

Sartaev S.A.¹, Kalshabayeva M.Zh.², Otynshiyeva A.A.³

¹Candidate of Juridical Sciences, Associate Professor,
Al-Farabi Kazakh National University, Kazakhstan, Almaty, e-mail: s.sartai@mail.ru

²Senior Lecturer, Kazakh National Agrarian University,
Kazakhstan, Almaty, e-mail: manshuk.1981@mail.ru

³Master of Laws (LLM), Phd Candidate, Lecturer, Al-Farabi Kazakh National University,
Kazakhstan, Almaty, e-mail: aidana-best91@mail.ru

**ROLE OF CIVIL SOCIETY IN THE FORMATION
OF ANTI-CORRUPTION CULTURE AND
ANTI-CORRUPTION CONSCIOUSNESS**

The article analyzes the role of civil society in the formation of anti-corruption culture and anti-corruption consciousness in the Republic of Kazakhstan.

Civil society as the highest form of self-organization of individuals can provide a person all the conditions for the development of a high level of legal awareness, which, simultaneously, is an indispensable factor in the functioning of such a society. We believe that public activity and personal initiative are important circumstances in the creation of a civil society and a rule of law state based on the legal consciousness of the individual. It is they who give the main impetus to democratic reforms in the country and in society.

The desire to work in a certain direction and, in the end, the very work itself depends on the processes taking place in the individual consciousness. Therefore, we must pay attention to the fact that all individual actions necessary for the development of civil society are revealed in legal ideology and psychology. That is why civilian legal consciousness, as the main driving force of social transformations, is of paramount importance for the formation of civil society along with general democratic, economic and political reforms.

Key words: civil society, civil society institutions, legal education, legal culture, legal awareness, corruption, fighting corruption, measures to prevent corruption, causes of corruption.

Сартаев С.А.¹, Қалшабаева М.Ж.², Отыншиева А.А.³

¹заң ғылымдарының кандидаты, доцент, әл-Фараби атындағы
Қазақ ұлттық университеті, Қазақстан, Алматы қ., e-mail: s.sartai@mail.ru

²аға оқытушы, Қазақ ұлттық аграрлық университеті,
Қазақстан, Алматы қ., e-mail: manshuk.1981@mail.ru

³оқытушы, әл-Фараби атындағы Қазақ ұлттық университеті,
Қазақстан, Алматы қ., e-mail: aidana-best91@mail.ru

**Сыбайлас жемқорлыққа қарсы мәдениет пен
жемқорлыққа қарсы сана қалыптастыруда азаматтық қоғамның рөлі**

Мақала Қазақстан Республикасында сыбайлас жемқорлыққа қарсы мәдениетті және сыбайлас жемқорлыққа қарсы сана қалыптастырудағы азаматтық қоғамның рөлін талдайды.

Азаматтық қоғам жеке тұлғаның өзін-өзі ұйымдастырудың ең жоғары нысаны ретіндегі адамға заңдылықтың жоғары деңгейін дамыту үшін барлық жағдайды қамтамасыз ете алады, бұл бір мезгілде мұндай қоғамның жұмыс істеуінің ажырамас факторы болып табылады. Қоғамдық белсенділік пен жеке бастама азаматтық заңдылық пен адамның құқықтық сана-сезіміне негізделген құқықтық мемлекет құрудағы маңызды жағдайлар болып табылады деп санаймыз. Олар елде және қоғамда демократиялық реформаларға негізгі серпін береді.

Белгілі бір бағытта жұмыс істеуге деген ұмтылыс және, ақыр соңында, бұл еңбектің өзі жеке санада жатқан процестерге байланысты. Сондықтан, біз азаматтық қоғамды дамыту үшін

қажетті барлық жеке әрекеттердің заңды идеология мен психологияда анықталғандығына назар аударуымыз керек. Сондықтан азаматтық құқықтық сананың, әлеуметтік өзгерістердің негізгі қозғаушы күші ретінде, жалпы демократиялық, экономикалық және саяси реформалармен бірге азаматтық қоғамды қалыптастыру үшін өте маңызды.

Түйін сөздер: азаматтық қоғам, азаматтық қоғам институттары, құқықтық тәрбие, құқықтық мәдениет, заңдылық, сыбайлас жемқорлық, сыбайлас жемқорлыққа қарсы күрес, сыбайлас жемқорлықтың алдын алу шаралары, жемқорлықтың себептері.

Сартаев С.А.¹, Қалшабаева М.Ж.², Отыншиева А.А.³

¹кандидат юридических наук, доцент, Казахский национальный университет имени аль-Фараби, Казахстан, г. Алматы, e-mail: s.sartai@mail.ru

²старший преподаватель, Казахский национальный аграрный университет, Казахстан, г. Алматы, e-mail: manshuk.1981@mail.ru

³преподаватель, Казахский национальный университет имени аль-Фараби, Казахстан, г. Алматы, e-mail: aidana-best91@mail.ru

Роль гражданского общества в формировании антикоррупционной культуры и антикоррупционного сознания

В статье проведен теоретико-правовой анализ роли гражданского общества в формировании антикоррупционной культуры и антикоррупционного сознания в Республике Казахстан.

Гражданское общество как высшая форма самоорганизации отдельных лиц может предоставить человеку все условия для развития высокого уровня правосознания, что, одновременно, является необходимым фактором функционирования такого общества. Полагаем, что общественная активность и личная инициатива являются важными обстоятельствами в создании гражданского общества и правового государства, основанного на правосознании личности. Именно они дают основной импульс демократическим реформам в стране и в обществе.

Стремление работать в определенном направлении и, в конце концов, сама такая работа зависят от процессов, происходящих в индивидуальном сознании. Поэтому мы должны обратить внимание на то, что всякие индивидуальные действия, которые нужны для развития гражданского общества, выявляются в правовой идеологии и психологии. Вот почему гражданское правосознание как главная движущая сила социальных преобразований имеет первостепенное значение для формирования гражданского общества наряду с генеральными демократическими, экономическими и политическими реформами.

Ключевые слова: гражданское общество, институты гражданского общества, правовое воспитание, правовая культура, правосознание, коррупция, борьба с коррупцией, меры по предупреждению коррупции, причины коррупции.

The interest of researchers in the problems of the formation and functioning of civil society has not diminished since the appearance of this phenomenon. Similarly to the rule of law, in the opinion of the majority of legal scholars, civil society and its institutions are the most appropriate sphere for the realization of human and civil rights and freedoms, the ideals of freedom and equality and other democratic and humanistic principles. The development of civil society is a complex and multifaceted process, but its most important and irreplaceable subject has always been and must be an individual who, under any circumstances, possesses (or must have) a sense and measure of justice and the ability to interpret and determine all aspects of the legal reality surrounding it, carries out actions with legal consequences. The road to civil society and the rule of law lies only through the democratization and legal education of citizens and any efforts to avoid these stages will definitely negate all attempts

to achieve results. Today in Kazakhstan, the tasks of raising the level of legal awareness, legal culture and the establishment of civil society institutions are being implemented in the framework of ongoing state reforms.

The project of the Assembly of the People of Kazakhstan «The Big Country – a Large Family», implemented within the framework of the program «The Plan of the Nation – 100 concrete steps», aims at strengthening the identity of the public of Kazakhstan on the basis of the formation of an integral civil society. The creation of civil society institutions is one of the most pressing problems for Kazakhstan, without which it is impossible to achieve the strategic goals set by the Head of State in the strategic program «Kazakhstan-2050».

The political and legal concepts of «civil society» have deep historical roots. It became an object of study of scientists and thinkers back in the 18th and 19th centuries and received a primary

development in Hegel's philosophy of law. The famous German philosopher defined civil society as the connection of people through a system of requirements and division of labor, fair justice (law enforcement institutions) and government bodies. In *The Philosophy of Law*, Hegel wrote that the legal core of civil society is the equality of people as subjects of law, the exercise of their legal freedom, the inviolability of private property, the inviolability of treaties, the protection of violations of rights, the existence of orderly legislation and an authoritative court (Hegel, 1990: 247). The scientist notes that civil society is a complex of various relationships and interrelations of citizens, associations, unions, groups on the basis of their equality and personal initiatives.

The goals of citizens and associations of citizens differ and vary depending on their interests. Civil society is the unification of free and equal people and their unions, to which the state provides political and legal capacity to participate in the governance of the country. The question of the relationship between civil society and justice, which has a great influence on the development of legal consciousness, is of interest. One aspect of their interaction is the ability of these categories to support each other's existence. It should be borne in mind that in civil society the main tool is the share of regulation of public life represented by moral and legal ideals, as well as possessing such civil qualities as humanism, decency, honesty, trust, responsibility, etc. In general, the sense of justice of individuals regulates mutual relations in civil society at the highest level, which corresponds to the comprehension by the person of the significance of all his actions, their correlation with the interests of other members of this society, his unwritten rules and the requirements of the rule of law. This legal consciousness is very important for the functioning of the entire mechanism of civil society and its institutions. It is necessary to take into account that a positive legal consciousness is formed on a civil sense of justice. The most important feature of this type of justice is that it is based not so much on expectation that others (especially power) can make for the use of the individual his subjective rights and freedoms, but rather on the ability and desire of this individual to show his own initiative for the public good. The sense of justice within the framework of a developed civil society, in our opinion, is entirely consistent with the axioms of legal awareness, which, according to Ilyin, are contained in the law of spiritual dignity, the law of autonomy and the law of mutual recognition (Melnichuk O., 2008: 20).

We believe that this sense of justice is the result of the existence of civil society and the rule of law. It arises under the influence of social and legal institutions and is supported by all possible means of legal education and vocational training. Despite this, in some cases, there is also a deformation of a sense of justice and, consequently, of legal awareness. Therefore, the sense of justice can be called «healthy» if it is oriented toward democratic values and ideals.

Consequently, civil society can be a source of a high degree of democratic consciousness, but it can not be a source of legal awareness as such, since the individual's ability to define and understand the surrounding legal reality, to evaluate and interpret it, is common to all people, regardless of whether this particular individual subject of civil society. Hence, it is natural that the processes of democratization of public consciousness and civil society are interdependent and none of them can be considered the main one. O. Petrishin draws attention to the fact that civil society is an objective result of historical development and reflects the corresponding qualitative parameters of society, acquired only at a certain stage of its evolution (Petrishin O.A., 2013: 144-145).

Civil society develops completely only by reaching its potential actors with an established level of legal awareness, including awareness of the need to participate in public life with the goal of creating certain personal and public goods. In other words, citizens' comprehension of the importance of public, legal and political initiatives will contribute to the social progress of effective civil society institutions. Consequently, the primary component of civil society is a person and his initiative, which form the basis of each of his social institutions. At the same time, public sense of justice is the key to all individual and public legal initiatives. The desire to work in a certain direction and, in the end, the very work itself depends on the processes taking place in the individual consciousness. Therefore, we must pay attention to the fact that all individual actions necessary for the development of civil society are revealed in legal ideology and psychology. That is why civilian legal consciousness, as the main driving force of social transformations, is of paramount importance for the formation of civil society along with general democratic, economic and political reforms.

The Republic of Kazakhstan has come close to resolving the issue of organizing and developing civil society institutions. A confirmation of this can be the approval by the Leader of the nation «The Concept of the Development of Civil Society

in the Republic of Kazakhstan for 2006-2011». It defines the following concepts, objectives, goals and institutions of the civil society that is forming in Kazakhstan:

The task of civil society is to mediate between a person and the state.

The goal of civil society is to protect the interests of each subject of society, to represent its interests in the face of power and society, the functioning of the system of public monitoring and control over the activities of the authorities and its bodies, and the organization of domestic and foreign policies of this society.

Institutions of civil society are political parties, local communities, trade unions, religious associations, creative, social and scientific unions and associations, the media and non-governmental organizations that carry out a wide range of services for the community, carrying out various activities as non-state funds, non-profit organizations, unions (associations) of legal entities, other organizations and initiative groups with a view to solving socially significant problems.

The political party is a voluntary association of citizens of the Republic of Kazakhstan, expressing their political will and the will of various social groups. The purpose of the activity of a political party is to represent the interests of citizens of the republic in representative and executive bodies of state power, local self-government and participate in their organization.

Trade unions are independent, with fixed individual membership of the association, voluntarily created by citizens on the basis of common professional interests, for representing and protecting labor and other social and economic rights and interests of their members, improving working conditions.

Religious associations are local religious associations (communities), religious authorities (centers), religious educational institutions and monasteries.

Mass media – periodicals and publications, radio and television programs, documentary, audiovisual recording and other forms of periodic or continuous media, including WEB-sites in public networks (the Internet, etc.).

Public associations – political parties, trade unions and other associations of citizens, created on a voluntary basis to achieve common goals that do not contravene the law. Public associations are non-profit organizations.

Non-governmental organizations are non-profit organizations (except for political parties, trade

unions and religious associations) organized by citizens and (or) non-governmental legal entities on a voluntary basis to achieve their common goals in accordance with the legislation of the Republic of Kazakhstan.

The National Cultural Association is an association of citizens who identify themselves with certain ethnic communities on the basis of their voluntary self-organization in order to independently solve the problems of preserving their ethnic identity, language development, education and culture.

Local self-government is a form of self-organization of citizens at the place of residence in certain localities for self-management of local problems directly or through established local municipal authorities (Rafiev R.B., 2015).

The primary category of civil society is the institutions. Institutions of civil society are a set of non-state structures and institutions created by them, which in their unity characterize the civil life of society. In other words, civil society institutions are political parties, public organizations, non-governmental, non-profit associations and other types of citizen associations (<http://old.nurotan.kz/en/programma-protivodeystviya-korrupcii-partii-nur-otan-na-2015-2025-gody>). How can these forms of association influence corruption in the country?

Political parties. At the moment, there are seven political parties registered in the Republic of Kazakhstan (Nur Otan Party, People's Patriotic Party Auyl, Democratic Party of Kazakhstan Ak Zhol, political party Birlik, Communist People's Party of Kazakhstan (KNPC), Democratic Party of Kazakhstan «Azat», and the National Social Democratic Party (NSDP)). «Nur Otan» is the largest party of the Republic of Kazakhstan, its number is more than 600 000 people.

The coordinating role in the consolidation of civil society against corruption was taken by the Nur Otan party, its anti-corruption program for 2015-2025 became an algorithm of action for civil society, the distinctive feature of which is the elimination of the causes and conditions of corruption. The key goal of the party's program is to involve all sectors of society in the anti-corruption movement, creating an atmosphere of «zero» tolerance for every manifestation of corruption.

In the Nur Otan Party's Anti-Corruption Program for 2015-2025 (<http://old.nurotan.kz/en/programma-protivodeystviya-korrupcii-partii-nur-otan-na-2015-2025-gody>), which substantiates the following key indicators (Figure 1) and public control mechanisms (Figure 2):

Key indicators Anti-corruption program for 2015-2025 Program contains 36 indicators	
Increasing the level of legal literacy of the population up to 60% by 2025	The inclusion of anti-corruption topics in the discipline "Basics of Law" in the amount of not less than 15% of the content
Simplification of the procedure for liquidation of small and medium-sized business from 2015	Cancellation of all planned inspections of small and medium-sized businesses from 2015
Reduction of operating costs of business by 10% by 2020	Full automation of all permits from 2015
Full automation of government services by 2025	Full transfer of socially significant services to electronic format by 2016
Reduction in the number of permits by 50% from 2016	Full equipping of ship halls with audio-, video recording systems by 2020
Increased confidence of citizens to law enforcement agencies up to 60% by 2020	Increasing public satisfaction with the quality of public services and law enforcement agencies to 70% by 2020

Figure 1 – Key indicators of the program

Community audit mechanisms. Anti-corruption programmes	
The annual report to President of party of anti-corruption programme	Annual national corruption perceptions index
Public rating of higher education instructions in terms of corruptions	Promulgation of ethical standards party member "Nur Otan"
Adoption of the Code a law enforcement officer	Adopt a law about "Anti-corruption"
Adopt a law about "Public oversight"	Adopt a law about "On access on information"
Adopt a law, providing the transparency of the process of privatization and state property management	Obtaining authority by local communities for early dismissal of rural akim
Empowerment of local government to build an own income sources	Joining to the Group of States Against Corruption (GRECO)

Figure 2 – Mechanisms of public control of the program

Thus, one of the key elements of the program document is the interaction between the party and society in the fight against corruption. In particular, the program is aimed at strengthening the party's cooperation with the institutions of civil society and the formation of a system of public control. Taking into account the independence of these institutions and their undoubted interest in fighting corruption, we can expect increased participation of the population in this activity. The program emphasizes a whole layer of key areas of such cooperation: ensuring transparency in the activities of state bodies,

national companies and their officials; opening in their activity of defects and flaws that cause corruption, as well as measures to eliminate them. It can be noted that such partnership and interaction will raise the level of the legal culture and awareness of the population about measures to combat corruption, increase public confidence in the authorities, state bodies, national companies, which will have a positive impact on social assistance to the anti-corruption policy of the Kazakh government.

Public participation in combating corruption. The President of the Republic of Kazakhstan in the Strategy «Kazakhstan-2050» noted the need to consolidate the aspirations of the state and society in the fight against corruption.

Involvement of citizens in this process is not only in their active participation in the prevention of corruption, but also in helping to prevent specific corruption crimes.

The main act that determines the legal basis of the new anti-corruption policy is the Law «On Counteracting Corruption» (http://online.zakon.kz/document/?doc_id=33478302). For the first time, the following preventive (preventive) institutions were reproduced: anticorruption monitoring, analysis of corruption risks, development of anti-corruption culture.

In the legislation, special attention is paid to the importance of subjects of counteraction to corruption offenses, to the nature and content of their powers.

Also, the law ensured the powers of individuals, public associations and other legal entities in the fight against corruption, which allowed them to ensure their universal participation (Fig. 3).

In 2017, the Agency for Civil Service and Anti-Corruption of the Republic of Kazakhstan in the context of the implementation of Article 17 of the Law «On Combating Corruption» (http://online.zakon.kz/document/?doc_id=33478302) prepared a national report (<http://kyzmet.gov.kz/en/pages/nacionalnyy-doklad-o-protivodeystvii-korruptcii>) – a conceptual legal act that includes monitoring and assessing the status and trends of the spread of corruption both internationally, and at the national level, law enforcement proposals for the development, implementation and optimization of the state's anti-corruption policy.

Taking into account the international experience of the most prosperous states in the issues of combining the institutions of civil society in the fight against corruption, as well as the recommendations of the third round of monitoring of the OECD Istanbul Action Plan against Corruption, for the

first time in the Republic of Kazakhstan an Open Cooperation Agreement on the formation of an anti-corruption culture in society.

Individuals, voluntary associations, and other legal person
Report on facts of corruption offences known to them in the manner established by the legislation of the Republic of Kazakhstan
Request and receive in due course legislation of Republic of Kazakhstan, information on anti-corruption activities from state agencies
Participate in the formation of anti-corruption culture
Conduct research, including scientific and sociological, on anti-corruption issues
Make proposals to improve legislation and law enforcement practice on anti-corruption issues
Conduct explanatory work in the mass media and organize socially significant events on anti-corruption issues
Interact with other anti-corruption actors and the anti-corruption authority

Figure 3 – Public participation in combating corruption

Undoubted exclusivity of this undertaking is that the agreement is open for accession to it of public associations, political parties, non-profit organizations, and also other organizations regardless of the form of ownership and organizational and legal form, as well as individual citizens of the Republic of Kazakhstan, recognizing its goals and objectives. This clearly demonstrates transparency in eliminating and preventing the causes and conditions that contribute to the implementation of corruption offenses, not allowing a selective approach in matters of cooperation in the fight against corruption.

The content of the agreement is structured taking into account the specifics of counteraction to such a negative and socially dangerous phenomenon as corruption.

Representatives of educational, scientific, creative associations and associations can equally participate in the Open Agreement. Special goals and

objectives are intended for trade union, ethnocultural, human rights and religious organizations.

The main feature of the Open Agreement is that citizens, becoming its participants, adopt specific anti-corruption obligations.

More than 39 thousand organizations and 54 thousand citizens took part in this agreement, which clearly and unequivocally demonstrates the increase of the level of intolerance of citizens towards corruption and readiness to fight it. (Fig. 4).

- The People's Assembly of Kazakhstan
- Theologocal board of Muslims
- Association of Businesswomen
- Association of Higher Education
- Unity of Journalists
- Youth Wing "Zhas Otan" of instalment "Nur Otan"
- Association of Graduates of programme "Bolashak"
- Web Association (Internet Association)
- Civil Alliance of Republic of Kazakhstan
- Federation of Trade Unions
- National Academy of Science
- The Writers Union
- The Film-producers Union
- The Youth Congress
- Sociologists Association

Figure 4 – Major public organizations that have become parties to the Open Agreement

Assembly of the people of Kazakhstan. An important component of the political system of Kazakhstan, which secures and guarantees the interests of all ethnic groups and ensures the unswerving observance of the rights and freedoms of citizens regardless of their nationality, is the Assembly of the People of Kazakhstan, formed on March 1, 1995 on the initiative of the Head of State NA. Nazarbayev.

When organizing the Assembly of the People of Kazakhstan, it was taken into consideration that this body is being created with the aim of implementing the state policy in the field of interethnic harmony and unity, the realization of the national patriotic idea «Mogilik El», ensuring social and political stability and increasing the effectiveness of interaction between the state institutions and civil society in the sphere of interethnic relations.

Now the Assembly of the people of Kazakhstan contributes to the formation of favorable factors for the further strengthening of inter-ethnic harmony,

tolerance in society and, as a result, the unity of the people. Simultaneously, the ANC helps state bodies to counteract manifestations of extremism, radicalism and corruption in society, the formation of politico-legal culture of citizens on the basis of democratic principles and norms. The Assembly ensures the integration of the efforts of ethnocultural associations, contributes to the restoration, preservation and development of national cultures, languages and traditions of ethnic groups residing in the republic, along with the Kazakh nation that make up the single people of Kazakhstan.

On April 25, 2017, the Assembly of the People of Kazakhstan and the Agency for Civil Service and Anti-Corruption Affairs of the Republic of Kazakhstan adopted a joint plan of events, providing for the organization of special concert programs and theatrical performances aimed at fostering an anti-corruption culture, preparing information booklets, outreach activities with various layers of the Kazakh public. At the same time, it is planned to develop thematic video and audio clips, which in various languages of our nation's ethnic communities are planned to be distributed in social networks, on national television and radio.

MASS MEDIA. Of course, now, in the era of globalization and the formation of a global communicative environment, the media occupies a very important place in the anti-corruption policy system.

The resource potential of the media as an institution of civil control is associated with various means of shaping the idea of social justice, the rejection of antisocial phenomena and rules, and civil identity, and are the potential of the active influence of the media on public opinion and the mentality of the population in general and its individual representatives in particular.

The conceptual importance of the media in combating corruption lies in the ability to disclose to the public the unofficial tools of corruption, the ability to deprive it of a convenient basis for the development and dissemination, through the conduct of journalistic investigations, of the facts of corruption and their publication, which should demonstrate to society and corrupt officials the responsibility for unlawful actions.

Mass media, closely cooperating with civil control institutions, realize the function of informational education of a preventive orientation.

Undoubtedly, in order to fully and comprehensively counteract the hydra of corruption, the mass media must acquire complete independence from all branches of power,

becoming a really independent and strong «fourth branch of power.»

Hence the exclusivity of the mission of the mass media in ensuring the right of every citizen to freedom of expression and the right of the population to receive complete and reliable information.

Religion. In order to ensure the growth of the effectiveness of state policy in the religious sphere, aimed at improving state-confessional and inter-confessional relations, strengthening the secular foundations of the state and preventing the use of religion in antisocial illegal purposes, the Head of State N. Nazarbayev in 2017 approved the Concept of State Policy in the Religious Sphere of the Republic of Kazakhstan for the years 2017-2020 (http://online.zakon.kz/Document/?doc_id=36541164).

The concept should unite the efforts of central and local executive bodies, religious associations and civil society institutions to develop state policy in the religious sphere, develop guidelines for the formation of the Kazakh model of state-confessional and inter-confessional relations based on the specificity of the historical and cultural heritage of the Kazakh people.

The concept indicates that the Republic of Kazakhstan has created the necessary conditions for the functioning of officially registered as of January 1, 2017, 3658 religious associations and their branches representing 18 denominations. Traditionally, the most numerous among them are the Islam of the Hanafi madhhab and Orthodox Christianity. There are also Catholic and Protestant denominations, Jewish, Buddhist and other communities. There are 3464 religious buildings in the country, including 2,550 mosques, 294 Orthodox and 109 Catholic churches, 495 Protestant churches and prayer houses, 7 Jewish synagogues, 2 Buddhist churches, 7 prayer houses for the «Society for Krishna Consciousness» and the Baha'i community.

The current 2550 mosques are the property of the Republican Religious Association «Spiritual Directorate of Muslims of Kazakhstan» (hereinafter referred to as «SAMK»). Now there is an increase in the number of SAMK branches, especially in Almaty, Zhambyl, Karaganda and South-Kazakhstan oblasts.

The Republican Religious Association «Orthodox Church of Kazakhstan» is the second after the Islamic in number of adherents. It covers 325 religious entities, including 301 parishes, 9 dioceses and 294 religious buildings, as well as the Metropolitan District in the Republic of Kazakhstan. In the Republic of Kazakhstan, the Armenian Apostolic Church, the Orthodox Church Outside of

Russia, the Pomor Orthodox Church and three Old Believer churches function.

The Roman Catholic Church in Kazakhstan is represented by 85 religious communities, of which 5 communities belong to the Greek Catholic Church. The RCC Center is the Archdiocese of St. Mary in the city of Astana, which belongs to the Catholic church province (metropolia). The RCC has been functioning since 1998 on the basis of the agreement on the relationship between Kazakhstan and the Holy See, approved by Presidential Decree No. 141 of May 19, 1999.

Also in the republic there are 667 Protestant religious entities. The largest Protestant communities include Pentecostal churches, Evangelical Baptist Christians, the Presbyterian Church, the Seventh-day Adventist Church and Evangelical Lutheran churches.

In the republic, 531 missionaries are registered, representing 13 denominations. Among the registered missionaries are representatives of the Roman Catholic Church. The Russian Orthodox Church is represented by 84 missionaries, most of whom are citizens of the Russian Federation.

In Kazakhstan, there are 15 religious educational organizations, 400 primary courses with mosques and Sunday schools, 383 premises for religious activities outside religious buildings, including Namazkhan, prayer rooms and chapels. 257 special stationary rooms were allocated for the distribution of religious literature and other information materials of religious content, religious objects.

Kazakhstan, as an integral part of the world community, faces certain risks of importing interreligious and inter-confessional tensions, increasing the activity of radical religious movements in the region.

As the concept indicates, the majority of Kazakhstanis adhere to moderation in religious activity and are guided by the principles of secularism. At the same time, in recent years there has been an increase in the religiosity of the Kazakh population. Many religious traditions turn into a modern trend. For a certain part of the population there are external manifestations of piety, interest in the publicity of religious life. Some part of the population mistakenly interprets secularism as atheism and secularism.

A family. Traditionally, the main educational institution is the family. No one is better than the family to create and consolidate the qualities that the child will need in his adult life.

The family as an institution of civil society is one of the fundamental values created by mankind

in the whole history of its existence. Thanks to the family, a spiritual connection is established between man and society, between social being and personal consciousness. A future personality is formed in the family: its intellectual, spiritual and physical propensities develop; cultivated personal tastes, needs, inclinations; individual habits, traditions, moral foundations, value orientations, ideas, moods, plans and dreams are fixed (Zatsepin V.I., 1991: 19-23).

The problem of educating young people in a spirit of respect for the institutions of the family, marriage, motherhood and paternity can be resolved only in a comprehensive way, united by the efforts of all institutions relevant to this task.

The complexity of forming a culture of family relations determines the complex coordination and application of the entire instrument of educational influence on the emerging younger generation; interaction between family and school, consideration of the influence on the family of socio-economic factors and a differentiated approach to different age periods of human formation, the educational function of the media in the process of cultivating the ideology of a harmonious, complete, healthy family (Yuldybaev B.R., 2008: 648-650).

The family is an indispensable value for life and the formation of each person, it plays a crucial role in the life of society and the state, in the upbringing of new generations, in ensuring social stability and progress. It should be especially emphasized its importance as an educational institution.

As a public institution, upbringing is the historically established stable forms of joint activity of members of society that have arisen to create an environment for the physical, moral, moral and spiritual maturation and development of these members of society throughout their life. Accordingly, material, spiritual, financial, human and other resources are used (Kurazhenkova N.S., 2015).

The Institute of Education embodies social organizations and structures, specific groups of people in which the child receives social experience, the skills of a joint hostel and who are called upon to have an educational impact on his personality. The most famous institutions of education are the family and the school. It is on them that both moral and legal responsibility for the development of the child's personality is entrusted. However, at the present stage, school and family do not always dominate the educational environment, their influence is often balanced and even outweighed by the influence of many other social institutions:

the media, friends, peers, extracurricular and extra-family environment. Despite this traditionally the main institution of education is the family. It is in the family that the child gets the basics of knowledge about the world around him, and at a high level of culture and education of parents, he acquires not only the basics, but the culture itself throughout his life. The family is a place of birth, a habitat, a certain moral and psychological climate, as well as the first school of relationships with people for the child. It is in the family that he develops his ideas about good and evil, about decency, respect for material and spiritual values. With close people in the family, he experiences feelings of love, friendship, duty, responsibility, justice ... (Kurazhenkova N.S., 2015). Those skills and qualities that the child in the early years acquires in the family, he usually saves for the rest of his life. The importance of the family as an institution of upbringing is conditioned by the fact that the child is in it for most of his life, and from the point of view of the duration of his influence on a person, none of the institutions of upbringing can be comparable with the family. It laid the foundations of the personality of the child and by the time of admission to school it is more than half formed as a person, individuality.

Thus, the family is the main institution for the formation of the personality of a young member of society. Its influence is especially important in the early period of a child's life and it far exceeds the educational influence of other institutions (school, media, street environment, friends).

Hence the dependence can be deduced: the success of the formation of the personality is determined primarily by the family. Pedagogical practice confirms an indisputable axiomatic truth: what kind of family, such and formed in it a person.

At the present stage of Kazakhstan's development, the main task of the national state strategy is the formation of a community of people on the basis of laws, to which everything should be equal. In the end, we are talking about the formation of a common civilian sense of justice in the state and society.

Globalization is the fundamental doctrine that determines the evolution of world civilization at the turn of the new millennium, creating a new era of cooperation between states, economic systems and individuals, causing fundamental changes in all spheres of public life. Globalization is usually understood as a close interconnection of individual actors in the world community, the continuous movement of information, capital, goods and people across national boundaries with higher rates and

scales, the interdependence of cultures, lifestyles and the subordination of global problems to all countries of the world.

Despite this, we believe that the actual spread of the processes of globalization can lead, among other things, to negative consequences, and that, among other things, it can reduce attention to the processes of formation of legal consciousness and civil society in Kazakhstan. According to some researchers, in the process of globalization, the individual sense of justice becomes less relevant, since attention is focused on the legal aspects of entire countries. In addition to the laws of the country, there are many international treaties that are largely determined by economic activity in the global environment. For a person whose legal consciousness is not sufficiently developed, such a factor will interfere with the orientation in the legal space. Any development, including the development of legal consciousness and civil society, must occur in an evolutionary way, which can significantly affect their qualitative characteristics. In our opinion, globalization in itself does not hinder the formed positive legal consciousness, on the contrary, it can benefit the process of global integration, as it can exacerbate the perception of the uniqueness and necessity of national values and ideas. Considering the problem of communication of legal consciousness and civil society, we can note that these phenomena are very sensitive to any mutual changes.

Civil society as the highest form of self-organization of individuals can provide a person all the conditions for the development of a high level of legal awareness, which, simultaneously, is an indispensable factor in the functioning of such a society. We believe that public activity and personal initiative are important circumstances in the creation of a civil society and a rule of law state based on the legal consciousness of the individual. It is they who give the main impetus to democratic reforms in the country and in society. The fact is that the source of civil society in the country should be people and the so-called institutions of civil society, but imposed from above by the will of the authorities – not. However, it must be recognized that the state's influence on the legal consciousness of Kazakhstani society is great. Increasing the level of legal awareness, legal culture and legal awareness of the population through the dissemination of legal information, ensuring effective legal training of personnel and quality education can be an important factor in the process of creating a rule of law state and civil society in Kazakhstan.

References

- Hegel. (1990) *Philosophy of law*. Academy of Sciences of the USSR. Institute of Philosophy. From the «Thought». Moscow. – 247.
- Melnichuk O. (2008) *Law and the State in the Concept of Legal Jurisprudence Ilyin*. // Monograph – O.: Phoenix. – 178 p.
- Petrishin OA *Civil society is the basis for the formation of legal consciousness in Ukraine*. // *Bulletin of the Academy of Sciences of Ukraine*. – 2013. – No. 3 (34). – P. 142-161.
- Decree of the President of the Republic of Kazakhstan dated July 25, 2006 No. 154 «On the Concept of the Development of Civil Society in the Republic of Kazakhstan for 2006-2011» // http://online.zakon.kz/document/?doc_id=30014253&doc_i
- Rafiev RB. *The Role of Civil Society in Counteracting Corruption* // *The Young Scientist*. – 2015. – № 22. – P. 467-469. – URL <https://moluch.ru/archive/102/23055>
- The Nur Otan party's anti-corruption program for 2015-2025 (approved by the resolution of the Political Council of the Nur Otan Party of November 11, 2014 No. 1) // <http://old.nurotan.kz/en/programma-protivodeystviya-korruptcii-partii-nur-otan-na-2015-2025-gody>
- Law of the Republic of Kazakhstan dated November 18, 2015 No. 410-V «On Combating Corruption» (with amendments and additions as of July 3, 2017) // http://online.zakon.kz/document/?doc_id=33478302
- National report on combating corruption (Astana, 2017) // <http://kyzmet.gov.kz/en/pages/nacionalnyy-doklad-o-protivodeystvii-korruptcii>
- Law of the Republic of Kazakhstan as of October 20, 2008 No. 70-IV «On the Assembly of the People of Kazakhstan» (with amendments and additions as of July 11, 2017) // http://online.zakon.kz/Document/?doc_id=30352401#pos=0;0
- Decree No. 500 of the President of the Republic of Kazakhstan of June 20, 2017 «On the Approval of the Concept of State Policy in the Religious Sphere of the Republic of Kazakhstan for 2017-2020» // http://online.zakon.kz/Document/?doc_id=36541164
- Religion in the fight against corruption // <http://kazislam.kz/en/songy-janalyktar/item/12656-religiya-v-borbe-protiv-korruptsii>
- More and more Kazakhstanis and public organizations are involved in the fight against corruption // <http://www.zakon.kz/4866582-v-borbu-protiv-korruptsii-vovlekaetsya.html>
- 15 hadith for the fight against corruption // <http://yaumma.ru/religion/2015/02/17/15-hadisov-dlya-borby-s-korruptsией.html>
- Zatsepin V.I., Bereshchenko A.V., Buchinskaya L.M. (1991) *Young family*. Kiev Ukraine. -320 pp.
- Yuldybaev B.R. (2008) *On Some Aspects of the Formation of a Culture of Family Relations in Modern Russian Society* – *Bulletin of the Bashkir University*. – T. 13. – № 3 – P. 648-650.
- Kurazhenkova N.S. *Family as the main institute of education* // *Internet-journal «The World of Science»* 2015 №3 // <http://mir-nauki.com/PDF/22PDMN315.pdf>