

STRUCTURE, MODELS AND CHARACTERISTICS OF CIVIL SOCIETY

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ABSTARCT:

The article examines the most important issues of the formation of the rule of law and civil society in modern Uzbekistan. Uzbekistan has a rich experience of political life, features of political consciousness and develops in unique and difficult conditions. Thus, it turned out that it is wrong to copy a simple copy of the political experience of the Western world.

Keywords: rule of law, civil society, modern Uzbekistan, political consciousness, political experience.

INTRODUCTION:

The idea of limiting the boundaries of "civil society" and "state" was proposed by the German philosopher G. Hegel. It should be noted that society and "civil society" is generally a state term. [1]. According to researchers, "civil society" refers to processes outside the jurisdiction of the state, based on the freedom and autonomy of citizens. [2]. In this sense, we must pay particular attention to the fact that "state" and "civil society" are relatively independent social phenomena. "State" and "civil society" are not an integral part of this process. Because these are specific social phenomena that play an active role in the development and real processes of society. The idea of "civil society" as an expression of the status and dignity of the human person developed on the basis of the scientific achievements of Western European philosophers. Socio-philosophical thinking and the political experience of Eastern states give priority to the equality of humanity as the highest value, regardless of the position and

lifestyle of the citizen. It is true that in the political culture of Western countries all privileges are given to man. But in the cultural traditions of the East, special emphasis is always placed on the interdependent development of society and the state.

Political relations between "civil society" - an economically, culturally and legally developed society and members of "civil society" develop independently of the state and in relations with the state. A civil society with a high level of social, economic, cultural, ethical and social ties in the state structure creates developed legal relations.

Formation of the rule of law and civil society is a very important issue for modern Uzbekistan. It should be noted that Uzbekistan has a rich experience of political life, features of political consciousness and develops in unique and difficult conditions. So simply copying the political experience of the Western world, in our opinion, is not good.

Civil society includes institutions and associations voluntarily created by citizens. These institutions are self-governing, that is, independent of and not relying on government, but live in harmony with government and use their collective efforts in social and civic affairs to deepen and advance democracy. Trade unions, women's unions, environmental and human rights institutions, and religious, artistic and cultural associations are examples of civil society. Although civil institutions have long existed as centers of collective action, civil society in the modern sense emerged in the political philosophy of John Locke, Immanuel Kant, Jean-Jacques Rousseau in the eighteenth century, and then in the political philosophy of John Stworth Mel in the eighteenth century. nineteenth century [3]. Of course, the great

twentieth-century philosopher Jürgen Habermas is the scientist who brought the public sphere to the forefront of civil society [4]. Civil society, as mentioned above, pays more attention to social and civic issues, but political society more includes political parties and structures in the process of acquiring political power. Two civil and political societies can complement each other in the formation of a democratic society. Opinions on this matter were expressed by the scientists of our country M. Sharifkhoyaev, N. Shodiev, S. Khusanov, T. Dust'yanov also learns from Aristotle. For example, M. Sharifkhodzhaev writes that "Aristotle's state was nothing more than a general union of citizens, a civil society." [5] T. Dust'yanov and S. Hasanov said: "The thinkers of the ancient world were the first to try to reveal the features and theoretical foundations of the rule of law of Socrates, Democritus, Plato, Polybius, Cicero. Consequently, legally recognized and at the same time limited state power is, according to ancient thinkers, a just state governed by the rule of law ... [6]

Civil society is a democratic state based on the rule of law. Such a society is citizen-oriented and creates an atmosphere of respect for traditions and laws of law and international humanistic ideals. Civil society creates opportunities for prosperity and the realization of the rights of individuals and citizens, while naturally creating tools to limit power and regulate the activities of public authorities. The origins of civil society are reflected in the history of the development of civilizations, which can be described as the desire of the thinkers of each era to create a model of an ideal social system in which there is intelligence, freedom, prosperity and justice. The creation of such a society has always been associated with the improvement of the state and the supremacy of the rule of law and the rule of law. For this reason, the policy of

Aristotle (384-322 BC), one of the first authors of the concept of "civil society", puts the interests of citizens at the center of thought. By "citizen" the "first teacher" did not mean any member of society, but free and independent people. In his view, the state is the sum of citizens, that is, civil society. Apparently, Aristotle uses the terms "state" and "civil society" in the same sense. [7]. For example, in the ancient world, this idea was expressed in Plato's theory of eidos. It is also necessary to take into account the point of view of Aristotle that the state is a self-sufficient unit consisting of citizens, in other words, civil society. Supporting the idea of equal rights for people, Cicero emphasized that the law is the unifying link of civil society and that the law created by law is the same for everyone. In the early stages of human development, such a society was completely connected with the state, which arose as a result of the current economic development of mankind and the development of socio-political relations. According to many thinkers of antiquity and the Middle Ages: "The state was the main institution regulating social relations. This understanding of reality is the result of the absence of the concept of interconnection and duality of society and the state at this stage of development of society." [8].

Abu Nasr al-Farabi emphasizes the need to introduce fair governance in the country in order to build a civil society (noble city) for the first time in Eastern philosophy. The thinker lists the internal and external functions of the state, reflecting on the forms of government. The effectiveness of these functions (internal - ensuring the happiness of citizens; external - protecting the city) depends on the rational organization of management. Farabi includes such forms of government as monopoly, rule of the country by a small group, and the rule of a ruler chosen by the people. He believes that only a rational policy strengthens the rights

and obligations of a person in society [9]. The difference between the virtuous and just community that Farabi dreamed of and the ignorant community is that people help each other closely to achieve the finest and best goals, as well as common interests. Obviously, Farabi puts forward requirements for the spiritual growth of people, the acquisition of civic qualities in order to build a noble community. As early as the beginning of the 10th century, Forby described the project of a simple and understandable model of a just civil society as follows: "profession. People will be truly free. One will not be the master of the other. There will be no Sultan (ie, the King) who interferes with the peace and freedom of people. There will be various good habits and pleasures among them" [10]. It is obvious that the main feature of the "cultural society" put forward by the thinker is also important because it is one of the most important elements of civil society - human freedom.

The further development of relations in society marked a further change in the views of civil society scholars. In the XVI-XVII centuries G. Grotius, T. Gobbs, Dj. Locke, C. Montesquieu, J.-J. Rousseau clearly saw the difference between forms of government and civil society. This was the case only when civil society was built on natural-legal and contractual principles. For this reason, J. Mavlonov said: "As the first historical and scientific paradigm of civil society, we can refer to the ideas of antiquity. The opinion was formed that civil society has a moral and spiritual character in the east and a socio-political and economic character in the west. This opened the way for the formation of ancient paradigms of Eastern and Western civil society. In the Middle Ages, the dominance of religious norms in socio-philosophical views had a significant impact on the nature and content of civil society. In particular, the ideas and views of Christianity and Islam formed the

basis of the religious paradigm of civil society". [11], - concludes that.

The foundations of civil society can also be found in Kant, who believed in:

A person must create everything himself and be responsible for what he creates.

The reasons for human self-improvement are a conflict of human interests and the need to protect these interests.

At the legislative level, civil liberties, backed by law, are a prerequisite for self-development, a guarantee of the preservation and promotion of human dignity.

The foundations laid down by Kant, of course, can form the basis of the theory of civil society. After Kant transferred the conflict between individuals to interstate relations as a means of stimulating self-development, he comes to the conclusion that the main task created for him by nature is the creation of a universal legal civil society. In support of the philosophical teachings of Kant, Humboldt sought to illustrate the contradictions and differences between civil society and the state with specific examples. Humboldt called civil society a system of national and social institutions created by citizens, as well as natural and universal human rights. On the other hand, the state, from the point of view of Humboldt, is a system of state institutions created by the same state, consisting of positive law and a citizen. [12]. G.V. Hegel played an important role in the formation of clear ideas about civil society, which they described as a sphere of activity of personal interests. For such a society, he defined family, class relations, religion, law, morality, education, laws and legal relations arising from interaction. In this idea, a special role was assigned to citizens opposing each other.

K. Marx and F. Engels gave the world a materialistic description of this phenomenon and the category that reflects it. The authors argue that civil society is a material connection

between people at a certain stage in the development of productive forces. Such a society encompasses the entire commercial and industrial life of this stage and transcends state and national borders [13]. But on the other hand, civil society must present itself as a nation in the external environment and as a state in the internal environment. Historical analysis of opinions and judgments shows that the formation of civil society is a complex and contradictory process, spanning hundreds of years, starting with the formation of elements of civil society in the ancient world (Athens and Rome). This process manifested itself in medieval cities such as Lubeck and Novgorod, and now it can be observed in the developed countries of Europe and America. The formation of civil society depended on economic and legal relations, the stages at which the personal and economic freedoms of citizens are, as well as the relevance of means of limiting the power of state structures.

Certain features of civil society are inherent in any system of society, but they can be at different stages of development. For example, while these qualities are in their original state, and in a totalitarian state these qualities are completely suppressed. The characteristics of civil society may be in a state of readiness to win, or they may simply be filled with clear signs of a class social system. Only in a democratic state do these features prevail in achieving social equality.

T. Payne, in contrast to the state, represented civil society and viewed the state as an inevitable evil - the less of it, the better for society. T. Payne viewed society as a system that regulates interaction between citizens, who are dependent by their nature, as a structure of peaceful competition, mutual assistance and mutual interests. The thinker viewed the economic, cultural and political institutions of society as the main factors of civil society. [14]. Thus, during this period (the

beginning of the eighteenth century - the end of the nineteenth century), two main theories of the development of civil society arose. On the one hand, this is the image of the "universal state" by G. Hegel, who presented property as a complete intervention in the affairs of civil society in order to resolve the contradictions and contradictions inherent in the state. On the other hand, this is T. Payne's theory of the minimal state, in which the idea of limiting the role of the state in managing society and recognizing the right to self-government for civil society was realized. [15].

The idea of civil society and the third stage of its development is considered from the beginning of the 20th century. The German philosopher and sociologist Habermas, who made a great contribution to the development of the theory of civil society, considered civil society as a state sphere that exists between the individual and the state, in which their relations develop. He proposed the concept of transparency (of the masses), which has become key in the field of creating models for the formation of civil society. As Habermas points out, the distribution of newspapers and magazines led to the politicization of society and the emergence of claims to participate in political life. Such a church, matured in political activity, appeared in the history of mankind in England at the beginning of the 17th and 18th centuries and found its expression in the creation of a representative body of government. Members of the community sought to unite their interests and come to a political consensus while participating in parliamentary activities. Society understands political life on the basis of the category of law, which in public opinion has the characteristics of general and reasonable law. Consequently, the natural law of domination is replaced by the rule of law, which is a sign of the formation of society. Habermas sees the institutional core of civil

society as voluntary associations outside the state and the economy that enable citizens to rule and act against power based on tradition, power, and ritual [16]. At the same time, he negatively assesses the prospects for the development of the public sector in the twentieth century. He also seeks to idealize the institutions of the modern era, which created the conditions for the implementation of the political and philosophical ideas of society. However, according to Habermas, due to the commercialization of relations and the expansion of the field of professional politics in the twentieth century, it was only possible to create a society in decline [17].

In his later works, Habermas's approach to the prospects for civic self-organization was somewhat different. Thus, in his 2007 essay "On the causes of the public sphere" the author describes the crisis of traditional media (newspapers, television) in Germany, which have become more dependent on profit and advertising, and at the same time criticizes the current situation. ... The thinker emphasized that the media should not only satisfy the easily commercialized needs of people for entertainment, but also provide its consumers with the opportunity to participate in cultural life, observe political processes and shape political views. Habermas explores the role of the press in the development of the public sphere and the formation of public opinion, as well as the reliability of information. The scientist assesses the importance of the public sphere in a modern state, "promotes the democratic legitimacy of the state's actions", participates in the selection of topics sufficient to tie them together for political decision-making, their subsequent processing and formation. J. Habermas's views on civil society were supported by political scientist Jean L. Cohen and sociologist Andrew Arato [18].

Cohen and Arato introduced the concept of "civil society" into a sphere of social

influence, consisting of families, associations, social movements and various forms of social relations located between the economy and the state. The authors compare civil society with the political community (parties and parliaments), as well as with the economic community (production and marketing organizations). In their opinion, non-political public associations form the basis of civil society. Scientists understand civil society as "creating associations and living in associations", which is associated with self-creation, self-mobilization and institutionalization and is a prerequisite for the creation and existence of civil society. According to T. Jansson, who described the relationship between the state and civil society in the form of a "dramatic triangle", at the top and bottom of the triangle of states there are, on the one hand, local authorities and municipalities affiliated with the state, and public associations of citizens in the private sector. T. Jansson writes that when the ruling elite pursues a policy aimed at supporting the public initiative of citizens, the necessary conditions will be created for them if the state's interference in society is minimal and the elites of civil society will respect government structures. [19]. In the context of the ongoing large-scale reforms in the Republic of Uzbekistan and the need for an accelerated renewal of fixed assets, leasing is of particular importance as a form of financing the investment activities of economic entities.[21]

Models of relations between the state and civil society were studied by the Polish sociologist Edmund Vnuk-Lipinski, who identified only three such models: 1) civil society as opposed to the state; 2) civil society other than the state; 3) in addition to the state civil society [20].

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