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ROLE OF INFORMATION IN FORMING AND DEVELOPING CIVIL SOCIETY INSTITUTIONS

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Abstract: *Relevance. The study is relevant since the system of civil society consists of many actors (individuals, organizations, communities), changing and complementing each other, and the perception, processing and transmission of information presuppose their possible behavior. The formation of behavioral patterns and the development of civil society depend on the information received by an individual or a community and its further consideration. Properly selected information is a specific managerial model applicable to an individual (or social group) under certain conditions and circumstances. It is generally accepted that civil society is the foundation of democracy and freedom of information. The more developed civil society is, the more grounds for democratic forms of state there will be. On the contrary, the less developed civil society is, the more prerequisites for authoritarian and totalitarian regimes of state power appear. The degree of individual freedom, human and civil rights and guarantees of their implementation in each specific case largely depends on a particular state regime. Study objective. The article aims at studying the role of the state in the formation and functioning of civil society. If the state does not show its power or impose its will (coercion) in certain spheres of public life, everything will end up in disorder and chaos. This rule mostly applies to civil society as a self-regulatory system that needs constant state control. Therefore, there is an objective connection between the state and civil society (in which the state dominates) in relation to certain cases. Methods. The main research method was the deductive method to study the nature and role of information in forming and developing civil society institutions. To solve the study objective, we determined the role of the state in the formation and functioning of civil society. Results. The article tries to determine the role of information in the complex legal mechanism of forming and developing civil society institutions with due regard to the application of the cybernetic approach. In Russia, the phenomenon of civil society has a dual social and legal nature. On the one hand, it forms "from above" rather than "from below" (at the will of state). The latter can control the development of civil society using the information obtained by its institutions. On the other hand, civil society is a complex and open social system, whose development depends on the development of its constituent elements. The dialectical possibility of such development is provided by the information exchanged by elements of the system which cannot be completely controlled by the state.*

Keywords: *state, civil society, social system, cybernetics, management, legal protection, human rights.*

INTRODUCTION

Being a component of information, law is generally a managerial model that adjusts the behavior of society and civil society depending on circumstances with the help of certain information (scientific-legal data, the current legislation, comments on legislation, speeches of politicians, litigation practice, etc.). For a start, relations form and consolidate in society. Then they begin to be regulated by law. The nature of incoming information (intentionally "thrown" by state) and the way it is "processed" by civil society and transferred among its elements (parts) condition not only their development and interaction but also innovations and changes in the system as a whole. Regarding the "entry point" of information into civil circulation, it is important to determine the role of the state in regulating (filtering) such incoming data.

Information is a dual-use tool. The balanced and harmonious development of the state and society depends on its owner and skillful use. The use of information is the global challenge of modern management. There can be no control without information. Social data is a special type of information characterized by meaning, value and other properties. Before considering the phenomenon of civil society and the role of information in its development, we should dwell on information theory. N. Wiener defined it in the following manner: "Information is information, not matter or energy" (Wiener, 1968). The definition is arguable but it laid the foundation for many studies in this scientific field. Within the framework of probability-statistical theory, information is the very opposite of randomness or overcomable uncertainty (C. Shannon's theory). Consequently, the amount of information is defined as the measure of the decrease of uncertainty (probability) through the transmission of messages (Afanasiev, 1975).

Thus, A.D. Ursul claimed that "this uncertainty is inherent either in our knowledge of an object or in the object itself" (Ursul, 1970). According to C. Shannon, probability is the initial and primary concept that serves as the basis for the "amount of information". However, the very existence of information suggests that it (its amount) does not depend on the above-mentioned probability theory. This idea was proved by academician A.N. Kolmogorov who discovered a new way to measure the amount of information without probability theory and algorithmic means. The new approach was significant as it took the concept of "information" as a basis and built the entire theory and concept of probability over it (Kolmogorov, 1965). In science, information was presented as removed or eliminated uncertainty, i.e. difference or diversity. Diversity became the foundation of information. Subsequently, science proved the inextricable connection between reflection and information and developed a formula to measure the amount of information in one object if compared to another.

The concept of "civil society" originated from the Greek term "polis" introduced by Plato and Aristotle (koinoia politike is civil society), the concept of "societas civilis" of Cicero and ideas of natural law. To be a politike member is to be a citizen, i.e. a state member obligated to live and act in accordance with the existing laws and without harming other citizens. According to Aristotle, man is a social and political animal, while the state represents the natural development of a society of political citizens. N. Machiavelli's "Discourse on the First Decade of Titus Livy" emphasizes the state's desire to weaken and undermine all activities of society to rise itself. This text distinguishes between state and civil society, political and civil spheres.

METHODS

To study the historical role of the state in the formation and functioning of civil society, the methodological framework includes various methods of scientific research. When considering the legislative regulation of the interaction between state and civil society institutions, we used comparative and statistical methods. When determining the role (public significance and legal status) of information, state and civil society institutions, we utilized the methods of deduction and analysis. Induction allowed us to study the regulation of civil society institutions (as exemplified by the legal profession). In the course of the study, we considered and generalized typical features of these organizational and legal forms to draw general systemic conclusions about the development of civil society influenced by information, whose sources are government departments. If the state does not show its power or impose its will (coercion) in certain spheres of public life, everything will end up in disorder and chaos. This concerns information as a tool for managing civil society and information as a tool of civil society that influences state decision-making and the development of society as a self-regulating system that needs constant state control.

The main component of any social system is always a person as a social being. According to V.G. Afanasiev, "a person is the last and, in a certain sense, elementary bearer of social-systemic qualities. Being a component of any social system and embodiment of its essence, a person is only a part of the social system. Through inclusion into a certain social system, individuals acquire their social nature" (Afanasiev, 1981). As the science of information is being developed, we can consider *J. Naisbitt's "global paradox"* in relation to the study objective. According to this paradox, the higher the globalization of the economy is (*and not only the economy – the author's note*), the stronger its smallest parties are. Based on this scientific theory, we reached the following conclusion: if a person is a component (element) of the social system, then their inclusions implies that a person performs certain functions (as an object and/or subject) in this system that are structurally connected with the system and change the system itself.

RESULTS

The functions and actions that a person could or should perform as part of the social system are conditioned by the information that such a person receives and processes. Thus, we concluded that an individual and the system as a whole develop and acquire new features due to the information perceived and transmitted to each other. The more intensive the interaction (information transfer) of a particular person with other people (elements of the system), the faster the system improves. There are at least three possible scenarios:

1) Total state control over the flow of information: in this case, there is no civil society since the non-state sphere of public life is nationalized. The Soviet Union is the most striking example of how information can be used to control the masses (the concept of "society" that has a complex self-organized and dynamic structure is not applicable in this case). The rudiments of a pre-civil society existed in the USSR despite, not due to the existing system (for example, underground press, human rights organizations, etc.). Generally, practically all spheres of Soviet life were controlled by the state (Grudtsyna, 2013).

2) Indifferent state: state not only removes itself from control over civil society but also does not help its institutions to form and develop (there is no state support, favorable legislation or tax regime, etc.). There is a striving for the ideal of a legal democratic state: if a person, individuals and a people of a particular state develop freely and intensively, their development (in some aspects) will grow into self-development and the formation of civil society institutions.

3) Mixed version: state can "throw" the necessary information into civil society but does not control everything, providing the social system of civil society with opportunities for self-development using its own information and its processing. Today, state propaganda still exists in Russia. However, it is not large-scale and not as comprehensive as the destroyed Soviet ideology. The crucial point is that a state ideology is the most convenient and effective tool for creating and delivering the necessary information to society in proper forms. Information flows form and control a person's consciousness. Society is filled with information that it cannot quickly systematize and digest (Afanasiev, 1975).

DISCUSSION

From the theoretical viewpoint, the image of society can be expressed as the concept of a social system. According to N. Elias, it turns out to be an ideal image of a nation upon closer examination (Elias, 2001). G. Klaus wrote, "We want not only to understand social systems, but also to own them. However, to own does not mean to know all the causal relationships of such systems. Under certain circumstances, it is enough to know their behavioral patterns" (Klaus, 1967). We need to further consider this idea. What is civil society? It is a community of independent subjects (citizens) within one state, developing moral and material values in the interests of their own community and state. It is by no means something that formally goes beyond the boundaries of state structures. If public institutions are nationalized, then the border dividing society and the state becomes blurred and somehow shifts into the sphere of state power (according to G.W.F. Hegel, power is an "inevitable necessity" for the existence of civil society (Hegel, 1990)), forming its pseudo-social institutions.

By issuing laws, the state assumes specific obligations to citizens, public organizations, other states and the entire international community. Accordingly, an individual is responsible to society and the state. In this regard, the following facts give rise to concerns: a weakened sense of responsibility among most Russians; the indifference of citizens to the affairs of society and the state caused by the long Soviet period, imposed ideology, stagnation, equalization, etc. To overcome this civil indifference to government, public and state affairs and to increase the responsibility of citizens for their actions, it is necessary to liberate individuals and provide them with an opportunity for independent creativity and initiative. However, there is another problem. Two centuries ago, M.M. Speransky stated, "It is dangerous for a nation who has been enslaved for a long time to obtain immediate freedom and enlightenment because an educated people perceives slavery more acutely and is capable of unpredictable actions" (Speransky, 2002). Moreover, M.M. Speranskii suggested combining absolutism and civil society, autocracy and the legal regulation of social relations, the estate-hierarchical system and a free personality (Speransky, 2002, p. 21-22).

In our opinion, the formation of a state "from above" in the conditions of its general underdevelopment and the predominance of mass stereotypes about Soviet

totalitarianism in the public consciousness of civil society has several advantages, at least from the standpoint of systemic analysis. Firstly, it is easier for any state (and not only states) to manage society as a subsystem, whose main elements (state-society) are ordered and correlated, as well as have clear internal connection and subordination. It is more difficult (and almost impossible) to manage chaos or disorder in which the controlled elements are scattered and do not have clear connections. Secondly, over 200 peoples and ethnic groups live in modern Russia. They have different languages, material and spiritual cultures and religions; therefore, the need for "controlled freedom" is obvious and quite logical. The state is not only a regulator and reformer of this sphere. Its intervention into the formation of civil society institutions is a natural and inevitable process based on Russian historical traditions.

In essence, state power strives for self-preservation and control over civil society, while the Russian government is capable of creating and starting the development of civil society only by its own efforts. Contrary to its nature, the state needs to develop a partially independent sphere that can get out of its control under certain circumstances and conditions (due to self-development). In the existing socio-economic conditions, Russia can develop civil society only "from above", but not "from below". The Russian society is not ready to self-organize because of the Soviet past that scattered the social environment and did not give society the freedom necessary for self-organization and independent development in other areas not related to the state. The Russian totalitarian regime perceived any foundations of self-organization and independence as a threat to state security and sought to control all spheres of society, breaking it into separate parts. However, such "atomization" leads to "entropy" and accelerates the destruction of the system as a whole.

CONCLUSION

The state recognition of human rights is a form of their transformation into civil rights (those are transformed human rights) (Ebzeev, 2014). The fundamental rights and freedoms of a citizen are a legal form of human rights included in a certain social system. It is impossible to distinguish between a member of civil society and a citizen of any state. Almost every citizen is simultaneously a family member and a part of civil society. In one way or another, every person participates in the political life of society and interacts with the state represented by public authorities.

In the course of the study, we drew the following conclusions. The state is a necessary factor in the formation and functioning of civil society. If the state does not show its power or impose its will (coercion) in certain spheres of public life, everything will end up in disorder and chaos. This concerns civil society, i.e. a self-regulatory system that needs constant state control. This fact demonstrates an objective connection between the state and civil society (in which the state dominates) in relation to certain cases. Truly civil society and state are the unity and struggle of opposites. While initiating the development of civil society institutions (the Civic Chamber of the Russian Federation, regional public chambers and state support of some public associations), the Russian government should constantly monitor this development (determine the degree of freedom given to the controlled object) in conformity with the law of dialectics. The development and interaction of civil society institutions with each other and the state reminds of the dialectical interchange between the organism and the environment. It is vital to consider this issue using an interdisciplinary approach.

RECOMMENDATIONS

The slow development of civil society institutions in Russia has historical causes, including the lack of social responsibility among people and the crisis of self-identification of an individual, social groups and society as a whole. There is one more paradox. Even if the state supports the development of civil freedoms "from above" and provides all legal opportunities for the self-organization of citizens, but the latter do not want to receive information from the state, are not ready for self-organization and self-development and do not have the proper level of education and culture, any efforts on the part of the state will soon come to naught. The understanding of social responsibility (by citizens, businesses, etc.) is the result of the high-level awareness of one's role in a particular country and society. Unfortunately, modern Russians are far from such realization. Being a social phenomenon, responsibility determines the permissible activities of individuals, groups and social organizations. In other words, it indicates the possible self-regulation of social relations, their socio-cultural and economic transformation (without state involvement or with the minimum state involvement).

This ideal is unattainable for Russia at least in the near future. State participation in the formation of the Russian civil society should be balanced and controlled (through open government policies, civilized dialogue between government and society) by public institutions to prevent information manipulation in the interests of authorities throughout the formation of civil society. To this end, such authorities should realize the importance and necessity of self-restraint and compromise their own nature. This especially concerns the totalitarian traditions of the Russian state administration. However, any complex system has failures and deviations (fluctuations) from the general laws of development that cannot be predicted or prevented.

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