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LEGISLATIVE REGULATION OF MASS MEDIA AND CULTURE IN UKRAINE: GOVERNMENTAL PRIORITIES AND SOCIAL REQUEST

ABSTRACT

The article analyses the results of mass survey conducted in the framework of the project of the Volkswagen Foundation “Bi- and multilingualism between intensification of conflict and conflict resolution. Ethno-linguistic conflicts, language politics and contact situations in post-Soviet Ukraine and Russia”. Research’s aim was to understand to what extent the state language policy in the area of mass media and cultural sphere meet the expectations of the citizens of Ukraine. It underlines regionally marked attitude towards the strategy of language policy: the Western part of the country prefers Ukrainian language, South – Russian, and Center and North take intermediate positions.

KEYWORDS: Ukraine, mass media, mass survey, language policy

STRESZCZENIE

Artykuł analizuje część wyników masowego badania przeprowadzonego w ramach projektu Fundacji Volkswagen na temat sytuacji językowej w Ukrainie i Federacji Rosyjskiej. Celem badań było ustalenie, w jakim stopniu polityka językowa w sferze mediów masowych i kultury spełnia oczekiwania obywateli Ukrainy. Podkreśla to regionalne podejście do strategii polityki językowej: zachodnia część kraju preferuje język ukraiński, część południowa preferuje język rosyjski, a centrum i północ zajmują pozycje pośrednie.

SŁOWA KLUCZOWE: Ukraina, środki masowego przekazu, wywiad masowy, polityka językowa

INTRODUCTION

After the declaration of the independence of Ukraine, the state faced a task of creating the necessary legislative basis, which would fix Ukrainian as a state language – language of authorities, educational institutions, television, press, advertisements and signage. Ukrainian mass media differs drastically from mass media of other countries where Slavic languages are recognized as state languages, as it is almost exclusively represented by two languages – Ukrainian and Russian.

Languages of other national minorities, except for Russians, are not visible in the general information space of the country and are only locally present in the cultural life of those communities. This can be explained by the fact that other languages (not Ukrainian or Russian) are considered native by 1.4% of the population, with less than 1% communicating in them according to a 2006 sociolinguistic study within the framework of the project “Language Policy in Ukraine: Anthropological, Linguistic Aspects and Further Prospects” under the INTAS program (Besters-Dilger 2008). According to the 2001 All-Ukrainian Census, 89% of Ukrainian Greeks, 83% of Jews, 65% of Germans, 63% of Belarusians, 54% of Georgians and almost 15% of Ukrainians considered Russian to be their native language (Vseukrajins’kyj perepys naselewnja 2001 roku).

Consequently, mass bilingualism in the country determines the total bilinguality of its informational and cultural spaces. Moreover – the state language of a neighboring state dominates it. And if all over the world foreign-language media outlets are classified as those for national minorities, in Ukraine, TV and radio programs with state-wide broadcasting, as well as specialized magazines and newspapers, are being distributed in Russian. Mass media and culture, where the use of languages should be regulated at the state level, still remains the most russified.

The share of Russian-language literature, television, film, musical content, both produced in Ukraine or imported from the neighboring country, proportionally does not correspond to the percentage of Russians within the population. Throughout the years of independence, a certain share of population has been demanding the regulation of media and culture from authorities in order to overcome the continued Russification, namely to make it correspond to the factual, rather than legal status of the ethnic composition of the population, as well as to build a linguistic strategy based on the language self-identification of citizens.

According to the results of the last 2001 All-Ukrainian Census, the language self-identification of the population of Ukraine is as follows: 29.6% consider Russian to be their native language, 67.5% consider Ukrainian to be their native language (Vseukrajins’kyj perepys naselewnja 2001 roku).

Instead, supporters of official bilingualism deny the legitimacy of the use of the ethnic principle in language policy, insisting that the reformist activity should primarily take into account the criteria of the language preferences of citizens – consumers of information and entertainment products.

But even without taking the criteria of ethnic identification into account, the representation of Russian language in the cultural sphere and information space does not correspond the actual linguistic situation in Ukraine.

Numbers-wise, around 50% of book market is represented by Russian language, over 60% of Ukrainian press is in Russian. 31% of TV-broadcasting is in Russian, while 35% is bilingual (Analitychnyj ohljad). When it comes to Ukrainian websites, one quarter of them is bilingual, while around 60% is in Russian (Beley 2016). TV series, humorous programs, concerts, even those produced in Ukraine, remain

mostly or completely Russian-language. Much of the country's territory is covered by cable networks that broadcast international versions of Russian TV channels (Analitychnyj ohljad).

Despite the tolerant approach of Ukrainization, comparing to language policies of Latvia, Estonia, Russian Federation and certain European countries, the gradual expansion of the state language's function is often met with negative social reaction. It's worth mentioning that there are two polar views on the Ukrainian bilingualism. According to the first view, Ukrainian bilingualism is a "suppressed disease" that defines a special type of Ukrainian ethnic identification, which may cause even further Russification. According to the second view, the bilingualism in Ukraine is a natural, "historically predetermined" phenomenon and the achievement of the communication culture, which should be legally enshrined. This antagonism of the views in modern Ukraine – with the desire to revive the originality of Ukrainian people on the one hand, and the asserting of the right of every person to free choice language use on the other hand – cause a certain level of tension in the Ukrainian society.

In fact, human rights to satisfy their cultural and information needs in any language must be language policy's priority. Consumer is the only choice-maker. And this axiom is the main argument of certain legislative initiatives. But in the bilingual society the rights and interests of citizens that belong to different language groups, conflict all the time. Solving this conflict is the core idea of language policy. Still, any reforms in language sphere must be based on the thorough sociolinguistics research.

The monitoring of the linguistic situation in all spheres of Ukrainian social life, particularly in media and culture, is the core of scientific research by sociologists and sociolinguists (Beley 2016; Doslidzhennja media-sytuatsiji v pivdennykh i skhidnykh oblastjakh Ukrajinji 2017; Majboroda 2008; Sokolova/ Bybyk 2014; Svidlov 2016; Vyshnyak 2009). The conducted research proves the lack of consolidation among different age and education respondents' groups regarding the language in which they would like to consume information and entertainment content.

However, the Ukrainian linguistic situation is changing quickly due to the rapid socio-political changes in the country, considerable dynamic of legislative processes and an active involvement of the public in the process of language development. These factors determine and change the attitude of the general population towards the language issue, while the language preferences of the population of Ukraine form the agenda of the state language policy, primarily in media.

The information space is the reflection of the society's preferences, but it forms them as well. Thus, the reforms in language sphere must take into account not only the contemporary linguistic situation, but the expectations of citizens and their readiness to perceive and enforce certain legislative requirements. It is impossible to make without the proper knowledge of citizen's preferences, intentions and tastes associated with the language of mass communication. The effectiveness of

the language policy of the state can be measured by the level of satisfaction of the society's requests in this area. The analysis of language preferences' dynamics in the connection with already implemented reforms is another important element of evaluating the effectiveness of language policy.

FACTUAL AND JURIDIC STATUS OF BILINGUALISM IN UKRAINIAN MEDIA

This issue is largely affected by the peculiarities of legislative regulation of the language of mass media in Ukraine. For example, the Constitution of Ukraine does not contain any direct instructions regarding the language of the media (Konstytutsiia Ukrainy). The 1989 law "On Languages in the Ukrainian SSR", which is valid until today after passing a resolution of the Constitutional Court of Ukraine about unconstitutionality of law "On the Principles of State Language Policy" (2012), also does not clarify the situation, merely stating that "the language of the official Ukrainian media is Ukrainian. The languages of other nationalities also may be the languages of the official media". The laws "On Information" and "On Printed Media (Press) in Ukraine" do not focus on language and gives the owners or advertisers in TV, radio and print the right to make decisions about language.

There is a hope that the new law "On ensuring the functioning of Ukrainian language as state language" on language will break the established tradition in Ukraine not to hierarchize the obligatory usage of state language and the right to use "acceptable" language. It is also important to figure out whether the criteria of linguistic (ethnic) identification or the criteria of language preferences must be the basis for uniting citizens in order to protect their language rights. The law "On ensuring the functioning of Ukrainian language as state language", which gained support from scholars and activists, contains the following provision:

Article 20. ... 6. In order to meet the needs of national minorities, foreign audiences or for educational purposes, the broadcasting companies are allowed to provide broadcasting in foreign languages. The total duration of foreign programs for broadcasting organizations that broadcast on less than half of Ukrainian regions, and do not retransmit or systematically broadcast programs of other broadcasting organizations or co-produced with other broadcasting organizations, mustn't exceed 20% of daily broadcasting. Total duration of foreign programs for other broadcasting organizations mustn't exceed 10% of daily broadcasting.

(Proekt Zakonu №5670-д)

However, it does not seem that the new language law will solve the problem of Russian-Ukrainian bilingualism in press and book publishing in Ukraine. The law reads as follows:

Article 21. ... 1. The printed mass media in Ukraine is issued in state language. The publication of printed media in two or more languages is permitted, if one of the languages is the state

language. The versions in all languages must be published under one title and correspond each other in content, volume and printing method. The versions must have the same numbering and they must be issued in one day.

(Projekt Zakonu №5670-д)

THE USAGE OF TWO LANGUAGES IN MASS MEDIA

At the same time the share of Russian-language newspapers continue to grow (2017 – 51.5%, 2018 – 61.4%), while Ukrainian-language ones continue to decrease (43.6% and 32.9% respectively) (Analitychnyj ohljad). There is growth in the number of bilingual publications, which are parallel versions of the same publication in both languages or newspapers and magazines that contain materials in two languages simultaneously. But the obtained license does not mean that both languages are going to be used: mostly they are in Russian.

The owners of medias that are issued in both languages at one time, justify their choice by trying to satisfy language preferences of different groups of citizens. Therefore, the media aims at expanding the number of its readers, building on the idea that language plays an important role in picking the source of information. But the motivation of owners and publishers that use both languages in one issue simultaneously is of economic nature. Namely, they try to save on translating of Ukrainian- and Russian-language authors. They claim that in the Ukrainian bilingual society, where everyone knows both languages at least on the perceptive level, the language of the publication means less than the content.

Bilingualism continues to thrive on television as well (29% of bilingual programs in 2017 and 28.3% in 2018). Despite the statutory quota for 75% of Ukrainian language on TV, the actual presence of state language amounts 2/3 of the airtime (Ukrainska mova zavoiovuie efir). TV-channels use loopholes in the law, which allow bilingual programs to be counted as Ukrainian-language ones. As with print media, certain programs that are dubbed in two languages, for example news broadcasting. But more frequently, when there are two hosts in the studio, one speaks Ukrainian, while another speaks Russian. According to owners of mass media, such language behaviour creates comfort for the program's guests and viewers that belong to different language groups, as well as relaxed and tolerant atmosphere.

The survey conducted among students of journalistic faculties – the future editors that soon will be creating media product according to their ideas – helped us to figure out whether bilingual mass media really satisfy the request of Ukrainian society of products of information and entertainment in two languages, or those medias are trapped in sociolinguistic stereotypes (Ruda 2014).

The attitude towards duplicating mass media in two languages is more positive, than towards mixing Russian and Ukrainian languages in one publication, TV- or

radio-programs. The usage of two languages simultaneously in mass media is met with negative response from survey's respondents. As mixing of two languages has not gained any support among bilinguals, we can conclude that such products are not designed for bilingual citizens; they are just annoy the viewers and prevent the possibility to deepen the knowledge of both languages.

LEGISLATIVE REGULATION OF MASS MEDIA

The governmental attempts to interfere the language policy of mass media has been always met with controversy since 2006. This can be explained by the fact that freedom of the press is considered important both within the country and internationally. And, of course, with the exception of the media for national minorities, any interference in media is perceived as inappropriate. But it should be noted that none of the initiatives towards the de-russification of mass media have been accompanied either by administrative pressure or encouragement. Although, such method is truly effective, as positive changes occur primarily in the areas where changes to protect Ukrainian language were adopted by the law.

The government interference into the language policy of film distribution in 2006 lead to the steady increase of the share of films that have been dubbed or voiced in Ukrainian. If in 2014 the proportion of such films was 65%, then in 2017 this figure reached 87%. Thus the share of films screened in Russian language with Ukrainian subtitles has decreased from 29% in 2014 to 12% in 2015, and to less than 4% in 2016 (Analitychnyj ohljad).

The situation has also been substantially changed by the Revolution of Dignity and the armed conflict in the eastern regions – due to the introduction of national information policy and under the pressure of the circumstances, Ukrainian channels are gradually increasing their own production of films and TV shows.

In recent years, the state has been intensifying its attempts to resolve the linguistic situation in mass media. In 2017 the parliament had adopted the bill, which introduces quotas for TV programs and films in the Ukrainian language on television: 75% for national and regional TV channels, 60% for local and 75% for news programs. One year earlier, in 2016, the law “On Amendments to the law of Ukraine “On TV and Radio Broadcasting (concerning the share of songs in state language in music radio-programs)” came to force. According to the law, the quota for songs in Ukrainian language in radio broadcasting is introduced gradually: the first year after the year came to force the share of the songs must amount 25%, and 30% and 35% share during the second and third years respectively. The same year introduces the minimal share of Ukrainian language for anchormen and hosts: from November 2018 the state language share must amount 60% per day. According to The National Council on Radio and Television's recent report

national radio stations exceeded the quota with programs presented in Ukrainian language amounting 84% of broadcasting.

THE QUESTIONNAIRE

On one hand, we know the real situation of languages' representations in mass media and cultural sphere thanks to the sociological and sociolinguistic studies published annually. On the other hand, thanks to the mass survey, conducted with the support of Volkswagen Foundation within the trilateral Project No. 90217 "Bi- and multilingualism between conflict intensification and conflict resolution. Ethno-linguistic conflicts, language politics and contact situations in post-Soviet Ukraine and Russia"¹, we've got the data on actual consumption of the informational and cultural product presented in two languages. It goes as follows.

RESULTS

The language is important only when choosing the book or a newspaper. The language is less important when it comes to TV and radio programs preferences. The preferences of the language of mass media is mainly based on the language the audience uses on the daily basis.

These results indicate that people who want to choose in which language to receive information still consume it in the language that is more widely represented in the media. A comparative analysis of data on the real and desired consumption of media products only in Ukrainian, only in Russian or in both languages has shown that the demand to consume a purely Ukrainian product is approximately twice the size of the proposition. On the other hand, the actual choice of the language of the media product is not always based on the language preferences of the individual, since this choice is also influenced by such important factors as

¹ The study was supported by the Volkswagen Foundation within the trilateral project "Bi- and multilingualism between conflict intensification and conflict resolution. Ethno-linguistic conflicts, language politics and contact situations in post-Soviet Ukraine and Russia" No. 90217. The trilateral project is carried out at Justus Liebig University Giessen (Germany), The National Academy of Sciences of Ukraine (Ukraine) and Kazan (Volga region) Federal University (Russia). Individual face-to-face interviews with 2007 respondents were conducted between February 2nd and February 10th, 2017 in all regions of Ukraine, except for territories not controlled by the Ukrainian authorities. The duration of the project: 2016–2019.

The author is one of the project participants from Ukraine. Using the collected database she made research on the one aspect of the language situation in Ukraine (Sokolova/ Danylevska/ Ruda 2018).

content, quality, authorship, political preferences, or simply the presence/absence of the sought product in the preferred language.

Generally, bilingual and Ukrainian-speaking citizens consume Ukrainian-language product in larger amounts, then it is actually represented in media. It means that consumers are searching for products in Ukrainian. It also means that media producers and owners of channels either do not have accurate data on language preferences and exaggerate the real demand of Russian-language product or simply do not care for it.

We've also figured out how Ukrainians view the linguistic situation in mass media. It turns out that citizens are inclined to imagine the expansion of Ukrainian language's functioning better than it actually is. About half of the respondents (47.8%) perceive the Ukrainian media as equally Russian-language and Ukrainian-language; Ukrainian-language newspapers, radio and television programs are noticed by 32.9%, and 12.5% of respondents perceive them as mostly Russian-language.

Such differences in the assessment of the linguistic situation in the media can be explained by the individual language preferences of speakers, and them not having real data in the context of the entire country, and sometimes even the political preferences of citizens.

All groups of respondents – both according to the criteria of the language they use on the daily basis and the region of residence – in general are satisfied with the linguistic situation in media. The respondents do not see obstacles in meeting the cultural and informational needs of both Russian-speaking and Ukrainian-speaking citizens.

The picture will not be complete without taking into account the expectations of citizens regarding the representation of languages in media. Analysis of the answers to the question “If tomorrow the vast majority of printed media and TV and radio programs started to come out in Ukrainian, what would your reaction be?” shows that 60.5% of respondents answered that they would react positively, 18.9% – negatively, 16.5% stated that they were indifferent.

In groups according to the criteria of the native language, the answers were divided as follows. 80.7% of those who consider Ukrainian their mother tongue would welcome the Ukrainization of the media, 5.7% would not approve such changes, and 11.1% would not react in any way. Those who indicated Russian as their mother tongue had the opposite assessment of such a step: 12.5% would have favored such a change, 58.6% would react negatively, and 22.7% would remain indifferent. The opinions of citizens who consider both languages their native are not as polarized about this prospect: 34.7% of respondents would approve the Ukrainization of the press, radio and TV, 28.1% would have reacted negatively, and 29.2% would remain indifferent.

89.5% of respondents in the West, 74.2% in the Center, 60.7% in the North, and only 43% in the East (13.2% of them in the Donbas) and 35.8% in the South are positively reacting to the prospect of increasing the prevalence of the Ukrainian

language in the media. In the western regions, there are very few of those who do not support such a prospect (2.7%), whereas in the South of the country, almost half (45.9%) are opponents of the Ukrainianization of the media. A quarter (25%) of the surveyed representatives of the Donbas did not determine their position on this issue.

At the suggestion to imagine a situation in which the vast majority of printed media, TV and radio programs were distributed in Russian, 21.6% of the respondents answered that they would react positively, 49.3% – negatively, and 23% did not care.

Such possible changes are approved by 53.1% of those who speak Russian, 9.7% of those who speak Ukrainian, and 34.4% of respondents who consider both languages their native. A negative assessment of such a prospect was given by 67.1% of those who indicated their native language as Ukrainian, 13.1% with native Russian, and 20.9% of the respondents who consider both languages their native. By the way, the respondents from the last group gave the most “I do not care” answers to both of the proposed questions, which indicates that their linguistic self-identification is unshaped.

The attitude towards the widest possible representation of the Russian language in the media according to the regions of the respondents’ residence is quite eloquent. In the West (83%), in the Center (55.4%), and in the North (55.2%), the majority would have reacted negatively if most of the print media, TV and radio programs started to come out in Russian. A group of respondents living in the eastern part of the country divided into almost equal subgroups of those who approved such changes and those who would not welcome the Russification of the media (33.7% and 29.6%). Twice as many supporters of the greater presence of the Russian language in the media than those who do not see a need for it live in the South of Ukraine. It is worth noting that the large number of respondents in the southern (24.5%) and eastern (32.6%) regions answered “I do not care”. It is also noteworthy that 19.1% of the respondents in the Donbas found answering this question difficult.

CONCLUSIONS

We’ve considered four aspects – the actual representation of languages in the areas of mass media and culture; actual consumption of products in both languages; the way Ukrainians observe the linguistic situation in mass media; and the expectations of citizens regarding the representation of Ukrainian and Russian languages in the area – which contradict each other. Those contradictions in comparison of data are precisely draws our interest, as they reveal the shortcoming of linguistic policy in the area.

The results of mass survey conducted in the framework of the Project No. 90217 of the Volkswagen Foundation “Bi- and multilingualism between intensification of conflict and conflict resolution. Ethno-linguistic conflicts, language politics and contact situations in post-Soviet Ukraine and Russia” confirm the general conclusion about bilingualism in Ukraine. With the exception of the group who are mostly or entirely Russian-speaking, whose representatives are consistently and uncompromisingly seeking and selecting informational and entertainment products in Russian, more than two-thirds of the Ukrainian population are ready to consume high-quality content in Ukrainian, and thus, such a broad representation of Russian in the media and culture is not justified. The consumption of Russian-language media content exceeds the indicators of the desired level of consumption obtained in the course of many sociolinguistic studies, which shows the necessity for creating corresponding Ukrainian content which would not be inferior in quality or genre-thematic variety.

According to the answers we’ve got on certain questions about language preferences, around 20% of Ukrainians remain reluctant to the language of the media product they consume and lack an opinion on what the governmental policy in this area should be.

FINAL REMARKS

The obtained results allow us to predict the public resonance of future legislative regulation of the language issue in mass media and culture. A cross-sectional analysis of responses to the survey indicates a strata of 20% of the population who will be opposed to further steps towards the Ukrainianization of the news and entertainment media. The data on the language preferences of such citizens in various mass-media genres (for example, greater loyalty to the Ukrainian language in fictional and specialized literature or film products), as well as the place of their primary residence, guarantee the success of narrowly concentrated work with this group.

To maintain and strengthen the position of the Ukrainian language as the state language, correction of the functional importance of languages in the media space is necessary, while taking into account regional language preferences. Of course, one cannot expect effective implementation of any language policy in media without developing an appropriate legislative framework, state incentives for the development of Ukrainian-language radio and television, print media for various sectors of society, especially children and youth, as well as creating preferential conditions for founding Ukrainian-language commercial media outlets.

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