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The evolution of the idea of civil society in the legal and political doctrine of Western Europe

The article is devoted to the basic ideas of European thinkers about civil society. Examines the economic, political and ideological preconditions of formation and development of the idea of civil society and legal state. Examines the political and legal nature of these categories. Reveals the influence of the theories of ancient thinkers on the concept of civil society in the era of the European Renaissance and New time.

Key words: society, state, civil society, legal state, social contract, rights and freedoms.

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Батыс Еуропаның саяси-құқықтық доктринасында азаматтық қоғам идеясының дамуы

Жұмыстың мақсаты – Батыс Еуропада азаматтық қоғам идеясының қалыптасуы мен дамуының негізгі мәселелерін зерделеу болып табылады. Мақалада азаматтық қоғам мен құқықтық мемлекет идеясының қалыптасу және даму алғышарттары жан-жақты талданған. Осы категориялардың саяси және құқықтық мәні зерттелген. Еуропалық Қайта өрлеу дәуіріндегі және Жаңа замандағы азаматтық қоғам тұжырымдамасына антикалық ойшылдар теориясының ықпалы ашып көрсетілген.

Түйін сөздер: қоғам, мемлекет, азаматтық қоғам, құқықтық мемлекет, қоғамдық шарт, құқықтар мен бостандықтар.

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Эволюция идеи гражданского общества в политико-правовой доктрине Западной Европы

Статья посвящена исследованию основных идей европейских мыслителей о гражданском обществе. Анализируются экономические, политические и идеологические предпосылки становления и развития идеи гражданского общества и правового государства. Исследуется политическая и правовая сущность этих категорий. Раскрывается влияние теорий античных мыслителей на концепции гражданского общества эпохи европейского Возрождения и Нового времени.

Ключевые слова: общество, государство, гражданское общество, правовое государство, общественный договор, права и свободы.

THE EVOLUTION OF THE IDEA OF CIVIL SOCIETY IN THE LEGAL AND POLITICAL DOCTRINE OF WESTERN EUROPE

At present, the civil society is included in the definition of the concept is being studied in a wide range of issues. Its name, this concept is not only ordinary readers, scientific research and study.

The definition of civil society in the XVII century, first of all shown in scientific works of G. Grocggii, T. Gobbes, D. Locke. Then, in the XVIII century the level of its development was determined in the works of J.J.Russo, S.L. Montesquieu D. Vicon and many other famous scientists.

Society although there always, but there was no civilian response. The formation of the civil society and development of the whole mankind is the main stage of the history of the state and the rule of law. From where came the phenomenon «Civil society»? To answer that question, get acquainted with the works of famous thinkers of ancient times, you need to read and analyze them.

A new stage of economic, political and civil society began to take shape ideological prerequisites [1, p. 339]. They differ from the industry in the development of industry and trade and the deep division of labor, money and material relations can be attributed to the development of art and culture.

Individuals, civil society, economic, legal and other relations as a system of communication through the published works of many thinkers to understand. Some researchers divided between the state and civil society, not division, it is said, should be taken as the whole concept of the idea. But other scientists that the concept of State explained that the activities of civil society, and others, civil society, government and legal institutions voluntarily observed in the society.

A new era of political and theoretical knowledge reflects the emergence of a new social order in the world [2, s.128]. Distribution and social structures of the state and the civil society sector as a result of the establishment of the society was born.

The teachings of the modern «social contract» with the idea of civil society «independent» and «independent» individuals considered as a set of human nature.

Modern political ideas success information about the state and society should be familiar with the works of thinkers of the period.

Basically, it was noted that «civil society» of the XVII century, in particular the concept of G. Grocggii, T. Gobbles, J. Locke XVIII

century and continued in the writings of Russo, S.L. Monte, V. von Humboldt, etc. studied the works. The notion that the concept of civil society, government or state conducted. At the same time, the emergence of the state timed to coincide with the idea of an agreement on the basis of the theory of social contract. According to this theory, only bowing his head to citizens who have their own government legal [3, s.247].

Contract only supporters of the theory of the formation of the state of civil society and the state make it truth, because only the last one of the main interests of the citizens in a public contract shall be initiated by the side of the document. However, they felt that a priority of the civil society of the country, including the «absolute monarchy, according to some of the world recognizes as the only form of government, but it cannot be inconsistent with the civil society, civil form of government», said G. Locke [4, p.87].

In other words, the English philosopher politician G. Locke (1632-1704 y.) According to the absolute monarchy is a form of control associated with the civil society. Mainly analyze the challenges of the absolute monarchy if it is carried out, which is the managing authority. And the organized civil society is a voluntary public organization, representing the interests of the people.

Renaissance political thinking is one of the brightest stars Hugh Grocree (1583-1645 years). In his famous «right of war and peace» on the work of the state «for the preservation of the rights and benefits of a union of free people» as a rule. Hugo Grocree his writings to determine the relationship between society and the state had a certain opinion. The country's «social harmony», explained as

a result. G. Grocree carrier of the State within the meaning of justice and the guarantee of the right to develop the rule of law on the basis of the Union. Of the «union of free people» as a society, the rule of law regime and the need to prevent anarchy. Civil society will be able to create a public service contract; and to summarize the state of the society as an integral part of the game.

At the same time, the well-known «public contract or the political principles of the rule of law», the French author Jean-Jacques Rousseau (1712-1778) the «People's independence» gave birth to the theory [5, 102b.].

According to Rousseau, only the will of the people as the source of power. The people's democratic state institutions, they change their own laws approved by the authorities. At the same time, the division of power Russo, in his opinion, the people must have all the bodies set up by the authorities. By Jean-Jacques Rousseau «People independence» the future of many nations, the principle of national independence, state sovereignty, played a large role in the fight for democracy.

«Civil society» in the image and character of Thomas Hobbes (1588-1679 years) was reflected in the writings. Some of the works associated with the state of civil society separated in the context. According to Hobbes is not in contact with civil rights laws and the state. Retraction of the civil society. Hobbes «citizen» of the work: «The outside of passion, war, fear, poverty, loneliness, simplicity, neglect ...» he wrote. On the other hand, according to Hobbes bible monster Leviathan state «civil society» concept of affairs for all.

The formation and development of civil society in a few centuries. This process is still not finished.

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