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PARTICIPATION OF CIVIL SOCIETY AND THE STATE IN ENSURING THE DEVELOPMENT OF VOLUNTEER ORGANIZATIONS

Abstract: *In the context of globalization, society acts as a defender of historical, national and cultural traditions, justifying the state's position on the degree of its participation in integration processes. Improvement of civil society becomes possible with the constant expansion of the state's social functions, while social development leads to constant changes in the social structure, based on the emergence of new associations of citizens defending their interests, including volunteer associations. Volunteering has become an important element in improving the quality of life and supporting modern societies, which is why it is recognized as a major social force in social development. The state, represented by its bodies and officials, supports the public initiative to carry out volunteer activities, guarantees and ensures the protection of the rights, freedoms and legitimate interests of volunteers, recipients of volunteer assistance, organizations and institutions that involve volunteers in their activities.*

***Keywords:** state, civil society, volunteering, social policy, social rule of law, civil society institutions, democracy, interaction between the state and society, volunteer organizations, volunteer movement.*

Problem Statement. Historical experience shows that the interconnection and interaction of the state and society become the key to the power of a country's political system. New historical conditions have radically changed the idea of democratic statehood. The state becomes democratic only when it reflects the interests of the people, its majority, when it coordinates the activities of state bodies, local governments and civil society institutions, including volunteer organizations. Such coordination ensures the implementation of the state's policy.

Analysis of Recent Research Publications. The issue of civil society, as well as the democratic Social Law State, is quite developed in foreign and domestic science, as it is based on a significant and multifaceted experience of their functioning. Such researchers as Vlasiuk O. S., Demidenko A., Dvigun A., Krysachenko V. S., Liubchenko P. M., Nechyporenko O. M., Novikov M. M., Petryshyn O. V., Potapenko V., Skrypniuk O. V, Stepyko M. T. conducted a number of studies on these issues, but this issue has not lost its relevance, since the state and civil society are in the process of constant development and transformation, which led to the emergence of the volunteer movement, and this, in turn, determines **the objective** – to analyze the development of volunteer activity as one of the main activities of civil society institutions.

Research and Discussion. Some preconditions for the formation of civil society potentially exist in the culture of any nation. The formation and development of a democratic civil society is considered by scholars to be an integral part of the global process of modernization, the transition from a traditional society to a legal society, from an agrarian to an industrial society. [13, c. 7].

Civil society is primary to the Law State, but the state has an independent mechanism of functioning. Society is the social foundation of the state and, at the same time, its social environment [5, c. 29]. Society participates in the formation and functioning of the state, in accordance with its interests and values, restraining and

controlling it in a certain way. Only in the presence of civil society can a democratic state based on the rule of law exist, develop and successfully solve its problems. It is the state that recognizes, guarantees and enshrines the rights and obligations of a person and a citizen, and regulates legal relations arising in civil society. Indeed, civil society is a voice and advocate for the interests of various social groups and citizens. It is able to make a significant contribution to the sustainable development of the state by providing social services, promoting social entrepreneurship, increasing the number of jobs and self-employed persons, improving the business environment, fighting corruption, promoting transparency of state and local authorities and implementing other socially beneficial projects, and civil society institutions in Ukraine also play an active role in promoting the restoration of territorial integrity and peace building [10].

In modern conditions, the concept of «civil society» is quite broad in content and covers a significant amount of not always homogeneous social phenomena. In particular, it refers to a set of non-political relations, such as socio-economic, moral, religious, and national, along with a wide range of correlating social institutions. The core of these relations is made up of various social subjects (family, classes, social strata, nations), which are linked by common interests of a political, socio-economic, cultural and moral nature [6, с. 271]. These institutions form the basis of civil society; moreover, their effective functioning is the main indicator of the maturity of this phenomenon.

At the current stage of historical development, the world is witnessing a trend towards further development of civil society. Today, civil society institutions operate in most public spheres: in the field of human and civil rights protection, representation of interests of different groups of citizens, provision of social and other services, charity and volunteer activities, implementation of educational and cultural projects, environmental protection, analysis of state policy implementation, monitoring of government activities, anti-corruption activities, etc. [10]. In the context of the globalization, it is the society that protects historical, national, and cultural traditions, justifying the state's position on the degree of its participation in integration processes. Improvement of civil society is possible only if the social

functions of the state are constantly expanded. At the same time, social development leads to constant changes in the social structure, based on the emergence of new associations of citizens defending their interests, including volunteer associations.

Events in the world over the past decade have forced people who wanted to influence social development to unite in certain movements. This was due to a common ideology. At the same time, the civil society organizations operating at that time had to solve both human resources and financial issues. Naturally, in such circumstances, CSOs engaged volunteers in their work and participation in their events, which removed some issues from the agenda, as volunteers found their own way out of the situation (whether through sponsorship or in other ways). Thus, volunteering has facilitated, and in some cases even stimulated, the involvement of citizens in changes in almost all spheres of life. Thus, since the end of the 20th century, the volunteer movement has become very popular [2, p.166]. Eventually, in 1985, the International Volunteer Day was established at the global level [11], thus emphasizing the role and benefits of volunteering at the international arena.

Volunteerism has become an important element in improving the quality of life and supporting modern societies, which is why it has been recognized as a major social force in social development. At the same time, there is a constant conflict of interest in society between different actors, which is quite difficult to overcome. As a result, it is quite natural that in a democratic society certain contradictions result in a broader contradiction between the majority, which is able to influence the final decision in its favor, and the minority, which lacks the potential for such influence. As a result, the social structure of society is characterized by extreme instability, both at the level of processes within social groups and at the level of processes between them. In particular, insufficient awareness of citizens and civil society institutions about the role and capabilities of civil society in the national development and the form of interaction of its institutions with the public sector and business leads to a low level of inter sectoral cooperation in various spheres of public life, especially at the regional and local levels. Stimulating the development of volunteer activity and active involvement of volunteer assistance, including the introduction

of relevant state and local programs, intensification of educational work to disseminate best practices of volunteer activity, is becoming a strategic task of the state in this direction [10]. Thus, in order to promote the development of the volunteer movement in Ukraine, the legislation provides that the central bodies of executive power in partnership with non-profit organizations and institutions that involve volunteers in their activities, as well as other organizations that promote the development of volunteerism, create, develop, launch, administer and develop an information and analytical platform for informing about volunteering opportunities in Ukraine and abroad, create conditions for supporting civil society institutions in attracting volunteers [12].

By ensuring the free development of social groups and individuals, recognizing human rights and freedoms as inalienable, and subordinating its activities to the interests and needs of society, the state itself changes qualitatively. The emergence of new competing interests and needs of civil society, the need to reconcile them, cause a change in the rule of law, which is gradually expanding the range of human and civil rights and freedoms that it recognizes, guarantees and protects, resulting in its transformation into a social model. Thus, the degree of maturity of civil society determines the level of democracy of the state. Without a mature civil society, it is impossible to build a Law State. Optimal human coexistence can only be formed by free, conscious people [7, c. 79].

At the same time, the continuous improvement of a democratic, social state governed by the rule of law is a crucial factor in the modernization of civil society. It operates on the territory of the state and is represented by its citizens. The state is able to create favorable or unfavorable conditions for the establishment and functioning of civil society, thereby significantly influencing it. Therefore, in order to ensure legal relations of civil society, it is necessary to limit state power through the active participation of civil society and its institutions. The basis of the state's activities in promoting the development of civil society is respect for its autonomy. The state authorities and local self-government bodies, avoiding interference in the formation and activities of civil society institutions, should create favorable conditions for the development of civic initiatives,

including volunteer organizations, use transparent mechanisms to support the activities of civil society institutions and implement instruments of public participation in the adoption and implementation of government decisions. The state, represented by its bodies and officials, supports the public initiative to carry out volunteer activities, guarantees and ensures the protection of the rights, freedoms and legitimate interests of volunteers, recipients of volunteer assistance, organizations and institutions that involve volunteers in their activities, as provided for by the Constitution of Ukraine and laws. State and local authorities and their officials shall provide favorable conditions for volunteer activities, increase the public prestige of such activities and create preconditions for their development, support and encouragement of volunteer activities in Ukraine [12].

The relationship between a modern democratic, Social Law State and civil society is based on constant mutual concessions, the desire to overcome contradictions and seek harmony. The activities of such a state are aimed primarily at strengthening the position of the so-called middle class as the social basis of civil society. Under this condition, relations between the state and civil society will be as effective as possible.

Civil society achieved significant success recently, particularly through the efforts of volunteer organizations. These groups were at the forefront of providing essential resources for civilians amid the ongoing the war and humanitarian crisis in Ukraine: for example, by managing evacuations and assisting vulnerable communities. Both large and well-established volunteer initiatives, as well as smaller and recently established ones, made significant contributions toward assisting the Ukrainian Armed Forces. In a short time, volunteers developed strong capacities in fundraising, procurement, logistics, networking, and communications. The significance of their efforts was widely recognized nationally and internationally [1].

Against the backdrop of volunteerism and the development of civil society, the task of the rule of law is to ensure the establishment of the rule of law, the separation of powers, the recognition of each person as the highest social value, and to promote the interests of both individuals and society as a whole. A democratic state governed by the rule of law certainly takes into account the interests of certain social

groups and segments of the population, but above all, it ensures the general interests and needs of the entire society. Only the rule of law, supplemented by the principle of the welfare state, can actually provide favorable conditions for the full and effective functioning of civil society and its institutions. One can agree with the statement that the state is the external political and legal shell of society, and society is the social environment, the social shell in which the state functions [4, с. 44].

Some studies note that civil society is an objective reality that cannot be eliminated by any political regime. After all, state power can deform civil society or minimize the autonomy and independence of individuals and social groups, but it cannot destroy the material and spiritual life of people [3, с. 11]. We can generally agree with this statement, because the foundation of civil society lies in the social nature of a person, his or her tendency to communicate and interact with other people. At the same time, the full realization of the full positive potential of civil society is possible only in a democratic political regime. This is obvious, since the essence of democracy is a constant dialogue between social groups and political institutions, and, accordingly, between civil society, including volunteer organizations, and the state, which is aimed at achieving agreement. According to scholars, democracy is a system that, while allowing for an open clash of interests, still ensures coordinated policy making and control over its implementation. In order for this system to be effective, it is necessary to implement fundamental legal values and to involve the widest circles of society in the democratic process [9, с. 43]. An open society becomes when each individual has the freedom to act in a particular situation in accordance with personal, group and general interests, the ability to set priorities for themselves, and responsibility to society and the state. The more developed the society, the broader the basis for a democratic state, the greater the development of civil society institutions, including volunteer organizations.

Today, the volunteer movement in Ukraine is a manifestation of new social movements in post-industrial societies. It is networked and consists not of members but of supporters. Volunteerism in Ukraine is one of the few forms of real democratic movements that have a mosaic of funding from below and are aimed at fulfilling the

social functions of civil society. Anti-corruption, gender, environmental, and other civil society organizations operate mostly with the financial support of international foundations, but unlike volunteering, they have not become real social movements and still perform the function of social entrepreneurship. Therefore, support for democratic initiatives from below (including volunteerism) can be one of the real arguments for the formation of democratic institutions in the context of European integration [8].

Conclusions. Thus, the interdependence of a modern democratic Social Law State and civil society is obvious, and their interaction is the key to the successful development of society and the state, including in the field of volunteering. This vision of the relationship between civil society and the state allows us to draw the following conclusions. A democratic law state and civil society are characterized by a number of common political and legal features. The Law State is a tool for ensuring the viability of civil society and protecting its interests. In turn, civil society is an important indicator of the effectiveness of the Law State.

Considering the role of civil society in various spheres of public life, in particular, the importance of volunteering, creating favorable conditions for the development of society and establishing interaction with its institutions is an important task of public authorities and local governments. In turn, a developed economy and social welfare create opportunities for improving civil society and the democratic social state itself. Only after economic reforms and democratization of all spheres of public life, a developed civil society with specific institutions and diverse interests that are independent of political power and state control can be formed.

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Участь громадянського суспільства та держави у забезпеченні розвитку волонтерських організацій

Анотація. Проблематика громадянського суспільства, так само як і демократичної соціальної правової держави, є доволі розробленою у зарубіжній та вітчизняній науці, оскільки спирається на значний і багатоаспектний досвід їх функціонування. Проте актуальності це питання не втратило, оскільки держава і громадянське суспільство знаходять-

ся у процесі постійного розвитку і трансформації, що спричинило появу волонтерського руху.

Певні передумови для становлення громадянського суспільства потенційно існують у культурі будь-якого народу. Становлення та розвиток демократичного громадянського суспільства розглядається науковцями як складова частина загальносвітового процесу модернізації. Громадянське суспільство є первинним відносно правової держави, воно бере участь у формуванні та функціонуванні держави, відповідно до своїх інтересів і цінностей, стримуючи певним чином і здійснюючи контроль над нею. Лише за наявності громадянського суспільства може існувати, розвиватися і успішно вирішувати свої завдання демократична правова держава. Саме вона визнає, гарантує та закріплює права і обов'язки людини і громадянина, врегульовує правові відносини, що виникають у громадянському суспільстві.

В умовах глобалізації саме суспільство виступає захисником історичних, національних, культурних традицій, обґрунтовуючи позицію держави щодо ступеня її участі в інтеграційних процесах. Удосконалення громадянського суспільства стає можливим за умови постійного розширення соціальних функцій держави, водночас соціальний розвиток призводить до постійних змін соціальної структури, в основі яких – поява нових об'єднань громадян, які відстоюють свої інтереси, серед яких волонтерські об'єднання.

Волонтерська діяльність стала важливим елементом підвищення якості життя та підтримки сучасних суспільств, саме тому його визнали великою соціальною силою в суспільному розвитку. Водночас, у суспільстві постійно виникає конфлікт інтересів між різними суб'єктами, який досить важко подолати. У результаті цілком закономірно, що у демократичному суспільстві певні суперечності виливаються у більш широке протиріччя між більшістю, що здатна впливати на прийняття кінцевого рішення на свою користь, і меншістю, що позбавлена потенціалу для такого впливу. На фоні волонтерської діяльності та розвитку громадянського суспільства, завдання правової держави полягає у тому, щоб забезпечити утвердження верховенства права, поділу влади, визнання кожної людини найвищою соціальною цінністю, сприяти втіленню у життя інтересів як окремого індивіда, так і суспільства в цілому.

Ураховуючи роль громадянського суспільства у різних сферах суспільного життя, зокрема, значення волонтерства, то створення сприятливих

умов для розвитку суспільства та налагодження взаємодії з його інститутами є важливим завданням органів державної влади та органів місцевого самоврядування. Держава в особі її органів та посадових осіб підтримує громадську ініціативу щодо провадження волонтерської діяльності, гарантує і забезпечує захист прав, свобод і законних інтересів волонтерів, отримувачів волонтерської допомоги, організацій та установ, що залучають до своєї діяльності волонтерів. Органи державної влади та місцевого самоврядування, їх посадові особи забезпечують сприятливі умови для здійснення волонтерської діяльності, підвищення суспільного престижу такої діяльності та створення передумов для її розвитку, підтримки та заохочення діяльності волонтерів в Україні.

Ключові слова: держава, громадянське суспільство, волонтерська діяльність, соціальна політика, соціальна правова держава, інститути громадянського суспільства, демократія, взаємодія держави та суспільства, волонтерські організації, волонтерський рух