального права по указанной теме показывает обширность