

## INDIVIDUALS OF STATE AND CIVIL SOCIETY INSTITUTIONS

**Kadirov Mirsulton Batirovich**

doctor of Philosophy (PhD), associate professor

Republic Of Uzbekistan

University of Public Safety

e-mail: [mirsulton@list.ru](mailto:mirsulton@list.ru)

tel: +99899 802 89 98

### Annotation

The article states that various entities working together in the common interest to preserve universal values are creating a new structure of civil society, and that the traditional approaches of civil society no longer reflect the logic of sectoral processes of political modernization.

**Keywords:** state, civil society, civil society institutions, rule of law, politics, political society, collective bargaining.

One of the interesting and at the same time controversial problems of state theory for centuries is the question of the relationship between civil society and the rule of law. In political theories, for a long time, “civil society” was equated with the term “state”. However, people have almost always noticed that they differ from each other, and have tried to express this difference, albeit indirectly, using other concepts. In addition, in Greek society, civil law, the form of government, the peculiarities of public administration are called “politics”. Finally, there was also the concept of ‘polytheism’, which represented the basic political principle, citizenship, the structure and construction of the state. These concepts unite the interrelated aspects of political reality. Based on this fact, a number of ancient Greek thinkers proposed to differentiate the spheres of political and non-political relations within society. For example, Plato wrote in his book *The State* that it was necessary to distinguish between the “non-political” needs of the people within the state (food, housing, clothing, etc)<sup>1</sup>. Aristotle then distinguished the family and the village from a separate type of connection from the state<sup>2</sup>.

In the seventeenth century philosophers G. Grotius, T. Hobbes, J. Locke and others. For the first time in their work, the term “civil society” was used in a different sense than “state,” and the two terms were contrasted. Later, in the eighteenth century, J.J. Rousseau, V. von Humboldt, J. Vico et al. These ideas were further developed in their works<sup>3</sup>.

The aforementioned thinkers may not have seen the fundamental difference between civil society and the state, the ‘political society’. However, they no longer equated “civil society” with existing state or forms of government. At the same time, relying on the “collective agreement” option of the state, they considered only that government legitimate, in which all citizens voluntarily agreed to submit to and establish it. The absoluteness of power in any form, in their view, leads to the denial of civil society. Speaking here, Hobbes demanded that state power be subject to unlimited freedom<sup>4</sup>. Supporting it, Locke wrote: “... absolute power, no

<sup>1</sup> Платон. Государство. - М.: АСТ, 2022. - 448 с.

<sup>2</sup> Аристотель. Афинская полития. Лакедемонская полития Серия: Теории власти Москва Академический проект 2021. - 215 с.

<sup>3</sup> Кислицын С.А., Сиражудинова С.В. Гражданское общество на постсоветском пространстве: Концепты, специфика, тренды ЛЕНАНД 2018. - 336с.

<sup>4</sup> Гоббс Т. Философские основания учения о гражданине: (Elementa philosophica de cive). Пер. с лат.; Пер.: В. Погосский; Предисл.: С.А. Котляревский М. 2021. - 293 с.

matter who the leader is, is far from being a kind of civil society. They are incompatible, just as slavery and property are incompatible". In Two Publications on Public Administration, Locke argued that no one living in civil society could be left out of the law<sup>5</sup>.

For Hegel, civil society is a sphere of material living conditions, a product of natural necessity. In his Philosophy of Law, he begins to analyze the state after analyzing the family and civil society. According to him, individuals cannot be excluded from civil society in their relationships. He sees private property as a necessary condition for the development of civil society. He wrote that there is no freedom of the individual outside of private property, that a person must be the owner of the property in order to be free<sup>6</sup>. According to Hegel, civil society begins to develop after the state because it implies the existence of the state.

As early as the 18th century, the great German scholar I. Kant wrote in his Metaphysical Foundations of Morality, "How to Ensure the Mutual Responsibility of Citizens and Government?"<sup>7</sup> he wrote. In response to the question, he writes that the republic is the best of all the tried and tested forms of government, but without a separation of powers, it also cannot guarantee the arbitrariness and corruption of power. According to him, the starting position belongs to the legislature, and the judiciary to a separate position, because only a citizen can find effective protection for himself. In the context of modern development of the socio-political system of Uzbekistan, the problem of harmonization, balance of personal, public and state interests, its solution depends on the level of development of mutually oriented relations between the state and society. One of the urgent tasks facing the state cannot be solved without the development of democracy and civil society, ensuring the rights and freedoms of citizens, and the effective organization of the state itself.

#### List of used literature

1. Платон. Государство. - М.: АСТ, 2022. - 448 с.
2. Аристотель. Афинская полиция. Лакедемонская полиция Серия: Теории власти Москва Академический проект 2021. - 215 с.
3. Кислицын С.А., Сиражудинова С.В. Гражданское общество на постсоветском пространстве: Концепты, специфика, тренды ЛЕНАНД 2018. - 336с.
4. Гоббс Т. Философские основания учения о гражданине: (Elementa philosophica de cive). Пер. с лат.; Пер.: В. Погосский; Предисл.: С.А. Котляревский М. 2021. - 293 с.
5. Локк Дж. Два трактата о правлении. М. Социум 2019. - 494 с.
6. Гегель Г. В. Ф. Философия права. Пер. с нем.: Ред. и сост.г Д. А. Реримов и В. С. Нерсисянц; Авт. вступ. ст. и примеч. В. С. Нерсисянц.- М.: Мысль, 1990.- 524 [2] с., 1 л. портр.- (Филос. наследие). (ISBN 5-244-00384-4)
7. Кант И. Основы метафизики нравственности. Серия: Классическая философская мысль. М. Мысль. 1999. 1472с.

---

<sup>5</sup> Локк Дж. Два трактата о правлении. М. Социум 2019. - 494 с.

<sup>6</sup> Гегель Г. В. Ф. Философия права. Пер. с нем.: Ред. и сост.г Д. А. Реримов и В. С. Нерсисянц; Авт. вступ. ст. и примеч. В. С. Нерсисянц.- М.: Мысль, 1990.- 524 [2] с., 1 л. портр.- (Филос. наследие). (ISBN 5-244-00384-4)

<sup>7</sup> Кант И. Основы метафизики нравственности. Серия: Классическая философская мысль. М. Мысль. 1999. 1472с.