FEATURES OF THE FORMATION OF THE PHENOMENON OF CIVIL SOCIETY IN UKRAINE: THEORETICAL ANALYSIS

Abstract. The article examines the phenomenon of formation, development and functioning of civil society in Ukraine. It was determined that the specifics of the current situation in Ukraine is reduced to the fact that there is a dual process of formation of both civil society and the rule of law, where human civil rights are subordinated to the norms of international law. It is noted that the result and internal source of the development of the systems of a new type of civil society is the social orientation to the realization of the potential of the human personality, the provision of favorable conditions and life activities. It was determined that the state of development of the theory of civil society today corresponds to the development of the constituent parts of civil society, which play a key role in its formation.

It is summarized that the civil society, in turn, should also take care of the individual's rights to various forms of collective activity, support the development of the national idea in every possible way, filling it with the principles of democracy. It is important that civil society not only in theory, but also in practice becomes a field of free life activities of people and mutual will of the people. It can exist and develop only in conditions of consensus among its forces on a number of social values (forms of ownership, moments of democracy, etc.).

After all, the essence of civil society is a combination of economic, political and cultural pluralism, which is reflected in the wealth of forms of ownership, in the denial of ideological stereotypes. It was determined that in view of its geopolitical position, historical experience, cultural traditions, rich natural resources, powerful economic, scientific, technical and intellectual potential, Ukraine can and should become an influential world state capable of playing a significant role in ensuring political and economic stability in Europe.
It is pointed out that modern Ukraine is making the first attempts to identify the goals and priorities of national development, to gain positive experience in the formation of political strategy and tactics of both domestic and foreign policy. For the sake of the effectiveness of democracy in Ukraine, a consolidation ideology must be developed by the spiritual and political elites.

Keywords: civil society, democratization. Ukraine, values, theory, national idea, personality.

Introduction. Modern challenges that have arisen before civil society, and before state administration and local self-government, should only encourage scientists to find and justify new models of interaction between citizens and authorities, approaches to the formation and implementation of public policy. The formation and development of civil society, its historical retrospective, the current state in Ukraine and developed Western countries, predictive models of its future development, depending on various options for the interaction of civil society and the state, have been the subject of thorough scientific research at all times and are relevant to this day.

The problem of formation and development of civil society arose together with the emergence of the state and the division of society into state and non-state spheres of human life. And the main issue immediately arose was the functioning and interaction of the government and society, on which the formation of a full-fledged civil society depends. In Ukraine, this problem is probably one of the most important in the political, economic, and social life of the country, and at the same time, it is not sufficiently researched. Building a civil society is seen first of all as a humanitarian, and only then as a political problem. It is a choice of the future, a means of relating to the present, a way that enables people to define themselves as citizens. The problem of the formation of civil society and civic self-awareness and self-determination is key for the real future of Ukraine as an independent state.

Analysis of recent research and publications. Despite the multivariate definition of the term «civil society» in the social sciences, in academic circles, and in the mass consciousness (primarily thanks to the media, the rhetoric of politicians, public figures, and commentators on political events and processes), there is a certain stability of ideas about civil society and the essence of this phenomenon. Thus, V. Bakumenko, M. Bunyk, O. Garan, N. Hnydyuk, Ya. Hontsiazh, A. Kolodiy, B. Kravchenko, G. Laut, L. Melnyk, V. Merkel, N. Nyzhnyk, I. Pidluska, V. Polokhalo, S. Ryabov, V. Sydorenko, O. Tkachenko, V. Tkachenko, M. Tomenko and other scientists. A. Kolodiy, V. Korelsky, A. Malko, N. Matuzov, V. Perevalov, V. Syrykh gave the most detailed interpretation of civil society, defined its structure and basic principles of activity. A. Karas creates the concept of civil society, considering it as a sphere of human solidarity. The question of the formation of state power, which
would correspond to the ideals of civil society in the context of democratization, is studied by M. Holovaty, Y. Dmitriev, L. Zidentop, A. Kolodiy, A. Matsyuk, O. Rudik, in the context of responsibility, accountability and control - E. Ikhlov, T. Kovalchuk, V. Rudenko, V. Serebryannikov, V. Syrenko, P. Sytnyk, V. Spivak, V. Tymoshenko, N. Khananashvili and other scientists.

**The purpose of the article.** The purpose of the article is to study the theoretical foundations of the formation and functioning of civil society and consider the conceptual foundations of its development at the stage of democratization.

**Presentation of the main material.** The process of formation of civil society is complex and contradictory, its analysis requires a specific historical approach. The emergence and development of civil society takes place during a long period of evolution of modern civilization. This process has many patterns common to many countries. But each state, developing civil society, contributed something special, characteristic of it. Ukraine had quite specific experience in its construction. After all, the feudal system for a long time wore the ugly forms of serfdom. This also determined the characteristic development of society, left a certain imprint on the relations between the layers of the population, on their psychology. Under such conditions, the basis of the socio-economic system becomes the rural community, which, on the one hand, promoted the unity and mutual assistance of the villagers, and on the other - cultivated the spirit of humility. During the entire period of social development, the interests of the collective increasingly dominated the interests of the individual. In such conditions, self-awareness as a citizen, as a full-fledged individual could not happen. The entire history of the idea of a civil society is the history of the transformation of the collectivity itself, organized according to the laws of common life, into the development of a person who has emerged from the natural state of unlimited freedom, into a citizen of this society [1].

In fact, every state should be interested in the creation, comprehensive expansion and deepening of civil society, if it strives to meet the needs of citizens, to its adaptation in the universal civilized process. The development of all elements of civil society becomes vital for the state. Whether such a society corresponds to the achieved level of world civilization should prove the level of satisfaction of interests and needs, civil peace based on the effect of the laws adopted by the state. At the current stage of development, the problem of mass society has practical significance, as a question of the formation and functioning of civil society. The understanding of the general concept of civil society consists in the desire to systematize the distinguishing features inherent in this term. Many scientists studied the issue, including the French political scientist D. Kohl (advocates the view of civil society as a synonym for «political» society), K. Popper (he considers openness to be the main feature of civil society), E. Cohen (limits it to the sphere of social relations), American political scientist O. Encarnacion (interprets civil society as a
set of institutions - a system of organizations created by individuals to defend their interests and values), D. Locke (considered civil society as a form of statehood that has a certain socio-economic and spiritual meaning), T. Hobbes (civil society is a «union of individuals» in which its members acquire high human qualities), J.-J. Rousseau, T. Payne (defined it as the sphere of self-realization of private interests of citizens), H. Hegel (considered it as a system institutions and relations, an intermediate link between the family and the state), K. Marx (considered civil society to be a set of socio-economic relations) [1].

M. Drahomanov conceptualized the idea of a society based on the association of harmoniously developed personalities, on the principles of political freedom, which will guarantee the observance of human and citizen rights, and serve the development of social relations. I. Franko developed the idea of political independence as a natural right of every nation in his writings. In his opinion, a reformed society will be based on the dominance of public opinion, laws should be based on justice, and state institutions should be endowed with only executive functions and controlled by public institutions. M. Kostomarov saw the new system of Ukraine as a society where legal equality of citizens reigns, human freedom is recognized as its most valuable condition; the basis of society is freedom of economic activity, which enables all its members to become owners with equal rights [1].

In modern conditions, one of the requirements of civil society is the factor of social responsibility in all spheres of public life (economic, political, social, ecological, national), at all levels of social organizations (social group, social organization, state, community), connected with bringing universal human values to the fore. After all, social orientation can be established as a principle of social relations only when all necessary needs are satisfied and conditions are created for the realization of the system of historically determined interests of members of society. An important place in this process belongs to the state. She should become an arbiter in resolving conflict issues [4]. This is explained primarily by the fact that today the state has in its hands the overriding right to use coercion, all kinds of sanctions, acting as the owner of material goods, it can, if it wishes, direct its efforts to improve the socio-economic situation of a person, satisfy the interests and needs of certain social groups (employees of budget organizations, basic industries, students, pensioners, etc.). Unfortunately, the reformed state machine is not always ready to take on such a task. The mechanism of interaction between civil society and the state, which finds its manifestation in interaction through parties, elections, and representative authorities, must work.

In Western countries, there is a whole system of representation of interests. Its main participants from the side of civil society are groups and associations based on interests, from the side of the state - executive authorities. In addition to those
mentioned, specific representations were formed - advisory committees and commissions that exist under ministries, departments, and the government, in the work of which groups and associations of interests participate. In Western Europe, the debate about whether the state is a function of society, or whether society, as the state develops, should turn into a function controlled by it, can be attributed to the 18th century, when in the works of English and French philosophers and the theoretical aspects of the debate, it was reduced to determining the fate of power, functions and powers that civil society entrusts to the state at one or another stage of its development. Accordingly, the role of the state in the development of society was determined. There can be two directions in the interaction between civil society and the state. First, the state is and remains a function of civil society. Among the representatives of this direction there are theories of the predominant role of the state («statesmen»), equal partnership («social contract»), its passive role («night watchman») [5].

Secondly, the state is temporary in nature. Affirmation in the theory of postulates about the rapid demise of the state with its gradual replacement by public self-government would lead to the complete destruction of civil society. Each of these theories has its advantages and disadvantages. However, the opposition of the state to civil society leads to the emergence of negative factors, which find their manifestation in the fact that the state and civil society are in a constant process of struggle.

Indeed, the specificity of the current situation in Ukraine boils down to the fact that there is a dual process of formation of both civil society and the rule of law, where human civil rights are subordinated to the norms of international law. And this means that: there is an exclusion of any discrimination based on national-ethnic, political, religious, sex-age characteristics; there is a reliable legal protection of a citizen's personality and dignity, inviolability of his home and property, freedom of choice of residence, departure or entry into the country, confidentiality of correspondence and telephone conversations, freedom of speech, press, and information; a person is given the right to freely express his worldview and spiritual interests; comprehensive protection of civil rights by judicial bodies and public organizations takes place. The previous development of our country testifies that everywhere there was a practice of equating the real state of affairs with program guidelines [6]. There was a discrepancy between the real and formal generalization of production. In this way, the contradiction between the existing social relations and the slogans declared in the documents deepened. This contradiction became an important factor in the deformation of the legal system, the system of interests and values. It is necessary that the construction of our legislation takes place purposefully and gradually. After all, we have not developed real democratic, advanced legislation, but a huge mass of governmental and departmental acts has
grown up, the purpose of which is to ensure a totalitarian system. Legislation cannot be created by itself, in the higher spheres of politics, and life cannot develop by itself, in the opposite direction. Such a situation exists only when there is no civil society [6]. The specificity of the legislative activity of our society at the current stage is that: it has a basic character, since qualitatively new social relations and new paradigms of social life are being created; this process is carried out in conditions where life is mostly based on old structures and there are no objectively new ones capable of implementing the requirements of the law; this activity proceeds from the principle of its complete sovereignty, when the legislative process can be independent of the real state of a given society.

In our country, there are still contradictions between the law and reality, which leads to the multiplication of conflicts in society. The way out of such a situation is to force a realistic nature of legislation capable of taking into account specific situations necessary for the formation of civil society. At the current stage of development, it is customary to talk about such a social structure, the process of formation of which is taking place in many countries, as a society of a mixed type, passing through various stages on the way to a society of social harmony.

The result and internal source of the development of new type systems is the social orientation towards the realization of the potential of the human personality, provision of favorable conditions and life activities. Unfortunately, the current socio-economic policy in Ukraine does not provide stable conditions for realizing the possibilities of transition to this type of society. However, it is not necessary to speak so categorically, because certain conditions for building a society of social harmony are being created in our country.

This is primarily the reform of property relations, the creation of a system of political democracy. Both tasks are inextricably linked, but changes in the economic and political spheres often have different directions. Thus, the historical development of Ukraine has many signs of modernization, it is carried out alongside developed countries. Today, there is a process of bringing all social institutions and processes into compliance with the norms of a developed civilization, which is manifested in the formation of the foundations of the rule of law and civil society. The possibility of new integration will depend on the pace and directions of development of civil society, the prerequisite of which is the proximity of processes and the degree of maturity of national civil societies. Today, Ukrainian society is in a state of war. Political, economic, and social relations are becoming especially acute. That is why it is so important to take care of the development of our statehood and the formation of civil society [4].

After the declaration of Ukraine's independence and the choice of a democratic way of development of the state, there were enough scientific works devoted to the theory of civil society. And this proves that the theory of civil society
finds its supporters in our country. It is essential that civil society should be the basis of political life, to introduce democratic features and qualities into the latter, the very spirit of liberating the individual from state dictates — the basis of the foundations of civil society. Defining the essence of the civil society of the masses is important. But one should always remember that civil society is a society where human interests have priority. After all, a person by his very nature has a desire to live in a society of people, in which he seeks to satisfy, first of all, his private interests. At the same time, of course, the institutions of civil society are designed to ensure a certain balance between social and political forces, and with the help of legal norms to regulate the relevant relations [9].

Thus, civil society is not some isolated individuals, but a complex of social relations, a system of public interests (economic, socio-political, religious, spiritual, family, cultural, and others), which expresses diverse values, interests, and needs of members of society. This is the sphere of self-expression of free citizens and voluntarily formed associations and organizations, limited by relevant laws from direct intervention and lifelong regulation of the activities of these citizens and organizations by the state authorities. This approach to the analysis of civil society makes it possible to conclude that it should reflect civil relations, the interconnection of all spheres of human social life. At the same time, civil society is not just any society, but a collective individual acting through a system of various associations and unions as a kind of regulator of human freedom. In other words, civil society is a sphere of social interaction consisting of the sphere of personal, various associations, social movements and public communication. It is often understood as a place of social action relatively autonomous from the state.

The basis of civil society is division and diversity, a mechanism of restraint and balance. Political institutions separated from cultural ones and deprived of opportunities also received economic profit; officials cannot abuse their official position; the state does not control cultural, religious and scientific life; high social status cannot be a guarantee of authority in the cultural or political sphere. Through the press, legislative initiative, and other factors, a free society gains the ability to control and restrain state power [6].

Thus, an important place in the understanding of civil society is occupied by the associative aspect, that is, the presence of a certain commonality of social subjects seeking self-identification. The issue of civil society is quite complex. It is not limited to the aspect of providing social subjects with sufficient space to exercise their free choice in their own actions for their own and public benefit. But one should not forget that civil society is human society, taken from the point of view of its specific qualitative characteristics. It is under such conditions that its functioning is carried out, when a relative balance is established between the moment of self-activity and the power conditioning of the behavior of specific social subjects. It is
important that civil society not only in theory, but also in practice becomes a field of free life activities of people and mutual will of the people. It can exist and develop only in conditions of consensus among its forces on a number of social values (forms of ownership, moments of democracy, etc.).

After all, the essence of civil society is a combination of economic, political and cultural pluralism, which is reflected in the wealth of forms of ownership, in the denial of ideological stereotypes. The state of development of the theory of civil society today corresponds to the development of the constituent parts of civil society. Let's try to define a significant point that makes it possible to attribute certain social relations to the main elements of civil society. Elements of civil society must meet the following requirements:

- the economic system operates according to the principles of self-organization, self-regulation, and self-management;
- the social system has a clearly defined structural design;
- the political system acts, on the one hand, in the form of a mechanism for coordinating social interests in society, and on the other.

A feature of the state development of Ukraine is the development of the national movement after many years of "proletarian internationalism", which actually aimed to suppress the national identity of the Ukrainian and other peoples of the empire. At the same time, the development of some national customs and traditions was artificially presented as evidence of the observance of the rights to the development of national identity. As a result, there was an outbreak of a national movement with the beginning of democratic transformations. Therefore, one of the priority directions of the development of civil society in Ukraine is the filling of the national idea with normative regulations of civil society. But at the same time it should be remembered that the national idea elevates the collective, and the idea of civil society elevates the individual; Here, the carriers of sovereignty are also different — the nation and the individual. The attitude towards the state is excellent.

The national idea exalts the state as the goal of the nation for its own realization, while the idea of civil society involves limiting the state so that it does not threaten values and sovereignty of the person. In order to involve the national idea to a certain extent in the development of society, it is first necessary to democratize the national idea. The main direction is cooperation with the state, which would guarantee not only the usual economic, civil and political rights, but also ensure the greatest possible openness and freedom of discussion between the most autonomous individuals, namely: guaranteeing the rights of intimacy and privacy, so that individuals and groups have space to discovering one's identity; guaranteeing access rights to the public sphere.

Civil society, in turn, should also take care of the individual’s rights to various forms of collective activity, support the development of the national idea in every
possible way, filling it with the principles of democracy. After all, it is known that history does not know any civil society that would live in accordance with the declared principles. Strengthening of civil society today involves: funding of independent mass media; establishing contacts not only with the government, but also with opposition forces; providing assistance to strengthen key institutions of civil society, judicial and law enforcement bodies; creation and development of charitable and voluntary organizations, with the help of which the population would rely less on state aid and rely more on their own strength; expansion of channels of exchange of technical and humanitarian aid, exchange in the field of education and culture.

Currently, Ukraine is on the path of democratic transformations - improvement of the existing and introduction of new foundations of democracy. Legitimacy of the government, from which the society expects effective management and solving of pressing issues, is a necessary condition for successful democratization. However, when solving pressing social problems, the Ukrainian authorities, while remaining legitimate, do not always use democratic methods, which presuppose long-term coordination of the discussed issues with all actors of the political process.

The development of democracy now faces threats and challenges related to the globalization of society, the spread of the terrorist threat, ethnic conflicts, which lead to serious changes in the functioning of stable democratic institutions. In modern conditions, risk assessment is a theoretical basis for decision-making and in politics. The expanded interpretation of risk is identified with the concept of uncertainty, which means the impossibility of accurately predicting the optimal development vector of a complex policy system and carries not only the probability of negative consequences, but also positive opportunities.

Modern researchers of the theory of risks to the stability of democracy in different countries single out, for example, certain aspects that must be analyzed: 1) population and income; 2) national priorities of the state; 3) economic and geographical position; 4) government and social services; 5) cultural, religious and moral values; 5) openness to external relations; 6) openness of government and its interaction with citizens; 7) constitutional principles and conflicts in the government; 8) flexibility of national political institutions; 9) the role of the army, the church, parties, the press, and educational institutions in the state; 10) influence and sources of opposition to the ruling power; 11) presence of military actions and terrorist acts; 12) the number and conditions of detention of political prisoners; 13) level of official corruption; 14) external relations; 15) foreign investments; 16) international agreements; 17) membership in international organizations; 18) the country's position on certain international issues, voting in the UN; 19) financial support from other states; 20) situation in the region; 21) observance of human
rights; 22) will to power and political activity of persons in power; 23) opposition outside the country; 24) participation in terrorist acts in other countries; 25) diplomatic conflicts.

F. Schmitter’s theory can be applied to the analysis of the risks of stable democracy in Ukraine, which distinguishes internal dilemmas inherent in modern democracy regardless of the place and time of its emergence, as well as external dilemmas that question the compatibility of new democratic rules and practices with existing social, cultural and economic ones. The creation of democratic political institutions and practices in modern Ukraine is accompanied by sharp disputes about their expediency and the possibility of application in the Ukrainian political process.

The orientational component of politics changes slowly, so citizens’ awareness of the need for democratic institutionalization collides with the traditional approach to the political sphere. One of the main economic obstacles to democratic development today is the lack of a middle layer of society, the low income of the majority of the population. And the future of democracy in the country, as you know, is connected with the development of its economy. Most researchers agree that the stability of democracy depends on broad support from citizens. Civil society cannot simply be borrowed, it must be formed on the basis of traditional culture, taking into account the economic and political development of the country, the growth of well-being and self-awareness of the people.

A political regime is democratic only if it represents the interests of broad sections of the population. The political elite should rule in the interests of the majority of society, not for the benefit of a privileged minority. Democracy is based on the value of each person, therefore it strives to create civilized living conditions for all citizens, regardless of wealth and talent.

Political scientists distinguish three stages in the implementation of democratic transformations:

- Liberalization. Changes in the relationship between the state and civil society should take place here. Civil society is becoming more active, and among the elite there is an initiative to reform the political system in the country.

- At the stage of democratization, all contradictions between different branches of state power should be eliminated, updated political institutions should be formed, and changes should be made to the legislation.

- Consolidation of democracy and, as a result, achievement of democratic stability. This transition can be very long. The establishment of democracy is determined by the ability of political actors to reach a consensus.

For Ukraine, as one of the states that has embarked on the path of democratic transformations, the issue of the ability of democratic institutions to withstand the
test of time, to withstand political conflicts and crises is of primary importance. To a large extent, it depends on the type of political regime established in the country. Thus, V. Polokhalo classifies the political regime in Ukraine as «semi-authoritarian», created by national leaders who sought to protect their own interests, but at the same time preserve the appearance of democracy [9].

The researcher finds real prerequisites for the success of the process of democratization of Ukrainian society. In his opinion, they consist in the gradual activation of civil society and the presence of a democratic counter-elite in the country. According to the theory of A. Leiphart, the optimal political regime for Ukraine, if, of course, it wants to be a democratic state, should be a co-societal democracy, which is characteristic of most European countries and which has turned out to be more or less neutral with regard to the categories of «Western» and «non-Western» types of democracy. This theory is applied to societies characterized by segmentation. Segments can be of a religious, ideological, linguistic, ethnic, national and similar nature. The main goal of co-societal democracy is the equalization of contradictions and the creation of a system of checks and balances for a large number of political elites, and the main feature is the cooperation of elites [5].

Based on the analysis of scientific literature and Ukrainian political realities, it is possible to propose a conceptual model of the democratization of Ukrainian society, which has the following components:

1. Development of civil society and reduction of the distance between the government and citizens.
2. Perception of democracy as a value by the majority of citizens, a relatively high degree of their political education, which gives people the opportunity to make their choice consciously, based on knowledge and rational calculation.
3. The formation of a political elite that professes democratic values.
4. Achieving consensus between different political forces. Overcoming the contradiction between the democratic form and the undemocratic essence of power institutions. Acquiring by political institutions not only a democratic form, but also a democratic content, their production of a real democratic policy.
5. A high socio-economic level of state development, economic stability, the predominance of the middle class are precisely the three main characteristics for determining the level of democracy of a political regime.
6. Maintaining fair, competitive and regular elections.
7. Protection of minority rights. Majority opinion expressed democratically during elections is a necessary but not sufficient condition for democracy. Only the combination of majority government and the protection of minority rights constitutes a democracy.
8. Active life position of young people. It is this social group that lays the foundations for the future well-being of any country. The direction and pace of
society’s development depend on how deeply young people are integrated into all spheres of life.

9. The formation of a favorable external environment, the development of a foreign policy adequate to the new regime, based on the coordination of interests in society, in close cooperation with the parliament, political parties and taking into account public opinion. (This will be discussed in the next subsection.)

From the ideas existing in the subconscious mind, democratization must turn into an active conscious activity in which all members of Ukrainian society will be involved. The Resolution of the Verkhovna Rada of Ukraine «On the Main Directions of Ukraine's Foreign Policy» states that the formation of Ukraine as an independent democratic state takes place during a period of radical political and economic changes in Ukrainian society and historical changes in the system of international relations, which are characterized by the emergence of new independent states, the emergence of new regional power centers in international relations, the transition from the era of confrontation to the era of openness and cooperation, the disappearance of military-political and ideological confrontation in Europe. The process of state formation and building a free civil society in Ukraine coincides with its gradual entry into the world community and its search for its place in the modern complex, diverse and contradictory world [3].

Conclusions. Summarizing, we note that the problem of the essence and trends of the development of civil society is extremely urgent, it is inseparable from the issues of reforming public life in Ukraine. After all, our state has gone through a difficult path of historical development. The prolonged provincial role of Ukraine, the lack of development of its statehood became the reason for the weak development of civil society and its theory. Therefore, the problem of the formation of civil society is directly related to the need to build statehood, since the improvement of society and the state is a necessary condition for the democratic development of the country. In our opinion, modern Ukraine is making the first attempts to identify the goals and priorities of national development, to gain positive experience in the formation of political strategy and tactics of both domestic and foreign policy. For the sake of the effectiveness of democracy in Ukraine, a consolidation ideology must be developed by the spiritual and political elites. History should unite, not sow discord between citizens. The future of democracy is now connected not only with democracy in the political sphere, but also in the economic, social, cultural and other spheres of society’s life.

References:


