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## **COMMON AND DISTINCTIVE FEATURES OF CIVIL SOCIETY IN UKRAINE AND POLAND IN THE LATE 20TH – EARLY 21ST CENTURY**

This article analyses conditions and perspectives of civil society in Ukraine and Poland. It shows common and distinctive features of this process. The article grounds interdependence of socio-political and socio-cultural factors and the type of civil society. It determines basic objectives of civil society in any country and defines the role of independent social organizations and trade unions in Poland and Ukraine. It defines activities of regional elites, which aims to spread contradictions in society as an artificial creation of a single mutually exclusive factor of civil society in Ukraine.

**Key words:** society, civil society, trade unions, democratization, liberalization, reform, political elite.

Formation of civil society in any country is influenced by many factors, among which it is worth noting regional differences in the country as a socio-political, economic, cultural dimension; multidirectional foreign policy orientations, external interference in internal affairs of others.

Civil society as one of the main political institutions, combining human values, binds an individual, social groups, social formations and the state. Interest in civil society is growing from researchers, politicians and representatives because democratization, rule of law, ensuring the rights and freedoms of the individual, social policy, development of the middle class, the level of public culture and a high level of education, self-government, pluralism, public opinion and global social transformation are connected to formation of civil society.

The philosopher Hobbes, whose name is associated with the birth of the concept of civil society, did problems of civil society in the XVI century. T. Hobbes linked formation of civil society with the transition of society from its natural state – a "war of all against all" to the civilization, the cultural state, where citizens are connected by the power of the state. T. Hobbes singled out three sources in the formation of society: identity, society and government, which focus on power as a force that unites the individual and society. However, the original idea of civil society is a new society that based on the ideas of freedom and equality of all people before the law.

The idea of individual freedom each person, the unconditional value of man as measure of all things, has determined the freedom of the individual as a natural and necessary expression of his life. On the other hand, the recognition of liberty as a necessary attribute of human existence is determined a requirement of the principle of equality of all people by society and the state. The embodiment and realization of these fundamental principles of civil society found its expression in the ramified system of rights and freedoms, which enshrines the right of a person to be special and independent of the rigid and hierarchical class relations of feudal or traditional society.

From the moment when a person becomes free and has the ability to manage their life force, possibilities of committing any action, indirectly relevant rights would be the right choice ostentatious authorities and officials, the choice of residence, choice of religion and ideology, the choice of political values and orientations, – that is the choice in the broadest sense of the word, only under these conditions we can talk about the formation of civil society.

Unfortunately, today we cannot say that this process in Ukraine is significant. Despite the events of 2004-2005 and 2013-2014, we can't consider that the civil society in Ukraine is developed. And although the Law of Ukraine "On civil society in Ukraine" notes that in Ukraine it is created and operates in full compliance with the principles of justice, rule of law, equality before the law, democracy, political, ideological and economic diversity, as well as with other universally recognized principles and norms of international law, yet this process has not been completed. In particular, article 4 of the Law of Ukraine "On civil society in Ukraine" opens its mission in Ukraine. It is the liberation of people from fear and want, providing them with security and peace of mind; statement of faith in fundamental human rights, in the

dignity, honor and worth of the human person as the foundation of freedom, justice and social harmony in the country; teaching people skills to live in the unity of inherent differences in the spirit of tolerance, mercy and compassion to one another, in an atmosphere of openness and solidarity in shared misery.

Special attention deserves the position on the formation of spiritual and moral foundations, understanding the historical mission and the geopolitical destiny of the Ukrainian people as the basis of their mentality; the revival of intellectual potential of the people, protection of abilities and talents of each individual. It is the basic meaning and purpose of civil society.

There is no a tendency to treason and denunciation, internal ethnic divisions, prejudice, provoking jealousy, loathing and ethnic hatred in the developed civil society of any country.

Civil society in developed countries should actively cooperate and interact with government on the principles of solidarity and mutual responsibility for security, development and welfare of each individual. It provokes (in the best sense of the term) to awaken and embolden the citizens of the political ideals and a sense of responsibility for the acts of the state, forming of legal consciousness; to ensure public control over observance of the state basic (constitutional) human rights of territorial communities of communities.

Social freedom, democratic social regulation, the existence of public sphere of political activity, political debate are the main criterion of revitalizing civil society, because social freedom is a springboard of self-realization of man in society. But does the development of civil society match in reality with the above-mentioned basics? Let's take the example of the Republic of Poland as the nearest neighbor and views of the country for Ukraine. The European approach to the problem of creating a unified civil society of the Republic of Poland gives an opportunity to perform both General and particular features of this process in the two countries.

And although the Polish and Ukrainian people belong to the Slavic group of peoples, however, the development of statehood is different. Poland has absorbed a European type of state in the process of development, where civil society is endowed with a range of rights that are implemented voluntarily. The relationship between government and citizens are based on common values. Ukrainian statehood and civil society grew under the auspices of the Soviet Union, who was the owner of the basic means of production and labor of citizens, a legislator and a judge, patron basic dispenser of wealth and guarantor of security. The Communist party provided the ideological and political leadership of the Soviet state machine.

There is existing regional division of the country in Ukraine, but introduction of European standards of civil society is a utopia, because there haven't yet resolved the main problem of formation of the real independence of States and not a single Ukrainian nation.

The center of the problem is regional polarization of the country, under the influence of which the elite individual regions develop a pseudo-scientific version about the lack of grounds for national identity. An example of this are the events in the Donetsk and Lugansk regions and the loss of integrity of Ukrainian state (we will not consider foreign policy reasons of this process, because it isn't the theme of this article). The activities of independent public organizations and especially – the independent armed groups leads to further polarization of society, creating in the South-Eastern and Western parts of the state two stand-alone companies. Now it is true to say of external intervention in the internal Affairs of Ukraine through foreign funding regulatory activities of independent public organizations that leads to a deeper divide over values already split society. The current trend of foreign financing gives to independent public organizations purely illusory: the notorious organization is created not to solve the pressing problems of society, but for the manipulative actions of the human minds in the interest of foreign countries.

But there is the solution to the problem of the split society. First of all, we should refer to the history of the Ukrainian state, Ukraine has never been a state with one language and state, therefore, should not impose single cultural standards of society in all regions, because it has a different inheritance. Another way is distribution of independent public organizations on organizations that do public work, and those that rely on foreign funding to assist in the process of democratization of society.

Special attention deserves the issue of balance in the system "state – civil society" for the role of the rights of trade unions. In a broad sense, the trade unions provide the rights of their members of society as a whole. Given the experience of Poland, we can notice that other civil society organizations exist to protect the professional rights and play an important role in social support of its members, together with the formation of government economic policy and labor laws.

Today Ukraine demonstrates ineffectiveness of trade union's activities through the presence of remnants of the Soviet Union. Since that time, these formal organizations have inherited a large property, the exploitation of which brings in more income than membership dues. In this situation the trade union, as

an organization, has a much greater interest in maintaining control over the property and liberty of its use, than to protect the rights of its members. Now the trade unions are losing credibility because of the fact that they are involved in the party games and subordinate its activities to the interests of certain political forces. Active young people, who are willing to fight for their socio-economic rights, give preference to new social movements. The representatives of democratic current are interested in the formation of independent trade unions together with the strengthening of their role in our state. Only independent trade unions created by workers to solve real-world problems can really counteract the arbitrariness of the chiefs and officials.

The emergence of trade unions is not profitable. Ukrainian legislation provides for the right of Ukrainian citizens to freely associate in trade unions, declared article 10 of the Law of Ukraine "Of trade unions, their rights and guarantees of their activity"<sup>1</sup>. But there is a paradox on practice: any attempt to create independent trade Union encounter serious resistance. The initiators of such attempts become subject to pressure from employers, as well as all sorts of obstacles from officials, including those same corrupt lawmakers. We can decide this problem through competition. Ukraine needs an extensive network of trade unions, which would compete among themselves for attracting new members and maintaining those that already exist. Only in this case the existing "formal" trade unions will be forced to change, to really stand up for the rights of their members – or to leave, to give way to new, independent unions.

In this context, it is necessary to compare the attitude towards the activities of trade unions in Poland, as the countries of the former Soviet and Ukraine on the example of the work of the experts of the "round table" on the theme "the Role of trade unions in the global crisis". Boyan Stanislavski, the deputy of the official organ of the Polish Trade Union of OPZZ "Tygodnik" in the beginning of XXI century, noted that the crisis in Poland is not as noticeable as in Ukraine. But it is important that at the time in Poland is seriously held a mobilization of trade unions. However, as for Ukraine, after collapse of the Soviet Union, the activities of the trade unions have been inactive and demoralized. On the one hand, Boyan Stanislavski stressed that the Ukrainian trade unions are allocated by activity, account for ten million people, and Polish only three. Therefore, this situation shows a distrust of the trade unions. But in recent years the situation has changed: the new government of Poland has combined three of the largest Polish Confederation of trade unions. The leaders of the largest trade unions were together at demonstrations, press conferences, mobilizing people. But, according to Boyan Stanislavski, problems of trade unions in Ukraine, Poland and some other Eastern European countries are fundamentally similar.

After the collapse of the Soviet Union, analysts have come to the conclusion that there not alternatives to Western models of social development. Although we have adopted the Polish experience of reforms, but they were able, despite all the difficulties, to carry out "shock therapy", but we have a shock therapy three times. And this is the main difference between these two societies.

The reform in Poland brought the state to a high level in the end of 80s. Poland was the first the post-Soviet country which restored the pre-reform level of economic development. The pace of change was swift, they were carried out harshly and consistently, but it was so quick and positive results of the reforms. "Shock therapy" of Leszek Balcerowicz was a plan for the rapid transition of Poland from a Communist economy, that based on state ownership and Central planning, to a capitalist market economy. We can't say that the transformation was without shocks to society. But most poles were willing to reincarnation and to a sharp turn to change. Designed movement united the broad masses of the population. Thus, there has created a structure of civil society that acted against the main government. The policy of the new movement was close to the Polish mentality, so all were supported by wider and wider segments of population. Another positive impulse to reformation was intellectual preparation of the poles. In 1980, representatives of the new movement were intended to "fix" socialism, giving it a national color and a "human face". However, the reforms attempted in the 1980s the Communist authorities gradually led to believe that socialism can't be cured. As a result, there is no alternative spread understanding of transition from a socialist economy to a liberal market. Until the late 1980s, the idea of shock therapy in the head is ripe, and there were people ready to carry out this idea<sup>2</sup>.

Liberalization of economy consistent with the individualistic nature of Polish mentality that reject official imposed collectivism. Reformers, that make the transition to the free market, appealed to the sense of individual freedom, which is understood as personal responsibility. This understanding of freedom is deeply rooted in Polish cultural traditions. Naturally, the most receptive to new ideas was precisely these

<sup>1</sup> Дубровський, І.М. (2009). Потрібні сила духу і сила волі. *Профспілки України*, 2, 35-36.

<sup>2</sup> Найдер, З. (2012). Польсько-українські асиметрії. *Політика і культура*, 3, 46-48.

young people. There was established positive atmosphere for reform in Poland, so it was possible.

Note that it is worth remembering that civil society is primarily an association of citizens of one society, one country. It is impossible without the existence of a legal state, but only the existence of a developed, stable civil society makes possible the creation of a legal state. Civil society is the foundation of a stable democratic political regime and suggests the existence of a democratic state of law, which aims to satisfy and protect the interests and rights of citizens<sup>1</sup>.

The fate of the peoples of Western countries is different from the fate of the population of the former Russian (Soviet) Empire that is attitude to the law. Its essence is the survival and development of civilized human community. Humanity doesn't know more perfect tool to resolve any conflicts between people, including conflicts between different civilizations, religions, races, ethnicities and language groups, as the law, which is the core of the civil society of any country.

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