

at least, give the lawmakers say a word about possible interpretation of a legal provision at hand. Furthermore, in case of a disagreement to AI, there should be solid judicial motivation, not just an omission or a simple reference to the recommendatory character of AI. There should not be “*judicial indifference*”.

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## THEORIES OF LEGAL ENTITY

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**Introduction.** The category of legal entity is one of the most problematic in civil science, and the problem of the essence of a legal entity is one of the fundamental and "eternal" problems of civil law. Since the emergence of this important group of subjects of civil law in the property turnover and until now, theoretical disputes regarding this issue have not been subsided, and a generally accepted approach to its disclosure has not been developed. Almost every scientist with a famous name created his own theory of legal entity. Nevertheless, at the same time, a comprehensive answer to the question of what a legal entity is has not been found yet.

**Objectives.** The purpose of this work is to analyze the main theory of legal entity in civil law.

**Methods.** In researching this issue, I used such scientific methods as exploratory, descriptive and also analysis and generalization.

Reforms in the economy and the necessity in this connection to create a new system of legislation require modern theoretical research on the further development of legal categories that serve the market economy, and first of all such a category as a legal entity.

Legal science explains the legal nature and the essence of legal entities. It was initiated by the private law of Ancient Rome. In Roman law and in the Latin language, the concept of a legal entity did not exist, but the features of such a concept were developed and described. Since in reality in Roman society there were various organizations and institutions that had a number of rights. However, at the same time, in Roman law, organizations were compared to natural persons, since according to Roman legal norms, only a person can be the bearer of law. According to the opinion of lawyers, this organization acts instead of one person or instead of a group of such persons. The Roman Laws of the XII Tables mention organizations that were endowed with a number of rights.

It should be noted that the emergence and development of the institution of a legal entity was conditioned by the needs of the developing economic situation, which became a prerequisite for the emergence of a special phenomenon - personal property - as an independent participant in social production. Having arisen in the bowels of economic social relations, this social phenomenon inevitably had to find legal recognition [1].

The institution of a legal entity exists in order for its norms to establish the organizational-structural property and functional unity of any legal entity, to establish the limits of legal personality, the forms and procedure of its implementation, the procedure for the occurrence of reorganization and liquidation, as well as a number of other questions.

The theory of fiction in corporate law, believed to have been developed by Pope Innocent IV and supported by jurists such as Savigny and Salmond, asserts that legal personality of entities that are not human is based on a fictional construct. This means that corporations cannot be considered as real persons, because they lack their own personality. Originally, this concept was applied to ecclesiastical bodies, explaining that they could not be excommunicated or held liable for wrongdoing since they did not have a body or will of their own [2, p.70-72]. The case of *Salomon v A Salomon Co Ltd* illustrates the English court's acceptance of the fiction theory. Lord Halsbury, in this case, emphasized the importance of determining whether an artificial creation of the legislature had been validly constituted, and ruled that since the company had satisfied the requirements of the Companies Act, it was an independent and distinct person from its members.

The Concession Theory centers on the Sovereignty of a State and assumes that a corporation's legal personality is crucial because the State or the law

recognizes it. This theory posits that a legal person is simply a concession or creation of the state. Concession Theory is often considered to be a derivative of the Fiction Theory, as both theories suggest that corporations have no legal personality except for what is granted by the State. Supporters of the Fiction Theory, such as Savigny, Dicey, and Salmond, also tend to endorse the Concession Theory[3]. However, it is evident that while the Fiction Theory is primarily a philosophical concept that sees a corporation as a mere concept or construct of the mind, the Concession Theory is unconcerned with the reality of a corporation and instead concentrates solely on the source (State) from which the legal authority of the corporation is derived.

The Purpose Theory, also known as the theory of Zweckvermogen, shares similarities with the fiction and concession theories by asserting that only human beings can be considered a person with rights. Entities other than humans are viewed as artificial persons and function as legal devices for protecting or enforcing a specific purpose. As corporations are not human, they can only be seen as juristic or artificial persons. According to this theory, a juristic person is not a person at all, but rather a "subject less" property that serves a specific purpose, with ownership but no owner. Juristic persons are constructed based on their object and purpose rather than a group of individuals. The property of a juristic person does not belong to anyone, but it may be dedicated and legally bound to certain objects. This theory justifies the existence of charitable corporations and organizations, such as trade unions, which have been recognized as legal persons for specific purposes and have a continuing fund. The Purpose Theory is closely linked to legal systems that regard public law institutions (Anstalt) and private law endowments (Stiftung) as legal personalities[4].

The Realist Theory, which was founded by German jurist Johannes Althusius and advocated by Otto von Gierke, challenges the basis of Roman jurisprudence. According to this theory, a legal person has a real personality beyond just the legal sense of the word. The Realist Theory assumes that entities with a will and life of their own, not just humans can be subjects of rights. Therefore, a corporation, being a legal person with a will and life of its own, is also entitled to rights. The Realist Theory posits that a corporation is an objectively real entity that the law recognizes and gives effect to, rather than a mere creation of the law. Realistic lawyers argue that the law cannot create an entity but can only choose to recognize or not recognize it [3].

In the Realist perspective, a corporation is a social organism, while a human is a physical organism. The actions of a corporation are considered to be carried out on its own, like those of a normal person, rather than by its agents or representatives like an infant or insane person. Some followers of the Realist Theory even claim that legal persons have organs, just like human beings.

**Conclusion.** To sum up, The necessity for the development of the institution of a legal entity is determined by the legal essence of such an entity, i.e. it is a legal personality created synthetically by extracting a certain part of the legal qualities,

properties, and other elements of the legal personality of a human being (not related to their private, "physical" existence) and their further combination in a new form (within the legal form) for the purpose of the most complete realization of socio-legal interests.

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## LONELINESS AMID CONFLICT: UNDERSTANDING THE CONCEPT AND CONSEQUENCES IN WARTIME

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Living in a war-torn reality has profound effects on individuals' lives, both in the short term and the long term. While the immediate needs of people affected by conflict often revolve around basic necessities like food, shelter, and safety, the psychological toll of war is equally significant. In such circumstances, some people may choose to cope with the overwhelming stress and trauma by embracing loneliness as a survival strategy [1].

While loneliness may offer temporary relief from the demands of others, it can also have long-term consequences. The effects of social isolation on physical and mental health are well-documented, and they can be especially pronounced during wartime. Social isolation can lead to reduced immune function, sleep and metabolism disorders, cardiovascular problems, hypertension, and stroke [2]. Additionally, loneliness can cause anxiety and depression, exacerbating the already challenging conditions of living in a warzone.

That said, loneliness is not inherently negative. In some cases, it can provide individuals with an opportunity for self-reflection and self-realization, allowing them to understand their inner worlds better and also enrich themselves spiritually