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CIVIL SOCIETY INSTITUTIONS

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Annotation. In the article, in accordance with the modern point of view, other values of civil society, democratic laws, separation of powers, legal opposition, multi-party system, political and social freedoms of people and their associations, groups, etc.

The authors of the article scientifically correctly described the civil society as a legally registered, structurally approved and psychologically supported socio-political activity in inseparable unity with material and ideological pluralism.

In the methodological section, the authors described the institutions of civil society based on historical data, starting with the emergence of the concept of civil society among the great thinkers of antiquity and the Middle Ages, from the point of view of modern postmodernity, as a product of bourgeois society and on the basis of data linking them to market relations. The article also studied this concept in the works of European and American sociologists.

The article contains various conflicting opinions about the idea of civil society. Especially in the works of Adam Smith, David Ricardo, Hegel, Habermas, T. Hobbes, Marx, Gramsci, S. Montesquieu, J. J. Rousseau, T. Payne, I. Bentham, Wilhelm Humboldt, A. Michnik, N. Bobbio, J. Habermas made his own critical political analyzes based on studies that studied the concept of civil society from a new angle.

In the article, the authors describe civil society as associations created by the people themselves, as a family, cooperatives, associations, public organizations, professional, creative, sports, ethnic and other associations, industrial and personal life of citizens

Also historically scientifically studied the concept of civil society since the XVII-XVIII centuries as self-governing non-governmental organizations. In this article, the authors consider civil society as an association protecting human rights, radiating social harmony, as people's sovereignty, realizing and controlling the interests of citizens.

Key words: civil society, bourgeois society, market relations, democratic laws, separation of powers, legal opposition, multi-party system, pluralism

Basic provisions

In the process of formation of civil society, it is one of the most important issues to carry out a scientific study of its main factors and values, and to determine the development trends. The concept of "civil society" describes the state of public relations and relations, determines the rate of civic participation of residents of a certain state, and the level of division of functions of the state or society in the social sphere. In other words, civil society creates conditions for self-regulation of social relations, which is very necessary for democratic construction: state encroachment

on relations that citizens can regulate themselves without relying on the help of political institutions is prevented.

That is why civil society has a special place in the development of a legal state with a democratic political system.

The exact definition of civil society in our understanding is as follows: it is a society with developed economic, cultural, legal and political relations between its members, independent of the state, but interacting with it, creating developed legal relations in cooperation with the state, high-level social, economic, political, cultural and a society of morally dignified citizens. The reality of the civil society is determined by the achievements of the ideal and the ideal project and the real achievements of the society implementing such a project.

Introduction

According to today's point of view, civil society includes, in addition to these, other values of civil life, such as democratic laws, separation of powers, legal opposition, multi-party system, political and social freedoms of people and their association, group, party. Civil society is a legally registered, structurally approved and psychologically supported socio-political activity in inseparable unity with material and ideological pluralism. And no encroachment on a person's personal life is allowed, as long as it does not violate the law and does not contradict it. Human rights are the main issue.

Based on historical data, there are two different views on the emergence of the concept of civil society among great thinkers of the ancient and middle ages. Some call it a product of bourgeois society and connect it with market relations. Others say that such a society did not exist to a certain extent.

If we look at it in the form of references to labor works, the idea of civil society appeared very early. Even in the works of the great Greek philosopher Aristotle, we can find opinions about the role of property in a civil society, information related to the individual.

He seems to have written in his original works as a testament that whoever owns property will be the owner of virtue and morality.

Description of materials and methods

Thus, T. Hobbs, S. Montesquieu, J.J. Rousseau, T. Payne and others made a significant contribution to the study of civil society institutions.

Hegel is a famous German philosopher who worked especially hard to create the platform of civil society. According to him, civil society includes market economy, social groups, classes, corporations, institutions independent of the state. Their goal is to ensure the vitality of society and the implementation of civil rights.

There were given works as references, various conflicting opinions on the idea of civil society. Articles considering the problem of civil society are works, research and studies of Adam Smith, David Ricardo, Hegel, Habermas T. Hobbes, Marx, Gramsci, S. Montesquieu, J.J. Rousseau, T. Payne, I. Bentham, Wilhelm Humboldt, A. Michnik, N. Bobbio, Y. Habermas In his works, he made his own critical political analysis based on researches that studied the concept of civil society from a new angle [1].

There is no conclusive opinion about how human society was formed, what are its reasons. But Adam Smith, David Ricardo, and Hegel, who gave it a political description, were the first to introduce this concept into science. According to world scientists, political figures and thinkers, society is voluntary coexistence of intelligent people. The main reason for this unification is people's common interest and desire. There are two types of interest: the interest of an individual and the interest of society. The society combines and develops these two interests and goals. In this process of objective development, mutual cooperation of people was formed. Through that, it became possible to do things that were not possible for an individual.

Public interest-goal, public desire should be formed in a final, real, objective sense, not temporary. Only then will society have a chance to develop and strengthen. Because society is a voluntary association of intelligent people. If this union, this unity was organized involuntarily and arbitrarily, such a society would quickly disintegrate without results. Man is the main structure of society. Society is a complex social association of people. This union, this society created the need to regulate and manage relations within it for proper and good development.

Civil society is a set of socio-economic, cultural and spiritual social relations formed outside the state structure. The natural and civil rights, freedom and duties of the participants in this relationship are ensured by the way of autonomous development. In civil society, there is no interruption, it is not limited in time, it is not divided into territorial regions, it unites all the territory of the state and its people [2].

Civil society means a set of socio-economic and cultural-spiritual social relations formed outside the state structure. It makes it possible to ensure the free development of an individual. In this society, there is a limit to the intervention of the state in private life. Citizens voluntarily gave them their tasks and they check their fulfillment. Civil society includes associations created by people themselves (family, cooperatives, associations, public organizations, professional, creative, sports, ethnic and other associations), industrial and personal life of citizens, their customs and traditions.

The concept of civil society in the XVII-XVIII centuries included self-governing non-governmental organizations, associations, human rights, social harmony, popular sovereignty, and the main elements that implement and control the interests of citizens.

At the end of the 18th century and the first half of the 19th century, European and American sociologists began to be interested in the topic of "civil society against the state.

In civil society, people's free choice and implementation of their economic, political and spiritual life is legally guaranteed. They are reliably protected from strict discipline by the state. General human rights are preserved and not violated. The basis of the economy of civil society is multi-modal economy with different ownership. Each member of this society will have real property and can take it at will. Therefore, there is a wide path for active business, ingenuity, and fruitful work. In political life, civil society provides the following civil rights to all citizens of the state and public person in accordance with the internationally recognized rules:

any kind of prejudice based on national-ethnic, political, religious, age, sexual characteristics is not allowed;

- housing and property, which are considered the honor of an individual and citizen, the freedom to choose a profession, to determine the place of residence, to come and go to the country, the confidentiality of speech written in a letter and spoken on the phone, freedom of speech, press and communication are reliably protected by law;

- a person decides his own views and spiritual interests;

- civil rights are fully protected by judicial bodies and public organizations. The legal status of an individual in civil society is determined by legal status.

Its elements: right, freedom, legal guarantees, duties and responsibilities of a person. The right of an individual is the right to a certain value, benefit. These values are different - material, spiritual, cultural. Freedom is also a right, a kind of right. The type of freedom specified in the Constitution is the right of an individual at that time. For example, freedom of speech is the right of a citizen to freely express his thoughts and views, freedom of assembly, freedom of rallies is the right of citizens to gather to solve problems in their lives and activities.

Thus, the relationship between the state and the citizen is formed due to mutual equal rights and obligations. This is the main sign of civil society.

Our research methodology is empirical, it is based on qualitative research. We did a sociological survey: «Needs and desires of young people in modern conditions for civil society institutions».

Our article is devoted to a qualitative study of students ideas about civil society institutions and democratic freedom. Data collection is focus group interview. Sixty volunteer participants were selected for the focus group interview. The interview were conducted in three groups of students on specialties: Training of foreign language teachers, Translation studies. One focus group interview lasting approximately 40 minutes was conducted offline by the research team on the same day for one week to obtain information on the prevailing, expected and approved views of the group of students.

The sample size of the result of our research was shown in this diagram, 50% of our participants are 18 years and 50% of them are 19 years and 20% male and 80% female at all students.

Findings and analysis

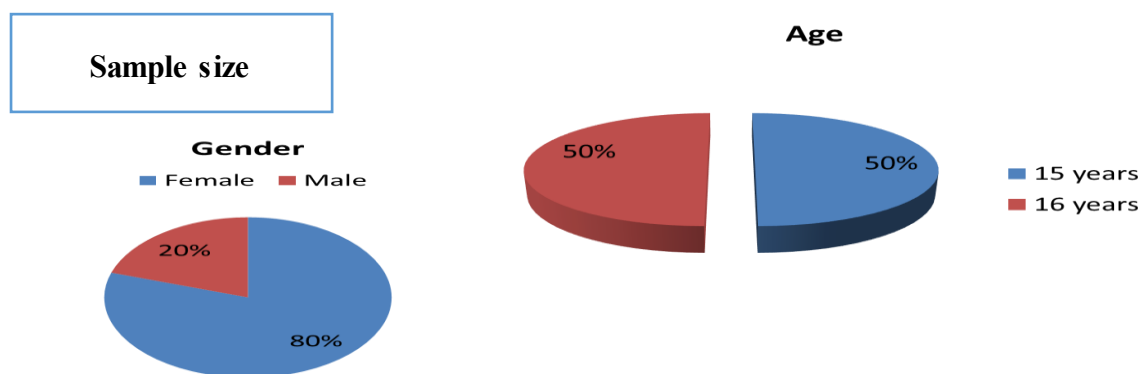
As the result of our research, we put different type of questions, we get such kind of classification of answers, negative and positive answers too, and according to that answers we create neutral position.

For example in our question: - «*What, in your opinion, is the lack of young people in our Republic. How you describe a civil society*»? Most of them answered: «Protection of rights and freedoms», «Social support from the state (scholarships, allowances, etc.)», «Quality education».

-«*What area of youth policy should be given special attention at the state level?*» - «Patriotic education of youth, popularization of culture and creativity among youth»,

«Support for rural youth, youth from small towns», «Social assistance to young people from poor families», «Support for youth entrepreneurship».»

Table No.1. «A sociological survey: «Needs and desires of young people in modern conditions for civil society institutions».



Results

The classical model of civil society began to take shape in the advanced countries of Western Europe and the USA at the beginning of the 18th and 19th centuries. As a result of the bourgeois revolution, the social tyranny will be destroyed, the branches of power will be separated, the legal guarantee of the freedom of speech, conscience, and organizations will be established, and the equality of citizens before the law will be ensured. In Western countries, the guarantee of non-interference of the state in the private life of citizens, respect for their dignity, economic freedom and others is established by the constitution.

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Social contract theory has a normative necessity character and it focuses on the task of everyday political action. American political scientist T. Pein says that "people agree with each other to establish a government according to their individual, independent rights, and this is the only right way to form a government and the only basis on which they can live"[3]. At the same time, it should be noted that social agreements are made not between managers and subordinates, but between citizens. That is, the state is not an equal partner in the agreement and does not have legal rights as a partner.

Hegel did a lot of work in creating, supplementing the concept of civil society and showing its connection with the state. According to Hegel, civil society is a system of associations based on the interaction of individual interests and goals, while the state-public system is a system that realizes public goals. Based on the

systematization of all the works of French, Anglo-Saxon, and German socio-political thinkers, G. Hegel defined civil society from the Middle Ages to the new period. It represents a special development stage of the dialectical movement from the family to the state in the long and complex historical transformation process.

State and civil society are two opposite but equally necessary parts and each constitutes a separate world of human relations. At the heart of the state is power, at the heart of civil society is freedom. If the state strives for unity, civil society strives for diversity, because freedom means the absence of any external pressure and shows free will.

Civil society is a complex of individuals, classes, groups and institutions that are regulated by civil rights and are not directly dependent on the political state.

Thus, Hegel came to the conclusion that there are not only "general" and political interests, but also the sphere of private, more specific, private interests. He defined this sphere as a part of "civil society".

It outlines the following three components of civil society:

- 1) providing and satisfying the individual's needs and his work;
- 2) there is general freedom and protection of property by law;
- 3) to take care of one interest as a common interest with the help of police and corporation.

Every member of the civil society has the right to go to court and to be bound before the court, as well as to get the rights granted to him only through the court. For this, every individual needs to know the law, otherwise these rights cannot help him.

According to Hegel, civil society is the world of private interests and, as such, a phenomenon of the modern world that represents a high level of social differentiation and a developed system of social institutions.

Discussions

In the 70s of the 20th century, the concept of civil society, namely socialist authoritarianism, began to be revived in the works of Polish A. Michnik, Italian N. Bobbio, and German Y. Habermas. The works of Hegel, Marx, Gramsci, who considered the civil society in the form of "state-society" dichotomy, had a great contribution.

Antonio Gramsci was one of the strong Marxist theorists who studied the concept of civil society from a new angle. His popular works in the 70s aroused interest in the issue of civil society. Studying the mechanism of the domination of the bourgeoisie in the capitalist society, Gramsci identified its 3 constituent parts, that is, 3 societies, in particular: "economic society" or "basis" (the domination of the bourgeoisie on the economic basis, which includes assimilation and distribution), "political society" (state domination in the full sense by coercion with the help of the apparatus) and the last "civil society" (these are various unions, mostly in the "individual" sense - party, trade unions, church, etc.)

Political and civil society are closely related to each other because as a result of the union of the two concepts, the power of the ruling classes is realized. The above-mentioned 3 societies jointly create state power at the same level from

"below" (formation of various unions) and "above" (transition from economic level to political level). Reconstruction on this basis was shown by Gramsci as "historical union"[4].

According to Gramsci, in order to establish a civil society, it is necessary to analyze the structure of civil society based on the national characteristics of that country. On the contrary, implementation without any research leads to hegemony. Civil society is also seen as a collective and group tradition. According to the English historian and political scientist E. Black, who is an expert on this topic, civil society in Europe was formed on the basis of various collective structures - free cities, craft guilds, communes and corporations. They gradually formed the natural environment of political democracy "from below", that is, from the grassroots level.

According to Black, the values and elements of civil society were established in Europe in the 13th century and include the following concepts:

- ♣ demand for personal safety;
 - ♣ to be free from the domination of any party;
 - ♣ the principle of equality of all before the law;
 - ♣ the right to own personal property;
 - ♣ having the right to privacy;
- institution of coordinated relations between individuals and groups equally;
- ♣ recognizing different qualities of individuals, treating other people with respect[5]

Jürgen Habermas, a well-known representative of the Frankfurt school, viewed modernization on the one hand as "separation of the market-controlled economic system from the political state order" and on the other hand as "economic independence, which is one of the main factors in the formation of civil society". The main criterion is the presence of private property. Civil society is a system of socio-political orientations and norms that develop from property relations.

Y. Habermas defines modernization as the separation of the management market of the economic system from the order of the political state, and on the other hand, the creation of a useless state apparatus economy. This is one of the main factors in the creation of a civil society, that is, economic independence deprives the state of its controlling mechanism. Having private property is the main condition here. Civil society is a horizontal connection, a social-political direction and a system of norms, which are formed directly from personal relations.

Any form of legal liability is based on the following principles:

- Legitimacy - responsibility only on the basis of the law, for the actions stipulated by the law and within the law;
- Fairness - a law that defines or reinforces criminal liability for abuse, must not be in force; the gravity of the offense and the degree of guilt, one penalty for one offense;
- Goodwill - banning the use and punishment of torture and other cruel, degrading treatment;
- Grounding - a thorough investigation of the circumstances of the case and the identification of the fact of a particular offense committed by a person as objective;

- Relevance - compliance of the chosen impact measures with the objectives of legal responsibility, their individualization and differentiation, accounting of the circumstances causing aggravating circumstances and mitigating circumstances;
- Responsibility is the fact that there is no legal liability and that it will be absolute [6].

Conclusion.

To sum up, from the views of various thinkers on civil society given above, the following conclusion is drawn on civil society:

- Firstly, civil society is a representative of the early bourgeois construction, based on the introduction of the value of private property, labor and free enterprise, when a person was freed from the oppression of the monarch and became a citizen with equal legal rights like other citizens.
- Second, civil society-family, educational system, scientific and spiritual associations, professional, women's, youth social organizations, representatives of various professions (students, engineers, lawyers, etc.) is the sphere of interests and people's needs.
- Thirdly, civil society is a system of non-political organizations that are constantly in conflict with state institutions. The structure of civil society is not formed by the order of the state, it is created from below due to internal reasons. Subjects included in such a social sphere perform mutual services as independent, free and equal competitors.
- Fourth, by the beginning of the 20th century, a specific type of civil society was created in many Western countries as an additional mechanism for involving the people in power.

Today, there are misconceptions that capitalism is closely related to civil society. For example: economic "leopards" of Asia - Singapore; The position of civil society in Taiwan and South Korea is weak.

In addition, as for the opinion that economic growth always develops from civil society, this will also be one of the wrong opinions, because in the countries of India and Bangladesh, where poverty occurs, civil society is firmly established.

However, civil society is weak in high-economy China. According to the American researcher Allan Fowler, we look at civil society from three different perspectives:

1. Triple joint - state, commercial and non-commercial sector;
2. Alternative (or political) point of view-dynamics, i.e. opinions-coercion-opposition-revolution
3. Viewing civil society as an "arena" or an inviolable territory of all three sectors, the fourth sector is the family.

The most famous of them is the first. The mentioned organizations exist in different proportions or in different positions of different societies, closely interacting with each other in the political and social sphere.

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АЗАМАТТЫҚ ҚОҒАМ ИНСТИТУТТАРЫ

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Аңдатпа. Мақалада заманауи көзқарасқа сай азаматтық қоғамға азаматтық өмірдің басқа да құндылықтары, демократиялық заңдар, биліктің бөлінуі, құқықтық оппозиция, көпартиялық жүйе, адамдардың және олардың бірлестігінің, топтың саяси және әлеуметтік бостандықтары сынды өте құнды да, өзекті мәселелер қозғалып, әлеуметтік, саяси, халықаралық деңгейде қарастырылған.

Мақала авторлары азаматтық қоғамды – материалдық және идеологиялық плюрализммен ажырамас бірлікте заңды түрде тіркелген, құрылымдық мақұлданған және психологиялық тұрғыдан қамтамасыз етілген қоғамдық-саяси қызмет ретінде ғылыми түрде орынды сипаттаған.

Әдістемелік бөлімде авторлар азаматтық қоғам институттарын тарихи деректерге сүйене отырып, антикалық және орта ғасырлардың ұлы ойшылдары арасында азаматтық қоғам концепциясының пайда болуынан бастап, қазіргі постмодернизм тұрғысынан азаматтық қоғам институттарын сипаттады. буржуазиялық қоғамның өнімі және оларды нарықтық қатынастармен байланыстыратын деректер негізінде. Мақалада бұл ұғым еуропалық және американдық әлеуметтанушылар еңбектерінде де зерттелген.

Мақалада азаматтық қоғам идеясы туралы әртүрлі қарама-қайшы пікірлер бар. Әсіресе, Адам Смит, Дэвид Рикардо, Гегель, Хабермас, Т.Гоббс, Маркс, Грамши, Ш.Монгескье, Ж.Ж.Руссо, Т.Пейн, И.Бенгам, Вильгельм Гумбольд, А.Мичник, Н.Боббио, Дж. Хабермас азаматтық қоғам түсінігін жаңа қырынан зерттеген зерттеулерге сүйене отырып, өзіндік сыни саяси талдаулар жасады.

Мақалада авторлар азаматтық қоғамды халықтың өзі құрған бірлестіктер, отбасы, кооперативтер, бірлестіктер, қоғамдық ұйымдар, кәсіби, шығармашылық, спорттық, этникалық және басқа да бірлестіктер, азаматтардың өндірістік және жеке өмірі ретінде сипаттайды.

Сондай-ақ XVII-XVIII ғасырлардан бастап өзін-өзі басқаратын үкіметтік емес ұйымдар ретіндегі азаматтық қоғам түсінігі тарихи ғылыми тұрғыдан зерттелді. Бұл мақалада авторлар азаматтық қоғамды адам құқықтарын қорғайтын, қоғамдық келісімді

нұрландыратын бірлестік, азаматтардың мүдделерін жүзеге асыратын және бақылайтын халық егемендігі ретінде қарастырады.

Тірек сөздер: азаматтық қоғам, буржуазиялық қоғам, нарықтық қатынастар, демократиялық заңдар, биліктің бөлінуі, құқықтық оппозиция, көппартиялық жүйе, плюрализм

ИНСТИТУТЫ ГРАЖДАНСКОГО ОБЩЕСТВА

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Аннотация. В статье в соответствии с современной точкой зрения рассматриваются иные ценности гражданского общества, демократические законы, разделение властей, правовая оппозиция, многопартийность, политические и социальные свободы людей и их объединений, групп и др.

Авторы статьи научно верно охарактеризовали гражданское общество как юридически оформленную, структурно утвержденную и психологически подкрепленную общественно-политическую деятельность в неразрывном единстве с материальным и идеологическим плюрализмом.

В методологическом разделе авторы описали институты гражданского общества на основе исторических данных, начиная с возникновения концепции гражданского общества у великих мыслителей древности и средневековья, с точки зрения современного постмодерна, как продукта буржуазного общества и на основании данных, связывающих их с рыночными отношениями. В статье также изучена данная концепция в работах европейских и американских социологов.

В статье встречается разные противоречивые мнения об идее гражданского общества. Особенно в работах Адама Смита, Давид Рикардо, Гегель, Хабермаса, Т. Гоббса, Маркса, Грамши, С. Монтегье, Ж. Ж. Руссо, Т. Пейн, И. Бенгама, Вильгельм Гумбольдта, А. Михника, Н. Боббио, Ю. Хабермаса было сделано собственные критические политические анализы, основанные на исследованиях, изучавших понятие гражданского общества под новым углом.

В статье авторы описывает гражданское общество как объединения, созданные самими людьми, как семья, кооперативы, объединения, общественные организации, профессиональные, творческие, спортивные, этнические и другие объединения, производственную и личную жизнь граждан.

Также исторически научно изучены понятие гражданского общества начиная с XVII-XVIII веках как самоуправляемые неправительственные организации. В данной статье авторы рассматривают гражданское общество как ассоциации защищающие права человека, излучающие социальную гармонию, как народный суверенитет реализующие и контролирующие интересы граждан.

Ключевые слова: гражданское общество, буржуазное общество, рыночные отношения, демократические законы, разделение властей, правовая оппозиция, многопартийность, плюрализм

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