Tamara Lozynska¹, Oleksandr Ivanina²

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INHOMOGENEITY OF CIVIL SOCIETY AND ITS INFLUENCE ON GOVERNMENT

Key words: civil society, power, state, public administration, political process, public participation, public organization, manipulation, advocacy.

ABSTRACT: In the context of democratic discourse, civil society is given a decisive role in the formation of power and influence on power. However, between the authorities (state and self-governing) and public organizations, as representatives of the interests of civil society, mostly subject-object relations are established, where the subject is the government. The article is devoted to finding an answer to the question: can the model of subject-subject relations between the government and civil society, where both social institutions are equal participants in the political process, have practical application? Analysis of social changes in Western Europe and Ukraine gives grounds to support the point of view of those scholars who consider civil society the basis of the state, a factor that gives a specific character to each state formation, regardless of the generality of democratic processes. At the same time, attention is drawn to the heterogeneity of civil society, which is a barrier to its consolidation and strengthening of subjectivity. There is a noticeable increase in competition between the state and civil society in terms of influencing society, as well as the manipulation of public movements by public authorities to achieve political goals. However, a fairly high level of public confidence in public organizations and the potential for their advocacy allow the use of public influence to activate the population and strengthen the position of civil society in relations with the authorities.

¹ Doctor of Sciences (Public Administration), Professor, Department of Public Management and Administration, Educational and Scientific Institute of Economics, Management, Law and Information Technology, Poltava State Agrarian Academy, Ukraine, email: tamara.lozynska@pdaa.edu.ua. ORCID: 0000-0003-2858-9374.

² Postgraduate student of the Department of Political Science and Public Administration, Uzhhorod National University, Uzhhorod, Ukraine, e-mail: oleksandr.ivanina@gmail.com; ORCID: <https://orcid.org/0000-0001-9427-8473>.

INTRODUCTION

Between “power” (in the context of the study, this term refers to public authorities and local self-government bodies) and society, represented mainly by formal and informal non-profit associations – public and charitable organizations – mainly the subject-object nature of relations is established. In scientific developments on the analysis of public participation, in particular copyright, “power” is considered as the subject of the policy of attraction, and “society” – as an object, Ivanina (2020a). However, if we consider participation as a social phenomenon, then in certain periods of time, under certain conditions, both “power” and “community” act as equivalent subjects of the processes of participation. The question arises: is it possible to consider public initiatives and that joint practice of communities in their interaction with the authorities, the basis for the formation of a subject-subjective model of participation, where both “power” and “community” are subjects?

In recent years, communities of Ukraine are increasingly striving for *participation*, rather than *involvement*, using tools such as local initiatives, self-organization of the population, citizens’ appeals, electronic petitions, public expertise, Ivanina (2020b). Based on the normative and philological definition of the term “society”, it should be stated that society is more a conglomerate than a monolithic entity (Law of Ukraine “On Local Self-Government”, 1997; Bilodid (editor), 1980, pp. 173–174). So can a community, given its “conglomeration”, act as an equivalent to the authorities, a legitimate subject of local politics, Weber (2018)? The answer to this question can be found by carrying out a scientific search in the direction of studying the interaction of such public institutions as “power” and “civil society”.

T. Hobbes was one of the first to use the concept of “civil society” in his works, arguing that the foundation of the formation of civil society is mutual fear (any prediction of future evil), and not mutual respect, Hobbes (1989, p. 278). According to Hobbes, fear becomes an incentive factor in the formation of a social contract between the state and civil society, which is considered by the researcher as an integral part of the state.

George Locke recognized the formation of civil society as a condition for a person's transition to a higher civilizational level: "... when a certain number of people are so united into a community that each of them renounces his share of the executive power, which is inherent in him by the law of nature, and transfers it to society, then, and only then, there is a political or civil society. ... And this moves people out of their natural state in the country..." (hereinafter translated into Russian – T. Lozynska, A. Ivanina) Locke (1985, p. 312). Hegel defines civil society as an intermediate, transitional formation between the family and the state and argues that without the state such a phenomenon as civil society is impossible, Hegel (1990). Unlike the aforementioned philosophers, Karl Marx denies the secondary nature and dependence of civil society on the state: "... the modern state has a civil society as its *natural basis*, just like a civil society person, that is, an independent person connected with another person only by ties private interest and unconscious natural necessity ... That is, natural necessity, the properties of a human being ... *interest* – this is what unites members of civil society. The real connection between them is not political, but public life ... Only political prejudices can still in our time form the idea that the state should hold the social life, while in reality, on the contrary, the social life holds the state together" (Marx, Engels, 1955, pp. 126, 134).

Later studies reveal the complexity of civil society, which, on the one hand, is an objectively existing reality, a subsystem of a social system that develops in political space and time, has its own stages and territorial varieties, and on the other hand, it acts as a theoretical abstraction, an "ideal construct" which allows a deeper understanding of social relations (de Tocqueville, 1999; Arato, Cohen, 1996).

THE MAIN MATERIAL

So what are the functions of civil society now, in particular in post-Soviet countries and countries of Eastern Europe? The events of 2004 and 2014 in Ukraine give grounds to conclude that it was civil society, and not political structures, that were the main driving force behind the protest

events, later called the “Orange Revolution” and the “Revolution of Dignity”. The protests in Belarus in 2019–2020s also give rise to thought: how could it have happened that in a state with a rigid totalitarian government, with a lack of freedom of political views and a variety of political life and institutions, a resistance movement arose that posed a real threat to the ruling regime? Interestingly, Polish researchers of the development of civil society quite often noted its weaknesses in this country (Nowak, 1979; Giza, 2013), but such views are no longer consistent with the modern reality of Poland. «Critical opinions about the lack of Polish civil society do not apply to the entire modern history. There have been historical situations in which it manifested itself in a unique way. This was the case during World War II, when the Polish Underground State was established in our country. They were alternative to the occupation structures, not only political and military, but also also judicial, self-help, educational and cultural, even scientific» – Podemsky (2014). Even more impressive manifestations of civil liberties were observed during the protest movements organized by the “Solidarity” trade union. «The hypothesis of this study is the supposition that “Solidarity” in Chojnice, as in the rest of Poland, was a new social movement, not only for trade unions and workers, but also integrating various classes and social groups, arising as a result of a difficult financial situation and due to the lack of the possibility of realizing aspirations, ambitions and political aspirations, lack of freedom political and social justice in the conditions of a single-party state, referring to the slogans of freedom and the will to implement them in the new a political system that combines social and economic goals with political ones and national», Waldock (2015, p. 16).

Civil disobedience is caused not only by the totalitarianism of the ruling elite. This is evidenced by the strikes in France, which began in 2006. And they continue for 15 years, then dying out, then flaring up. From the very beginning, it was a social protest organized by student trade unions to oppose the introduction of legislation regarding the first work contract for young people. Actions against the so-called “first hire contract” were not regarded by all political scientists as positive. T. Oharkova (2014) cites the opinion of Jean-Vincent, a doctoral student at the Higher School of Social Sciences in Paris, who believes that external forces often participate

in such protests, which use an excuse to break and destroy everything. So, we can conclude that one of the functions of civil society is to organize resistance to the authorities, even if it is not totalitarian, but simply makes unpopular decisions. Our conclusion is confirmed by the rather controversial opinion of S.V. Kononenko: "... civil society should not be considered an absolute political blessing, since we are talking about an anti-state, protest, conflict-oriented segment of public relations, which is more intended for struggle and confrontation than for unification and rallying. It should also be borne in mind that this society can become a convenient institutional cover for destructive forces. In particular, we are talking about terrorist organizations, which usually have two "wings" – legal and underground (military). The social "habitat" of the former is precisely civil society", Kononenko (2012, p. 99).

Nevertheless, the overwhelming majority of researchers, while agreeing that civil society is a source of protest sentiments and is in opposition to the current government, identify its other functions as well. Thus, V. Gelston (2005) draws attention to the function of social connectedness. In his opinion, voluntary associations can reduce the dangers of anomie, instill the customs of civic engagement, and influence the formation of public opinion. Civil society, shaping its policy of influencing communities, can offer alternative solutions for the allocation of resources, the definition of goals and priorities for the development of local communities. This inevitably leads to competition between the government and society for the redistribution of power. The purpose of this competition on the part of the authorities is to increase the level of their own legitimacy, which is achieved by involving citizens in the decision-making process, even if in the form of their discussion. Civil society, as a source of power, allegedly does not require legitimization. But is it really so? The norms of Ukrainian legislation regulating the activities of public associations do not give grounds to assume that civil society organizations are endowed with the function of expressing the interests of the whole society or even an individual community. It is clear that the confidence of citizens in the activities of public organizations that express the interests of various social groups is not high. According to the Razumkov Center, public organizations are trusted by about 50% of the population of Ukraine and

have a generally positive balance of trust (the difference between the number of those who trust and those who do not) (O. Razumkov Ukrainian Center for Economic and Political Research, 2021) (fig. 1).

Fig. 1. Change of confidence of citizens of Ukraine in the activities of public organizations, 2017–2021.

Source: drawn up by O. Ivanina based on the data of the Ukrainian Center for Economic and Political Research named after O. Razumkov.

At the same time, the level of public confidence in trade unions is only 19–25%, and the balance of trust is consistently negative, and such trends have been observed over the past 5 years (Fig. 2).

A. Balakireva and D. Dmytruk give a more detailed analysis of the dynamics of the balance of citizens' trust in social institutions, which indicates that a positive balance is not always inherent even in public organizations, but the authors confirm the negative situation of the balance of trust in trade unions (Balakireva, Dmytruk 2021). Using M. Weber's methodology to determine the types of legitimization of public associations, it should be stated that neither the "charismatic leader" nor the "regulation of procedures" in Ukraine are grounds for legitimizing the positions of citizens' opinion speakers, Weber (2018). Most often, support and recognition of the activities of public organizations is carried out according to the first type of legitimization – "tradition", which involves the struggle for the number of people who support a particular position, Weber (2018).

Fig. 2. Change of confidence of citizens of Ukraine in the activities of trade union organizations, 2017–2021

Source: drawn up by O. Ivanina based on the data of the Ukrainian Center for Economic and Political Research named after O. Razumkov.

Empirical research on the activities of NGOs confirms the fact that they often turn to the population for support of their own agenda. Almost every public action of public organizations is accompanied by calls for the “community” to support it with their presence. Each time, after holding public events, there are discrepancies in the data on the number of participants in the actions. The data provided by the organizers of such actions sometimes exceeds the data published by the official bodies. This testifies to the desire of NGOs to increase their legitimacy, and at the same time demonstrates the government’s interest in leveling this legitimacy, which has signs of manipulation regarding civic participation both on the part of the government and on the part of NGOs. The similarity of the above-mentioned actions and goals of the authorities and citizens’ associations gives reason to believe that both subjects form their own *attracting policies*, at the same time entering into competition with each other, where the objects of this competition are directly members of communities. However, the authorities and public organizations can hardly be regarded as equal competitors, since the institutional capacity of the authorities is much greater. At the same time, the unification of citizens remains organizations,

they pursue different goals and can unite people rather on the basis of common values, Ivanina (2020a).

To date, the competition between the government and civil society in Ukraine (or rather, the confrontation) cannot be considered as a completely positive phenomenon, since it includes destructive processes. Moreover, not only public organizations can organize resistance to the authorities, but also the unorganized population is more and more inclined to demonstrate their dissatisfaction with both the activities of the authorities and the actions of public organizations. The increased level of conflict in society requires the development of models for translating the mechanism of social resistance into a mechanism of social dialogue. And although it seems that bilateral relations are developing between the authorities and civil society, the dualistic model of establishing public dialogue is currently unacceptable due to the heterogeneity of civil society, highlighted above. The well-known tripartite (*tripartism* is the interaction of government, workers and employers as equal and independent partners in order to find solutions to issues of common interest), the model of interaction between workers, employers and authorities is also difficult to apply, since there is no clearly pronounced third party.

Our proposed dialogue model of interaction between the government and civil society assumes that public organizations will act as intermediaries between the government and the population (Fig. 3). Shown in Fig. Model 3 combines two types of participation: *civic participation* and *public participation*. In the first case, the subjects of the processes are precisely the institutions of civil society, in the second – individual citizens]. In the proposed model, such a mechanism of public action as *advocacy* is most clearly manifested, which ensures not only public influence on decision-making, but also participation in their adoption and public representation in parliament. M. Menzhul and V. Navrotsky also note that advocacy, as an organized effort, can provide “... systemic and irreversible changes in the environment; protection and representation of the interests of another” (Menzhul, Navrotsky 2011, p. 5).

Those forms and instruments of participation that are standardized by the current legislation of Ukraine and relate specifically to public participation, in terms of the effectiveness of achieving results are at the highest

Fig. 3. General scheme of the dialogue model of interaction between the authorities and civil society

Source: drawn up by T. Lozynska on the basis of theoretical generalizations of the authors.

level of participation (as defined by the Council of Europe – “dialogue”), instruments of civil participation reflect a low level of communication – information and consultation, Ivanina (2019).

Actually, participation in the full sense of the word is precisely the high levels – “dialogue” and “partnership” that are, that is, those that ensure real participation and contribute to the achievement of real results, which is

manifested in the real influential institutions of civil society on the decisions made by the authorities.

CONCLUSIONS

The results of the study allow us to draw a number of conclusions and determine the prospects for further research on the structure and transformation of civil society:

- interaction between such public institutions as the government and civil society at this stage of democratization in Ukraine is within the subject-object relations, where the government establishes the legal norms for the functioning of citizens' associations, legal restrictions and allows public discussion of power decisions; civil society seeks in return for a more equal relationship;

- the weak subjectivity of civil society in relations with the authorities determines the growth of the importance of such a function as organizing resistance to the authorities, even if it is not totalitarian, but simply makes unpopular decisions. However, voluntary associations of citizens perform other, no less important functions: they reduce the dangers of anomie, inculcate the customs of civic engagement, and influence the formation of public opinion. Civil society, creating its policy of influencing communities, can offer alternative solutions for the allocation of resources, the definition of goals and priorities for the development of local communities;

- the drop in the level of trust in public organizations, despite the fact that it remains relatively high in comparison with the institutions of power (public organizations – about 50%; trade union – no more than 25%), does not allow supporting the thesis that citizens' associations are the spokesmen for interests the whole society. Conglomeration of communities also gives rise to heterogeneity of citizens' associations;

- legitimization of the activities of public organizations usually relies on the support of the population, but the same is necessary for the authorities. The "struggle" between the authorities and public organizations for the commitment of the population is a manifestation of compe-

tition between these institutions and leads to the use of manipulative technologies in confirming their own legitimacy;

– the increased level of conflict in society requires the development of models for translating the mechanism of social resistance into a mechanism of social dialogue. The general scheme of the dialogue model of interaction between the authorities and civil society, proposed in the work, is based on such a mechanism of public action as *advocacy*, which ensures not only public influence on decision-making, but also participation in their adoption and public representation in parliament.

The results obtained made it possible to understand that research in the direction of studying the political aspects of the activities of public associations that, in spite of everything, want to join the government more and more, can be promising.

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