УДК 347.471

Natal'ya Aleksandrovna Khridina – Candidate of Sociology, docent of the public and private law of the Far-Eastern institute of management – branch of RANEPA (Khabarovsk). *E-mail: lawclinic-dvi@mail.ru*

Civil society in the regional measurement: state and ways of enhancement

Features of functioning of the institutes of civil society in the regional measurement at the present stage, legal regulation of their activities, specifics of separate institutes are covered in this article. The activities of non-commercial sector, Civic chamber of the Khabarovsk territory, subjective factors, activity of the citizens, satisfaction with the level of living and others are analysed. Features of interaction of the non-profit organizations are shown (further – NPO) with the public authorities, the major factors interfering formation of the civil society in the region are revealed. The ways of increase of the efficiency of functioning of the institutes of civil society are offered.

Гражданское общество в региональном измерении: состояние и пути совершенствования

В статье освещены особенности функционирования институтов гражданского общества в региональном измерении на современном этапе, правовое регулирование их деятельности, специфика отдельных институтов. Рассмотрены деятельности некоммерческого сектора, Общественной палаты Хабаровского края, проанализированы субъективные факторы, активность граждан, удовлетворенность уровнем жизни и другие. Показаны особенности взаимодействия некоммерческих организаций (далее – НКО) с органами государственной власти, выявлены основные факторы, препятствующие становлению гражданского общества в регионе. Предложены пути повышения эффективности функционирования институтов гражданского общества.

Keywords: *civil society, public associations, non-profit organizations, socially oriented public organizations, Civic chamber, civil activity, trust of citizens to the power, public control, citizens' initiative.*

Ключевые слова: *гражданское общество, общественные объединения, некоммерческие организации, социально-ориентированные общественные организации, Общественная палата, гражданская активность, доверие граждан к власти, общественный контроль, гражданская инициатива.*

The questions of forming in Russia of civil society are put at the national level for a long time. The increasing role of civil society and need of its further strengthening have been highlighted in the President's letter of Russia to the

Russian Federation Federal Assembly (2006) by V.V. Putin: "… To stimulate the further growth of the institutes of civil society, it is not necessary to invent anything. It is necessary to transfer gradually to the non-state sector functions which the state shall not or it is not capable to carry out effectively".

The main conditions of active life of the civil society are: constitutional state, democratic public administration, existence of the public sphere of political activities and political debates, publicity and high knowledge of the citizens.

Today there is a number of e problems and difficulties interfering forming of the civil society in Russia. They are caused, first of all, by historical conditions and nature of the reforms which are carried out in the country. Unlike the western democracies growing "from below" on the basis of historically growing objective and subjective prerequisites in the Russian civil society was initiated "from above".

To that the creation of the Russian President's Council for Civil Society and Human Rights is a striking example. The main problem of functioning of this organization is that in the minds of Russians there was still no understanding of special need of "civil society" and an idea of how its institutes can affect their life. Civil society at first acted more likely as a mobilization model which just like the western model, first, should be created and, secondly, "to fill" with the democratic content. All this during the era of the developed Russian reforms was represented in a wildly simplified, schematical, "dynamic" variant. Crash of liberal reforms in Russia has once again confirmed danger of a blind imitation to the West and has at the same time highlighted a special if not exclusive role of the state in creation in the country of the prerequisites of forming of the civil society and in general conditions of development of a new socio-political system [1, p. 33].

Civil society should be build on democratic basis. The society becomes civil only at a certain stage of democratic development and is created in the process of economic, political development of the country, growth of welfare, culture and consciousness of the people.

Development of the civil society in Russia as a necessary condition of development of the democratic constitutional state is one of the priority directions of modernization of the Russian Federation.

At the same time, the practice shows that forming of the civil society is the long process consisting of separate stages within which it is necessary to solve the certain problems. Different factors exert the impact on forming of the civil society (economic, political, social, legal, cultural, etc.).

The economic basis of civil society is constituted by a variety of patterns of the ownership and sovereignty of individual owners to which the legislative guarantees of equal recognition and protection are provided.

As the political base of civil society serve the constitutional state and democracy which are necessary for providing all rights and personal freedoms, development of the society for the purpose of creation of stability n in it, safety, justice and cooperation.

One of the main basic living conditions of the civil society is publicity which is provided through the independent mass media.

In the Constitution of the Russian Federation the basic provisions of forming of the civil society are fixed in Russia, such as the right to associations, the rights and freedoms of activities of public associations etc.

These provisions have found specification in the federal legislation: The federal law of May 19, 1995 "About public associations"; The Federal law of January 12, 1996 "About non-profit organizations"; The Federal law of the Russian Federation from 6/28/1995 No. 98-FL "About the state support of youth and children's public associations"; The Federal law of the Russian Federation from 7/21/2014 No. 212-FL "About the bases of public control in the Russian Federation"; The Federal law of the Russian Federation from 4/4/2005 No. 32 "About Civic chamber of the Russian Federation"; The Federal law from 7/11/2001 No. 95-FL (with changes and additions of 2015) "About political parties" and others.

At the regional level legal regulation of the institutes of civil society has received fixing in the State program of the Khabarovsk territory "Assistance to development of the institutes and initiatives of the civil society in the Khabarovsk territory " for 2013 – 2020", accepted by the Order of the Government of the Khabarovsk territory of December 29, 2012 No. 482 which provides the main mechanisms of support of the social non-commercial organisations (further – SNCO) in the region, such as:

- rendering information and consulting support to SNCO;
- provision of subsidies from the regional budget for assistance to functioning of SNCO;
- rendering property support to SNCO;
- provision of subsidies from the regional budget to the legal entities, individual entrepreneurs, physical persons for the cost recovery on production and publications of information and publicistic materials of purpose.

According to the specified program, in the region a number of regulatory legal acts, for example, the Resolution of the governor of the Khabarovsk territory of July 19, 2007 No. 110 "About the Concept of development of non-commercial sector of the Khabarovsk territory " is adopted. This concept is developed for the purpose of increase of the efficiency of interaction of executive bodies of of the territory with the non-profit organizations and the local government bodies, ensuring civil participation in the forming and implementation of the priority directions of the social policy in the Khabarovsk territory. Within implementation of this concept the Order of the Government of the Khabarovsk territory of July 03, 2015 No. 173 "About approval of the Order of rendering information and consulting support to the socially oriented non-profit organizations of the Khabarovsk territory" is adopted. The Order of the government of the Khabarovsk territory of August 07, 2015. No. 518 "About provision of subsidies from the regional budget to the socially oriented non-profit organizations of the Khabarovsk territory" and the Order of the Government of the Khabarovsk territory from 10/31/2014 No. 419 "About support of the socially oriented non-profit organizations, philanthropists and volunteers performing activities in the sphere of

social servicing in the Khabarovsk territory" are signed. The last determines the directions of social projects on which implementation subsidies are provided:

- "Social support of the children and families with children which are in a difficult life situation and (or) socially dangerous provision";
- "Integration of the families with handicapped children into the society";
- "Maintenance of needy families with children with the steady drug or alcoholic addiction".

The Agreement between the Ministry of Economic Development of the Russian Federation and the government of the Khabarovsk territory on provision of a subsidy from the federal budget to the budget of the Khabarovsk territory on a program implementation of the support of socially oriented non-profit organizations of October 20, 2015 No. S-611-OF/D04is signed.

Thus, the analysis of the regional legislation confirms support of the socially oriented non-profit organizations which activities are directed to satisfaction of the social requirements of population. Legal status of the socially oriented non-profit organizations is legislatively determined, annual financing in the form of grant support of SNCO is performed.

The analysis of the institutional sphere of civil society in the Khabarovsk territory has shown that as of November 20, 2015 in the Khabarovsk territory 2 657 non-profit organizations are registered.

The majority of the registered NPO have quite long history of existence, the work experience of 73,8% of NPO makes from 5 to 14 years. The percent of young NPO (with a work experience less than 5 years) – 32,8%. It should be noted that a significant amount of NPO (4,9%) is registered in 2015, despite a difficult social and economic situation in the region and in the country in general. Perhaps, it is connected as with the general tendencies of development of social activity of the citizens, development of the institutes of civil society, and with the preserving and development of support to the public structures which are the regional and municipal authority on provision of the grant, financial, methodical and information help to NPO.

According to the official statistics, the majority of the socially oriented organizations in the region are oriented on: provision of services in the fields of education, sciences and cultures (49,2%); rendering the charitable help (41,5%), promotion of a healthy lifestyle, improvement of a moral and psychological health of the citizens (33,8%); social support and protection of citizens (23,1%). As the target groups of SNCO act generally socially unprotected segments of the population: youth (50,8%), children (55,4%), elderly citizens (38,5%), pupils of orphanages (30,8%) disabled people (26,2%).

According to the published Report on a staten and development of the civil society in the Khabarovsk territory (2015), in 2013 in the Khabarovsk territory serious financial resources (about 20 million rubles of the regional budget and about 20 million rubles of the federal budget) have been for the first time allocated for subsidies for the socially oriented non-profit organizations (the average amount of one grant is 500 thousand rubles). In 2014 from the regional budget about 17

million rubles, and in 2015 – about 23,5 million rubles have been allocated for tender.

In 2015 the number of bids of the act social projects within the allocated regional subsidy has a little increased. If in 2013 and 2014 on average no more than 80 organizations submitted applications for one tender (in 2013 – 74 requests, in 2014 – 73 requests), then in 2015 their quantity has reached nearly 90. Yes, of course, the positive tendency is looked through, but if to estimate a share of public organizations from number registered, then this share will be very small. By and large, it is possible to claim that this number of public organizations and constitutes the real base of civil society of the Khabarovsk territory, these public structures are ready to implementation of the socially important projects.

Also it is noted that, despite some growth of a number of requests for grant tender from the municipalities (in 2013 8 districts participated, in 2015 the participants represented already 14 districts), the number of requests from municipalities are not enough. In 2015 the majority of public organizations (59,5%) at least once submitted the application for participation in tenders for getting of subsidies for implementation of the social projects. At the same time, in comparison with 2013 decrease of the activity of public structures in participation in grant tenders is noticeable (from 72,5% to 59,5%). It can be caused by passivity of the organizations, their insufficient knowledge of the held competitions of social projects. The results of research show that those organizations which actively submit applications for participation in the grant projects, more often won in tenders.

If in general to analyse a structure of the budget of non-profit organizations, then in 2015 financial resources were raised from the following sources: the sponsor's help – 38,5%; municipal financing – 35,4%; own means – 32,3%; grant means of the regional level – 29,2%.

Thus, the non-commercial sector of the region shows the dependence on public financing owing to what has no fixed source of the income. The current situation, on the one hand, puts the non-profit organizations in a difficult financial position, but, on the other hand, allows the non-profit organizations o be more mobile and flexible in search of financing.

The law of the Khabarovsk territory of December 21, 2011 No. 151 "About Civic chamber of the Khabarovsk territory" regulates the questions of activities of the Civic chamber of the Khabarovsk territory. The law of the Khabarovsk territory of September 22, 2015 No. 110 "About single questions of implementation of the public control in the Khabarovsk territory" regulates single questions of implementation of the public control in the Khabarovsk territory for the purpose of supervision over the activities of the regional public authorities, local government bodies of municipalities of the territory, the state organizations of the territory and the municipal organizations of the territory, the other bodies and organizations performing separate public powers.

Thus, in the regional legislation the main institutes of civil society have received a legal regulation that has allowed create a good platform for forming of

the active civic stand of population of the Khabarovsk territory, security of implementation of constitutional rights and freedoms of the itizens.

The civic chamber created in the Khabarovsk territory in 2011 is the important mechanism of ensuring interaction of the civil society and the government at the level of the subject of the Russian Federation. The civic chamber of the Khabarovsk territory (as well as federal) is an independent body. Independence in this case is shown, first of all, that these public organizations are created not in a case of public authority of the subject, and work according to the purposes and tasks proclaimed in the law. Under the law, the Civic chambers act not just as the bodies uniting and coordinating activities of the public but also as the regulatory authorities over the activities of public authorities.

Investment with their own legislative initiative would be considerable jump to strengthening of the status of the regional Civic chambers. The regional Civic chamber can exercise this right by the means of entering into the legislature of the subject of the Russian Federation of the draft of this or that law. Investment of the regional Civic chamber with a power to initiate legislation will not turn the chamber into the body substituting with itself legislative authority of the region or encroaching on the right of this body as the exclusive right of adoption of the regional laws still belongs to the regional parliament [1, p. 33].

In spite of the fact that the Civic chamber of the Khabarovsk territory functions rather long time, according to the published Report on the state and development of the civil society in the Khabarovsk territory (2015), the average level of knowledge of the residents of the Khabarovsk territory of activity of the Civic chamber of the Khabarovsk territory remains: a half of inhabitants within a year heard something or read about its work. At the same time, it is possible to note insufficient information presence of activity of the chamber at media space as still more than 40% of inhabitants who within a year heard something about activity of the Civic chamber, haven't remembered the contents of this information.

In general, about 40% of residents of the Khabarovsk territory are familiar with the activity of the Civic chamber of the Khabarovsk territory in a different degree today. However in the majority it "… only the general idea about its activity" (36,5% of a number of respondents). A share of residents of the Khabarovsk territory who have noted that they "… have a good idea of its activity", extremely insignificant (3,0% of a number of respondents) that staticizes forming and development of a system of information presence of the chamber at media space. At the same time, the level of knowledge of residents of the region of the Civic chamber and its activity for 3 years significantly doesn't change.

The results of research also testify to the low level of recognition in public opinion of the members of the Civic chamber of the Khabarovsk territory. Surnames of members of the Civic chamber of the Khabarovsk territory in 2015 could call only 2,7% of the interrogated residents of the Khabarovsk territory (in 2014 such there were 1,4%). Quantitative characteristics of recognition of the members of the Civic chamber have still not exceeded even 1% in relation to the specific member of the chamber. All this staticizes an increase of information

presence at media space of the activity of members of the Civic chamber of the Khabarovsk territory.

The low level of knowledge of residents of the Khabarovsk territory is confirmed also by a weak idea of citizens of the purposes of activity of the Civic chamber as the institute of civil society. According to the results of research, still about a half of respondents (48,3% in 2014 and 47,8% in 2105) couldn't answer a question: "For what the Civic chamber of the Khabarovsk territory has been created?". Still practically every tenth respondent has given rather negative evaluation to the need of creation of this public structure, having noted that "… it is the next structure of the power incapable anything to solve". All this once again confirms the relevance of increase of information and practical activities of the chamber.

Thus, achievement of the effective objective – "… ensuring coordination of the socially significant interests of the citizens, public associations, regional public authorities and the local government bodies for the solution of the most important questions of economic and social development of the territory, protection of the rights and freedoms of the person and the citizen, and democratic principles of the development of civil society" – is impossible without ensuring sufficient level of knowledge of the activities as in general the Civic chamber, and its members.

Adoption of the law of the Khabarovsk territory of September 22, 2015 No. 110 "About single questions of implementation of public control in the Khabarovsk territory" which was developed jointly by the bodies executive and legislature of the territory with the Civic chamber of the Khabarovsk territory became one of the milestone events of 2015. It is important to note that adoption of the law was preceded by the long public discussion, numerous public hearings were carried out.

In addition to the objective factors of forming of the civil society stated above also the subjective factors of forming of the civil society, such as social activity of the citizens, social well-being of the citizens, trust of the citizens to the power have essential value.

A subject of civil society is the sovereign personality possessing the certain interests caused by the personal interest, social and legislative laws and rules. The subject of civil society possesses economic independence (he has the right to choose forms and types of his labor activity, including entrepreneurial), political and ideological freedom, has an active civic stand and bears responsibility for the acts [2, p. 65].

In the Report on a state and development of the civil society in the Khabarovsk territory in 2015, the data of sociological poll testimonial of a rather low level of institutional trust of residents of the Khabarovsk territory, especially are provided to the political institutes: regional power (28,2%), deputies (11,6%), political parties (10,8%). Legal institutions enjoy big confidence of citizens (though about 50% of respondents have spoken trust to them). So, to the courts put trust of 52,3% of respondents, to the prosecutor's office – 51,3%, police – 38,4%, the representative for the rights (of person, child, entrepreneurs) – 38,4%. At the same time, in recent years this level of credibility does not change.

Two factors united by integrated feeling – feeling of social justice which is especially significant for the Russian person in the system of social relations and observance of their rights and freedoms are the cornerstone of trust of the society to the power, by and large. From here, as far as people are satisfied with the social well-being as far as they feel observance of the rights and freedoms, so and their level of credibility to the power will depend.

The results of sociological monitoring of social activity of the citizens demonstrate its some growth. So, in 2015 72,5% of residents of the region within a year have made, at least, "one socially useful case" (from sending the SMS of several ten rubles for charity before participation in the work of public and political parties). In 2014 among the residents of the region such there were 65,4%, in 2013 – 60,1% from a number of respondents [3, p. 89].

The views of residents of the region on changes to the best or the worst in different spheres of life in recent years reflect a general background of their social well-being. Balance of positive opinions (changes to the best) over the negative are noticeable (changes to the worst are noticeable) prevails concerning the improvement, organization of culture and leisure, additional and preschool education. In he all other spheres of activity negative evaluations prevail. The vast majority of inhabitants (70,1%) have noted deterioration in financial position, 75,9% – increase in the prices for goods and services, 58,3% – deterioration in housing and communal services, 54,3% – deterioration in a road's state, 49,3% – deterioration in the health care. As the results of research show, more residents of the region note infringement and violation of the social and economic and personal rights.

Thus, it is possible to conclude that the social activity of the citizens increases with a growth of threat to their interests. The threats which were more mediated, connected with imperfection of the political and social system mostly by the citizens are not perceived.

Within the conducted expert sociological survey of 65 heads of the really functioning public organizations and performing the activities in the territory of the Khabarovsk territory note that the civil society in the Khabarovsk territory develops insufficiently, it is still passive, weak (62,3%), only every third expert (36,0%) notes itss average or high level. Among the basic reasons of low level of its development the experts called the low level of credibility of the population to the accounting of public opinion, insufficient development of the infrastructure of support of the citizens' initiatives, the low information presence of activities of the institutes of civil society at mass media, lack of a civic stand at the inhabitants, the low level of living of the citizens.

Proceeding from the results of the carried-out analysis it is possible to offer the next ways of increase of the efficiency of forming of the civil society:

- strengthening of the mechanisms of interaction of the state with the institutes of civil society, with a wide range of public organizations; the need of support of public initiatives;

- strengthening of a role of the Civic chamber in the activities of the region by giving the right of initiate legislation;

- widening of the activities of NPO directed to the solution of pressing problems, significant for the region: health protection, development of education, reforming of housing and communal services, others;

- carrying out the information and educational activities in mass media, the Internet about a role of the institutes of civil society, reality of the results of their activities that will promote an increase of their importance and strengthening of trust of the population to them.

Literature and the sources:

1. Хлеханова, А. А. Особенности формирования гражданского общества в России: региональный аспект / А.А. Хлеханова // Вестник КГУ им. Н.А. Некрасов. Раздел «Социология. Политология». – 2011. – № 3. – С. 333 – 339.

2. Костючков, С. К. Личность и гражданское общество: направления и формы взаимокорреляции / С. К. Костючков // Сборники конференций НИЦ Социосфера. – 2012. – № 34. – С. 64 – 67.

3. Доклад о состоянии и развитии гражданского общества в Хабаровском крае в 2015 г. –.– Режим доступа: http://www.opkhv.ru/files/files/2016/bdf35daeecf9549bbdfd.pdf