GENESIS OF SOCIAL CONTROL AND CIVIL SOCIETY

Author:

Abdullayev Tursunboy
Yakhshiboyevich

THE MINISTRY OF HIGHER AND SECONDARY SPECIALIZED EDUCATION OF THE REPUBLIC OF UZBEKISTAN

ANDIJAN FACULTY OF TASHKENT INSTITUTE OF FINANCE

Associate professor of the Department of social and humanitarian sciences, Candidate of the Sciences of Philosophy

Monograph
Abdullayev Tursunboy Yakhshiboyevich
Monograph title:

"GENESIS OF SOCIAL CONTROL AND CIVIL SOCIETY"

Reviewers:

The monograph is recommended for publication based on the decision of the Scientific Council of Andijan faculty of Tashkent Institute of Finance dated December 11, 2023.

India 2023

TABLE OF CONTENTS

INTRODUCTION

The monograph examines the historical stages of the development of social control as one of the types of social control. The author emphasizes that in order to combat corruption, not only state, but also public control should be strengthened, which is aimed at assisting state structures in the realization of citizens' rights and freedoms, ensuring legality in the implementation of management activities and maintaining law and order."

The concept 'social control' has been criticized from a variety of quarters in recent years, particularly by historians and historical sociologists. However, it remains in common usage in sociological studies of welfare, deviance and social control. This paper shows, first, how this reliance on the concept of social control is rooted in a wider-ranging argument in social and political theory concerning the liberal-democratic fusion between the state and civil society, and that the lack of resolution of this argument is the foundation of the persistence of the concept social control in other areas of social inquiry, despite its repeated 'falsification'. Second, the paper highlights the main arguments against the use of 'social control' in explaining social order, in particular the misunderstanding of class, culture and power which its use encourages, and the paper will conclude with a discussion of alternative ways of conceptualizing the operation of power in contemporary societies.

Society is made up of individuals who share common culture, and occupy a particular geographical area, (Zanden, 1996). Notwithstanding the fact that, socialization process is a powerful mechanism, that shapes the behavior of people of, and living in the same society, the distinctive, and unique nature of human personality, make individuals from the same society to behave differently. As a result, some members of one, and the same society conform to the expected patterns of behavior, as dictated by culture of that society whereas, others deviate. Deviation from norms, and rules is what is referred to as

deviance, and crime respectively. Conventionally, societies do not allow deviation, and crime unchecked. They do reward conformity for re-enforcement purposes, and condemn deviation for deterrence, and corrective reasons.

CHAPTER 1. SOCIAL CONTROL: GENESIS AND THEORETICAL ISSUES

1.1.   Genesis of Social Control

Public control is the activity of citizens and non-profit organizations aimed at achieving transparency in the work of state authorities and local self-government, taking into account public opinion, increasing the efficiency of the state, strengthening its responsibility to society, etc.

The concept of social control was first seen in 1901, as the production, and reproduction of order in the society, by Ross, who admitted that, the term had actually been used by Spencer, earlier. Ross approach was essentially socio-psychological one, comprising twenty three, (23), mechanisms, via which social groups affect human behavior, (Innes, 2009). The works of Hobbes, Aristotle, and other classical Greek philosophers dwelt largely on politics, and the consideration of safeguarding the lives of people in an organized society, as an essential , and indispensable role of government, in the state. Writings of Simmel, Weber, Durkheim, and Marx centered on the sociability of human beings, as well as the supremacy of groups over individuals in producing, and shaping a particular social structure, and order in the society. Inherent in all the above endeavor is the issue of social control. Apart from examining the intellectual roots of social control, Innes, (2009), also took a look at social control in practice, by indicating, and incorporating the evolution, and relevance of modern day media, police, prison system, and law in social control concretization.

For its effective, and timely administration, and implementation, social control measures depend on agents. Social control agents are important players as they do regulate, and administer responses to deviance, and crimes in the society. Peer groups, police, and Road Safety Staff are some of them. More often than

not, members of powerless groups may be defined as deviants for even the slightest infraction against social norms, where as others, (usually economically powerful), may be free to behave in deviant ways without any consequence. Albeit, oppressed groups may actually engage in more deviant behavior, partly due to differential statuses, and access to resources, they have a greater likelihood of being labeled deviants, incarcerated and/or institutionalized, whether or not they have actually committed an offense. This is evidence of the power wielded by social control agents. When powerful groups hold stereotypes about other groups, the less powerful people are frequently assigned deviant labels. As a consequence, the least powerful groups in society are subject most often to social control. You can see this in the patterns of arrest data of various countries. Poor people are more likely to be considered criminals, and therefore more likely to be arrested, convicted, and imprisoned than middle-and upper-class people, (Andersen and Taylor, 2011). This is visibly evident in the Nigerian prisons. The arrest ratio of the upper-class and the lower class, as well as the victimization, looting and embezzlement of public treasury by the politicians take place with enormous impacts on the fate the nation. However, instead of being punished, this class is rewarded, and applauded, in various forms. But a poor thief that steals a goat, or two thousand naira to solve an immediate domestic issue like food stuff, tends to receive widespread condemnation among community members, and the formal agencies of social control.

Basically, two processes of social control have been identified. One: internalization of group norms which involves the inculcation of society's cultural expectation through the socialization process. In this process of social control, members of the society are made to know the society's standards of behavior, and are acting in accordance with these standards. Two: external pressures or sanctions by others in the event of anticipated or actual non-conformity to norms, (Clinard, and Meier, 1998).

Acute domestic anomie is principally a result of relative deprivation, that is, the discrepancy between means and goals, (needs),arising in periods

of sudden economic boom or depression. Chronic economic anomie, on the other hand, results from the prominence of economic activity over other areas of social domain, leading to a gradual, yet consistent erosion of the ability of social control agencies to exercise restraint on individual wants. The end result of both forms of anomie is a boundless pursuit of needs, unhappiness, and suicide. Durkheim compared these anomic states to parallel crises in domestic circumstances. Thus acute domestic anomie refers to situations of such sudden changes on the domestic front, as, for example, widowhood, which leaves the surviving spouse unable to cope with the loss of a partner and thus prone to suicide. Chronic domestic anomie results from the increasing inability of such domestic regulatory mechanisms as, for instance, marriage to secure the proper balance between the means and needs of spouses,(Bell, 2010). Thompson (1982) cited in Bell, (2010),postulated that Durkheim, contrary to the utilitarian, economic, and psychological theories of his time, did not ascribe to the view that human needs were determined by a person's psycho-physiological makeup. Rather, human needs were culturally relative, socially constructed, and thus potentially endless. An effective external moral authority was required to ensure that these needs or desires remain in check. Social control is the moral authority for checking individual desire. Box, (1981), cited in Tierney (2010:86) captured this notion, thus Durkheim viewed human aspirations as naturally boundless, and, as he saw it, the trick of social control was not to give people what they want –that would be impossible –but to persuade them that what they have is about all they morally deserve.

Tanimu, (2003), divided social control agents as operating at three levels: informal group control, secondary group control and formal control agencies. The first group or agents who regulate individual conduct are more or less at the micro-level of social interaction. This consists of primary group members like the family and peer group. At this informal level, social control is made using traditional techniques of ridiculing, and gossiping. At the secondary level of social control, the individual behavior is officially regulated and the members of the

group are connected and guided by the organizational codes of behavior. Tanimu, (2003), observed that the formal setting at this level is adhered to by some informal forces such as criticisms, laughter of disgrace and gossip. He pointed to the fact that, formal control of social conduct within a formal group would be more effective when it is reinforced by informal control effects. Social control at the formal level is typically facilitated by the criminal justice system-police, court and correctional institutions such as prisons, mental institutions and borstal homes. The formal control agents, Tanimu, (2003:132) stated, are characteristics of "modern day cities with complex organizations...formalized laws and deviance control agencies". As Schaefer, (2010) stated, the sanctions that are imposed on the deviant persons are made through either formal, or informal social control, or both. Hence, unlike Tanimu, who divided social control into three, Schaefer, gave two-formal and informal.

As the term implies, people use informal social control casually to enforce norms. Examples of informal social control include smiles, laughter, raising an eyebrow, and ridicule. In Canada, the United States, and many other cultures, one common and yet controversial example of informal social control is parental use of corporal punishment. Child development specialists counter that corporal punishment is inappropriate because it teaches children to solve problems through violence. They warn that slapping and spanking can escalate into more serious forms of abuse. Yet, despite the fact that pediatric experts now believe that physical forms of discipline are undesirable and encourage their patients to use nonphysical means of discipline (Tidmarsh 2000). Approximately,70 percent of Canadian parents have used physical Punishment (Durrant, and Rose-Krasnor, 1995).

Sometimes informal methods of social control are not adequate to enforce conforming or obedient behavior, especially in modern, and complex societies of today. In such cases, formal social control is carried outby authorized agents, such as police officers, physicians, school administrators, employers, and military officers. It can serve as a last resort when socialization and informal

sanctions do not bring about the desired behavior. An increasingly significant means of formal social control in Canada is to jail people. In Nigeria, police is playing significant role in enforcing law. The only weakness is the dubious character of the Nigeria Police. It has now becomes commonplace to relate police with bribery and corruption, unjustifiable arrest, brutality and abuse of authority. Singapore deals with serious crimes severely. The death penalty is mandatory for murder, drug trafficking, and crimes committed with firearms. Japan has created a special prison for reckless drivers. While some are imprisoned for vehicular homicide, others serve prison terms for drunken driving and fleeing the scene of an accident, (Elliott, 1994).Inherent in any type of control strategy is the idea of building up 'social capital', (Putnam, 2000), in 'problem' neighborhoods or, the society at large. Innes, (2009), buttressed Putnam's social capital idea. Innes, considered social capital as the 'social glue', derivable from residents' active involvement in local social networks which secures, and adds gains for the entire community, and by extension, making it a better place for living.

1.2 Structural elements of the society's fundamental institutions

It's clear that social structures of ancient and modern societies differ from each other. This difference is caused by diachronic changes taking place in the society: although the structure presents a stable carcass, it is stable or invariable only for a definite period of time, and historically it changes. Social structure is qualitative certainty of the society which means that change in structure leads to radical, qualitative change in the society. Structure ensures stability required for the functioning of associated social elements which accumulate quantitative changes up till the moment when they turn to quality, and a need for structural changes in the social object rises. For instance, development of the bourgeoisie and proletariat as classes and formation of new relations of production lead to a bourgeoisie revolution and change of the socio-economic system.

Social structure is characterized by the following main attributes:

➢ hierarchy - vertical and horizontal arrangement of structural elements which is based on their unequal access to authority, income, social prestige etc.;

➢ interconnection of structural elements which is realized through exchange of resources, information, sharing values etc.;

➢ differentiation into the smallest elements and their integration into the whole;

➢ flexibility, capacity to change so it is an important part of the management.

Traditionally, theorists identify the following types of social structure: socio-demographic, socio-class, socio-ethnic, socio-professional, socio-confessional etc. No doubt, any social object has its structure. For instance, at analyzing a labour collective we may consider employees within the socio-professional structure: those who got secondary, vocational and higher education, scientific qualifications, representatives of various professions, specializations, their levels of qualification.

The economic system is a set of economic institutions and relations that people enter into in the process of realizing the relations of ownership, production, distribution, exchange and consumption of the aggregate social product.

The political system consists of integral self-regulating elements (organizations) of the state, political parties, socio-political movements, associations and relations between them. An individual acts politically as a citizen, deputy, member of a party, organization.[1]

In social structures of the second type their elements are viewed as relatively independent subsystems or spheres of social life (politics, economy etc). Their number is a point for debate. For instance, G. Hegel and F. Engels spoke of politics, economy and family; modern theorists perceive four spheres: culture,

politics, legislation and economy although they don't deny that other spheres can also be seen in religion, science or in family.

Economic sphere includes four types of activities - production, distribution, exchange and consumption. It provides means for increasing the material welfare of the society: enterprises, banks, markets, money flows and the like that enables the society to use available resources (land, labour, capital and management) in order to produce the amount of goods and services sufficient enough to satisfy people's essential needs in food, shelter and leisure. About 50% of the economically active population take part in the economic sphere as the young, old, disabled do not produce material wealth. But indirectly 100% of the population participate in the economic sphere as consumers of created goods and services.

Political sphere includes the head of the state and the state bodies such as government and parliament, local bodies of power, the army, the police, taxation and customs bodies which together constitute the state and political parties which are not part of the state. Its objective is to realize the goals of the society: to ensure the social order, settle conflicts arisen between partners (employers, employees and trade unions), defend the state frontiers and sovereignty, impose new laws, collect taxes etc. But its main objective is to legalize ways of struggle for power and defend the power obtained by a particular class or group. The objective of political parties is to legally defend the diversified political interests of different, very often opposite, groups of the population.

Spiritual sphere includes culture, science, religion and education and their artifacts such as monuments and establishments of culture, pieces of arts, research and learning institutions, temples and cathedrals, mass media etc. If science is aimed at discovering new knowledge in various spheres, education should translate this knowledge to the future generations in a most effective way, for schools and universities are built, new programs and teaching methods are worked out,

qualified teachers are trained. Culture is designed to create values of arts, exhibit them in museums, galleries, libraries etc. Culture also comprises religion which is considered the pivot of spiritual culture in any society as it gives sense to human life and determines basic moral norms.

Social sphere embraces classes, social layers, nations associated by their relations and interactions. The given sphere of the society is understood as narrow and wide. In its wide meaning the social sphere is a totality of organizations and establishments that are in charge of the population's wealth; they are shops, transport means, communal and consumer services, establishments of catering, medicine, communication, leisure and recreation. Thus, as such the social sphere covers almost all classes and layers - the rich, the poor and the middle class.

In its narrow meaning the social sphere is designed for the members of the society who are regarded as socially unprotected (pensioners, unemployed, with low incomes or with many children etc) and the establishments that provide their service, namely, the bodies of social security (including social insurance) of both local and national subordination. In this case, the social sphere is designed for the poorer layers of the population.

There are other approaches as to the number of parts or spheres of the society but they are all united by a view that social subsystems cannot exist as isolated. They are arranged in a pattern of relationships that, together, make the system. The social naturally penetrates into the productive and managerial spheres since people of different nationalities, ages, sexes and confessions can work together at an enterprise, on the one hand. On the other hand, if the country's economy doesn't perform its main objective to satisfy the population with the sufficient amount of goods and services, the number of jobs doesn't increase, there may arise negative consequences in the society. For instance, the money is short to pay wages and pensions, unemployment appears, the living standards of the

socially unprotected layers are decreasing, crimes are increasing etc. In other words, success or recession in one sphere has a great influence on prosperity in the other one.

The third type of social structure is best developed by structural functionalists who assert that structure arises out of face-to-face interactions of people. Interactions make up patterns which are independent of the particular individual, because patterns are determined by social norms and values of the given society. For instance, somebody needs money. He can earn it, but if in some society robbery or burglary is not disapproved of, he may rob someone to reach the purpose. So patterns exert a force which shapes behaviour and identity. That's why T. Parsons and his supporters define social structure as the way in which the society is organized into predictable relationships, or invariable patterns of social interaction called institutions.

Social structure does not concern itself with the people forming the society or their social organizations, neither does it study who are the people or organizations forming it, or what is the ultimate goal of their relations. Social structure deals rather with the very structure of their relations - how they are organized in a pattern of relationships, or institution. So due to structural functionlism, structural elements of the society are social institutions and social groupings; structural units are social norms and values.

Social groupings are social groups, social classes and layers, communities, social organizations, social statuses and roles.

A group is a number of people or things which we class together, so that they form a whole. In our minds we could group any assortment of people together. A social group, however, means more than just an assortment of people. There must be something to hold them together as a whole.

To be a social group, people must:

➢ interact with one another,

➢ perceive themselves as a group.

Social group is an assortment of people associated by a socially significant distinction, people who interact together in an orderly way and perceive themselves or perceived by others as a group.

Any social group is characterized by a number of attributes:

➢ interaction within a group is realized on the basis of shared norms, values and expectations about one another's behaviour;

➢ groups develop their own internal structure: kernel and periphery, norms, value, statuses and roles; they can be rigid and formal or loose and flexible;

➢ there is a sense of belonging, individuals identify with the group; outsiders are distinguished from members and treated differently;

➢ groups are formed for a purpose - specific or diffuse;

➢ people in a group tend to be similar, and the more they participate, the more similar they become.

There are a lot of classifications of social groups. The first one embraces statistical and real groups. A statistical group is an assortment of people differentiated by a definite characteristic that can be measured. For instance, citizens are people living in formal settlements called cities. A real group possesses a number of characteristics describing its immanent essence. So, citizens are people living in cities, who live an urban way of life with highly diversified labour

(mainly industrial and information kinds) and leisure activities, with high professional and social mobility, high frequency of human contacts in formal communication etc. According to this definition, only a part of the statistical group of citizens comply with the criterion of being urbanites, or not everyone who lives in city can belong to the real group of citizens.

Social groups can also be classified according to their size, character of organization, emotional depth, accomplished objective etc.

According to size, groups can be small, middle-sized and large ones. Small social groups, normally small in number, are characterized by human interactions in the form of direct contacts like in families. The smallest groups are stable and more constraining, but offer more intimacy and individuality. As size increases, freedom increases, but intimacy declines and the emerging group structure tends to limit individuality. Contacts are frequent and intensive; members take each other into account as they group together on the basis of shared norms, values and expectations about one another's behaviour.

Middle-sized social groups are relatively stable communities of people working at the same enterprise or organization, members of a social association or those sharing one limited but large enough territory, for example, people living in one district, city or region. The first type is called labour-organizational groups, the second one - territorial groups. People are united into labour-organizational groups to accomplish a certain purpose or objective that determines its composition, structure and type of activities, interpersonal interaction and relations.

Large social groups are stable numerous collections of people, who act together in socially significant situations in the context of the country or state, or their unions. They are classes, social layers, professional groups, ethnic groupings (nationalities, nations and races), demographic groupings (the young, the old, males and females) etc. With regard to all of them, a social group is a patrimonial,

collective concept. People's affiliation to a large group is determined by a number of socially significant distinctions such as class affiliation, demographic factors, form and character of social activities etc. In large social groups, interaction bears both direct and indirect character.

According to the character of organization, groups are distinguished as formal and informal ones. Formal groups are collections of people whose activities are regulated by formal documents such as legislative norms, charters, instructions, registered rules, bans or permissions sanctioned by the society, organization etc. At performing some activities members of the formal group are in terms of subordination, or hierarchically structured submission. Such groups are academic groups, labour organizations, military units etc.

Informal groups don't have formally registered grounds for their existence. They are formed on the basis of common interests or values, respect, personal affection etc. which cohere individuals into more or less stable entities such as a group of friends, a musical band, Internet chatters etc. Behaviour of their members is regulated by special non-written laws and rules. In such groups membership is voluntary, and members may resign at any time.

Due to emotional depth of interrelations within the group, primary and secondary groups are differentiated. A primary group is, as a rule, a small social group whose members share personal and enduring emotional relations which are established on the basis of direct contacts reflecting the members' personal characteristics. The examples are a family, a group of friends, a research group etc.

While studying human society sociologists are interested in larger groups of people at the meso - and macro-levels, or those ones called social communities. There are a lot of definitions of such a phenomenon but theorists agree that members of the community should possess a similar quality such as age, gender, job, nationality etc. and consider similarity as one of the main distinctions

of the community. Examples are natural-historical communities like tribes, families, nationalities, nations and races; mass groups like crowds, TV audience etc.

A more important distinction of the social community is social interaction between its members. Interactions may be more enduring that determines a long-term existence of communities such as nations, races, and less enduring that is typical for occasional communities such as crowds, lines, passengers etc. But even occasional community with weak ties has its patrimonial and specific distinctions, regulating collective behaviour.

Besides similarity and social interaction, a social community also suggests that the actions undertaken by its members are oriented by expectations of behaviour of other individuals in the community. It encourages people's deeper solidarity that forms a cohered group - a basic element of the society. Judging by it, a social community may be defined as natural or social grouping of people characterized by a common feature, more or less enduring social relations, goal attainment, common patterns of behaviour and speculation.

A social class is also considered as a structural element of the society. Although approaches differ, in general the concept of a class is connected with people's relation to the means of production and character of acquiring wealth under a market economy. The known examples of a class are the nobility, bourgeoisie and proletariat. In each class society there are fundamental and non-fundamental classes. Fundamental classes are distinguished by a dominating way to produce material wealth within the socio-economic system (feudal, capitalist etc), for instance, under capitalism its fundamental classes are the bourgeoisie and proletariat. Non-fundamental classes are available because the rests of the previous relations of production are still kept in the society or new ones are emerging.

A social layer is an assortment of people who are distinguished by their social status and who perceive themselves cohered by this community. A social status is one's position (place) in the social structure of the society connected with other positions by the system of rights and obligations. The status of a teacher has its meaning only with regard to a student, not to a passer-by or doctor. The teacher should translate knowledge to the student, check up how knowledge is learnt and assess it etc. The student should regularly attend lectures, prepare for seminars, pass credits and examinations in time etc. In other words, the teacher and the student enter into social relationships as representatives of two large social groups, as bearers of social statuses.

Social status is often considered as the "standing", the honour or prestige attached to one's position in the society. In modern societies, occupation is usually thought of as the main dimension of status, but even in modern societies other memberships or affiliations (such as ethnic groups, religion, gender, voluntary associations, hobby) can have an influence. For instance, a doctor will have a higher status than a factory worker but in some societies a white Anglo-Saxon Protestant doctor will have a higher status than an immigrant doctor of minority religion.

Every person can have several social positions, or statuses called by R. Merton a status set. Among them there must be the main status; it is a status used by the individual to identify himself or by other people to indentify a definite person. For males it is their occupation (a lawyer, banker, worker), for females it is a place of living (a housewife) but there exist other variants. It means that the main status is of relative character as it is not directly associated with gender, race or occupation. The main status is one that determines the person's way and style of life, patterns of behaviour, friends etc.

Sociologists differentiate between social and personal statuses:

· social status identifies the person's position in the society which he occupies as a representative of a large social group (occupation, class, nationality, gender, age or religion);

· personal status is the person's position in a small group identified by how the members of the group estimate and percieve him due to his personal qualities. Being a leader or outsider, winner or loser means to occupy a certain position in the system of interpersonal, not social relations.

Statuses are also distinguished as ascribed and achieved ones. Ascribed status is a social status a person is given from birth or assumes involuntarily later in life. For example, a person born into a wealthy family has a high ascribed status.

Achieved status is a sociological term denoting a social position that a person assumes voluntarily which reflects personal skills, abilities, and efforts. Examples of achieved status are being an Olympic athelete, a criminal, or a teacher.

Achieved statuses are distinguished from ascribed statuses by virtue of being earned. Most positions are a mixture of achievement and ascribment; for instance, a person who has achieved the status of being a doctor or lawyer in Western societies is more likely to have the ascribed status of being born into a wealthy family.

The mentioned statuses are considered basic statuses which include kinship, demographic, economic, political and occupational statuses. There are also a number of non-basic statuses such as those of a passer-by, driver, reader, TV-watcher, witness of a road casualty etc. They are temporal positions and their rights and obligations are not registered as they are hardly fixed. No doubt, the status of a professor determines much in life of a certain person; as for his status of a patient, it does not.

If a social status identifies a particular position of an individual in a given social system, a social role represents the way that he is expected to behave in a particular social situation. Each individual plays many roles in the society; in one situation he is a boss, in another - a friend, in the third - father etc. All roles that a person plays are called a role set.

Roles are identified as ascribed if we are forced to play and as achieved if we choose to play them. The first is a role of a son or daughter in relations with a parent, the second - a subordinate with a boss.

Roles have two further dimensions: the prescribed aspect of a role, or role expectations, and role performance. The prescribed element in any role provides a norm-based framework governing the way people are generally supposed to interact. People expect one conduct from a banker and quite another - from an unemployed person. Role performance is what a person really performs within this framework. Each time a person who performs a certain role builds his behaviour according to the expectations of the social milieu. If his actual behaviour differs from what is expected, it means that conformity to culturally appropriate roles and socially supported norms is not created. Behaviour, which doesn't correspond to the status, is not considered an appropriate role. For instance, if somebody came into the classroom, introduced himself as a teacher but then started painting the wall or washing the windows, his behaviour is a role but not that of a teacher.

In the society various social control mechanisms exist to restore conformity or to segregate the nonconforming individuals from the rest of society. These social control mechanisms range from sanctions imposed informally - for example, sneering and gossip - to the activities of certain formal organizations, like schools, prisons, and mental institutions.

Social institutions. Another structural element of the society is social institutions. These are not buildings, but organizations, or mechanisms of social

structure, governing the behaviour of two or more people. Institutions are identified with a social purpose and permanence, transcending individual human lives and intentions. For example, the institution of the family and marriage, of religion etc.

Early mankind is known for promiscuity or non-regulated sex relations that could result in genetic degeneration. Gradually such relations began to be limited by bans. The first ban was that of incest, forbidding sex between kinship relatives, such as mother and son, brother and sister etc. The given ban is the first social norm, considered the most important in history. Later, other norms regulating sex relations appeared. People learnt to survive and adapt to life by organizing their relations with norms. Norms of family and marriage behaviour translated from generation to generation became collective habits, customs, traditions that regulated people's way of life and their thinking. Those who broke such traditions (deviants) were punished (sanctioned). This is the way how the most ancient social institution of the family and marriage might have emerged. And this is the way why norms and values have become structural units of the society.

As a society is created by the interaction of people, they establish ways of interacting that are acceptable or unacceptable. When a way of behaviour is both emotionally satisfying and leads to rewards from others, it becomes institutionalized. The way by which behaviour, custom or practice is institutionalized, is called institutionalization. For instance, institutionalization of any science means working out various standards, laws, setting up research institutes, laboratories, faculties, departments at universities, also publishing textbooks, monographs and journals, training specialists in the area etc.

If the purpose of fundamental institutions is to satisfy the basic needs of the society, non-fundamental institutions perform specialized objectives, serve particular traditions or satisfy non-fundamental needs. For instance, a higher

school as a social institution meets the social need in training highly qualified specialists.

By its character of organization, institutions are subdivided into formal and informal ones. The activities of formal institutions are regulated by strictly settled directions such as law, charter, instructions etc. Formal institutions are often bureaucracies in which the functions of bureaucrats are impersonal, i. e. that their functions are performed independently of their personal qualities.

In informal institutions playing a very important role in interpersonal interaction, their aims, methods, means to achieve objectives are not settled formally and not fixed in the charter. For instance, organizing their leisure time, teenagers follow their rules of game, or norms which allow them to solve conflicts. But these norms are fixed in public opinion, traditions or customs, in other words, in informal sanctions. Very often public opinion or custom is a more efficient means to control an individual's behaviour than legislative laws or other formal sanctions. For instance, people prefer being punished by their formal leaders than being blamed by colleagues or friends.

Both formal and informal institutions have functions. To function means to bring benefit. So, the function of a social institution is the benefit that it contributes to the society. In other words, the outcomes or end-products of the system, institution and the like are referred to as its function. If besides benefit there is damage or harm, such actions are referred to as dysfunction. For instance, the function of a higher education is to train highly qualified specialists. If the institution functions badly due to some circumstances (lack of personnel, poor teaching, or methodical and material basis), the society will not get specialists of the required level. It means that the institution dysfunctions.

Functions and dysfunctions can be manifest if they are formally declared, perceived by everybody and obvious, and latent which are hidden, or not declared.

To manifest functions of a secondary school those of getting literacy, enough knowledge to enter university, vocational training, learning basic values of the society may be referred to. Its latent functions are getting a definite social status which enables to become ranked higher than those who are illiterate, making stable friends etc.

Functions and dysfunctions are of relative, not of absolute character. Each of them can have two forms - manifest and latent. In one and the same time both a function and dysfunction may be manifest for some members of the society and latent - for the other ones. For instance, some people consider important to obtain fundamental knowledge at university, others - to establish necessary links and relations. Latent functions differ from dysfunctions by that they don't bring harm. They only show that the benefit from any institution (system etc) can be larger than it is declared.

To sum it up, each of the institutions reflects a different aspect of the society. Each of them performs a different role in the society fostering spiritual, social, or educational development. On a larger scale, these organizations exemplify the links that bind a society together.

1.3. Civil society as a model of an ideal social structure

Civil society is a model of an ideal social structure that reflects the forms of communication of individuals with each other and the state, as well as their corresponding associations, used to express and satisfy the needs of the individual and society as a whole at a certain stage of its development.

Even Aristotle, in his work "Politics," defined civil society as true citizenship, which is endowed to all citizens equally, and where the supreme power conducts its activities based on the public interests of the entire population.

The question of such a concept as "civil society" arose, in particular, in the 17th century. The first enlightenment scientists (Hobbes, Rousseau, Locke) developed the initial principles of civil society. They started from the theory of "social contract", which was expressed in the fact that people transferred part of their natural rights to the state, in return for which the latter had to endow citizens with rights and responsibilities and create institutions for the implementation of such rights and supervision over the fulfillment of citizens' obligations.

Over the course of two centuries, scholars have interpreted civil society in different ways. For example, Hegel meant by civil society a collection of individuals, groups, classes, and their interaction with civil law. Comparing the priority between the state and civil society, Hegel gave primacy to the state, since the state is a more organized element and is the guarantor of the freedom of civil society.

Another famous world figure, Karl Marx, believed that civil society is a prototype of bourgeois society and is aimed at ensuring the interests of the ruling class. He believed that in nature there is no definite general civil society, and in each state its implementation occurs subjectively: "Take a certain civil society, and you will get a certain political system, which is only the official expression of civil society."

Scientists consider the economic basis to be the fundamental genesis of the emergence and development of civil society. With the development of private ownership of the means of production, the need arose to create associations of individuals or enterprises for the most effective process of implementing trade relations.

Of course, the realization of economic freedom is impossible without the provision of certain rights and privileges by the state. Its task was to recognize

market relations in the economic sphere and liberalize prices in the production sector, which previously fell under the control of the state.

1.4. The Evolution of Civil Society in Europe

Despite the fact that civil society in the West is one of the pressing issues of our time, there are still problems of its development and formation.

Firstly, as is known, in the history of Western countries, civil society was not the same at all times - it evolved and changed, and not always for the better: there were periods of weakening of civil institutions, both due to state pressure on them, and due to other circumstances. Secondly, there are voices arguing that civil society in the West existed rather in the past: at the industrial stage of modernization, it gave way to a "mass society", in which connections between people became formal, impersonal, and human rights were ensured by the state. Therefore, the ideal of civil society today is more relevant in Third World countries or in former communist states where civil society is still emerging. This position, of course, is a clear exaggeration: there is too much evidence of diverse social self-organization in Western countries to deny the existence of civil society there. But, nevertheless, we can agree that Western civil society of the 20th and 21st centuries. has changed significantly compared to the era of early capitalism, as it was constantly subjected and continues to be subjected to various kinds of strength tests. Therefore, if the time has come to recognize to some extent the crisis of civil society under the influence of globalization processes, then boundaries must be set.

In modern Constitutions of all developed countries, civil society is one of the fundamental elements of the content of this kind of normative act.

There have been numerous discussions on this issue between European countries, since the institution of civil society is the basis of democracy. Many member countries of the European Union agree with this fact.

The first discussions about consolidating civil law and civil society at the global level took place after the end of the Second World War. As a result of the meetings of the UN General Assembly, two human rights covenants were adopted in 1966: the International Covenant on Economic, Social and Cultural Human Rights and the Covenant on Civil and Political Rights, along with the protocols to these covenants.

These covenants were created on the basis of the UN Universal Declaration of Human Rights, which enshrines the main provisions of the UN Charter, dedicated to the need to develop cooperation between peoples, universal respect and observance of human rights and fundamental freedoms, proclaimed basic individual rights: equality of all people without any discrimination, the right to life, liberty and personal integrity, to the inviolability of honor, reputation and home, to the protection of their rights by an impartial court. The Declaration also proclaimed civil and political rights and freedoms (the right of asylum, freedom of conscience and religious beliefs, etc.), socio-economic rights (the right to work, to free choice of work, to just and favorable working conditions and to protection from unemployment, to equal pay for equal work, etc.). The proclaimed rights and freedoms must be enjoyed by every person without any distinction whatsoever regarding race, color, sex, language, religion, political or other opinion, nationality or social origin, property, birth or other status. The Soviet Union, considering the Declaration a progressive act, abstained from voting when adopting it, because it did not contain instructions on specific measures to implement the proclaimed rights and freedoms.

CHAPTER 2. CONCEPT AND MAIN CHARACTERISTICS OF CIVIL SOCIETY

2.1. The concept and essence of civil society

A developed civil society is a historical prerequisite for the formation of a rule of law state. Without a mature civil society, it is impossible to build a democratic political system. Only conscious, free and politically active citizens are capable of creating the most rational forms of collective life. On the other hand, the state is called upon to provide conditions for the realization of the rights and freedoms of individuals and groups.

Civil society is a set of non-state private associations of citizens pursuing individual and group interests. Almond G., Verba S. Civil culture and stability of democracy // Polis. 2012. - No. 4.

The concept of civil society was introduced by J. Locke and A. Smith to reflect the historical development of society, its transition from a wild natural state to a civilized one.

This concept has been analyzed by many great minds of social thought: from Aristotle, Hegel, Marx to modern authors of the 21st century. By civil society they understood society at a certain stage of its development, including voluntarily formed non-state structures in the economic, socio-political and spiritual spheres of society.

J. Locke formulated the basic principles of civilized relations in society:

➢ the interests of the individual are higher than the interests of society and the state; freedom is the highest value; the basis of individual freedom, the guarantee of his political independence is private property;

➢ freedom means non-interference by anyone in the private life of an individual;

> ➢ individuals enter into a social contract among themselves, i.e. create a civil society; it forms protective structures between the individual and the state.

Thus, according to Locke, civil society is people voluntarily united in various groups and self-governing institutions, protected by law from direct government intervention. The rule of law is designed to regulate these civil relations. If civil society ensures human rights (the rights to life, freedom, the pursuit of happiness, etc.), then the state provides the rights of a citizen (political rights, that is, the right to participate in the management of society). In both cases, we are talking about the individual's right to self-realization. Civil society: origins and modernity.

The diversity of interests of citizens, their implementation through various institutions, the range of rights and freedoms used in this process constitute the main features of civil society.

2.2. Modern civil society

In modern conditions, civil society acts as a variety of relationships between free and equal individuals not mediated by the state in market conditions and a democratic legal state. Unlike government structures, civil society is dominated not by vertical (hierarchical), but by horizontal connections - relations of competition and solidarity between legally free and equal partners.

In the economic sphere, the structural elements of civil society are non-state enterprises: cooperatives, partnerships, joint-stock companies, companies, corporations, associations and other voluntary economic associations of citizens created by them on their own initiative. Fergusson A. Experience in the history of civil society.

The socio-political sphere of civil society includes:

> ➢ the family as the defining social unit of civil society, in which individual and public interests intersect;

> ➢ public, socio-political, political parties and movements expressing the diversity of interests of various groups of civil society;

> ➢ public authorities at the place of residence and work;

> ➢ a mechanism for identifying, forming and expressing public opinion, as well as resolving social conflicts;

> ➢ non-state media.

In this area, the practice of institutionalizing interests arising in society and expressing them in a non-violent, civilized form, within the framework of the constitution and laws of the state, is emerging. Civil society: origins and modernity.

The spiritual sphere of civil society presupposes freedom of thought, speech, real opportunities to publicly express one's opinion; autonomy and independence of scientific, creative and other associations from government agencies.

In general, civil society gives priority to human rights and freedoms and improving the quality of life. This implies:

> ➢ recognition of the natural human right to life, free activity and happiness;

> ➢ recognition of the equality of citizens within a unified framework for all laws;

> ➢ establishment of a rule-of-law state that subordinates its activities to the law;

> ➢ creating equality of opportunity for all subjects of economic and socio-political activity.

Civil society is in close contact and interacts with the rule of law, the main functions of which are as follows:

> ➢ development of a general strategy for social development;

> ➢ determination and justification of priorities, rates, proportions of development of economic and social spheres of society;

> ➢ stimulation of socially useful activities of citizens and protection of their rights, property and personal dignity;

> ➢ democratization of all spheres of society;

> ➢ protecting borders and ensuring public order. Fergusson A. Experience in the history of civil society.

Privatization of property, political pluralism, the establishment of free thought - all this made it possible to create the necessary infrastructure of civil society. However, its quality characteristics are largely low.

As a result, the researchers note the presence of significant difficulties on the way to building a civil society, which have both an objective and subjective nature. One of them is associated with the lack of traditions of civil life in society, the other with simplified ideas about the nature and mechanisms of the formation of civil society in post-socialist countries, with an underestimation of the role of the state in this process.

One can agree with the opinion of a number of sociologists who believe that movement towards civil society today is impossible without the institutionalization of society, the establishment of basic order and legal norms of life.

CHAPTER 3. STRUCTURE AND MAIN INSTITUTIONS OF CIVIL SOCIETY

3.1 Genesis of theoretical understanding of the phenomenon of civil society

Historically, the question of civil society was posed as a question about the most reasonable and expedient structure of human existence, or rather, about a new stage in the development of civilization, a new round of the social process, which should have received adequate official recognition and expression. By the end of the 20th century. Many scientific works appear where the idea of civil society receives a "rebirth." In domestic legal studies at the end of the 20th century, interest in the phenomenon of civil society has revived, and various aspects and problems of its functioning are discussed. The term "civil society" is firmly included in the categorical apparatus of jurists, historians, philosophers, sociologists, political scientists, etc. At the same time, there is a wide dispersion both in the definition of the very concept of "civil society" by different authors and in the approaches to its analysis.

In legal science today, the approach to civil society as a complex of social relations, independent of the state, but interacting with it, has gained recognition. This complex includes: voluntarily, spontaneously formed self-governing

communities of people (family, business corporations, public organizations, professional, creative, sports, ethnic and other associations); non-state, economic, social, spiritual, moral and other relations; industrial and private life of people, their customs, traditions, mores; the sphere of self-government of free individuals and their organizations, protected by law from direct interference in it by state power and politics. Homogeneous groups of social relations in various spheres of life of civil society in the science of constitutional law are considered as complex system formations, as relatively independent institutions. In the structure of civil society, five such systems (institutions) can be distinguished: social (in the narrow sense of the word), economic, political, spiritual-cultural, information.

The ideological origins and main milestones in the formation of the concept of civil society were analyzed in detail by K.S. Gadzhiev. As a result of his research, he concluded that "civil society is a system for ensuring the functioning of the social, sociocultural and spiritual spheres, their reproduction and transmission from generation to generation, a system of independent and independent of the state public institutions and relations that are designed to ensure conditions for the self-realization of individuals and groups, the realization of private interests and needs, whether individual or collective. These interests and needs are expressed and implemented through such institutions of civil society as the family, church, education system, professional and other associations, associations, organizations, etc." [5]

Analyzing various scientific developments on the problem of civil society, we come to the conclusion that in modern scientific literature there is no unity of approach to understanding civil society. As you can see, in modern science, civil society is mainly understood as a self-governing system, different from the state, lying in the sphere of private and (or) collective interests, emerging at a certain historical stage and in individual countries in the presence of a market economy, private property, rights and human freedoms.

Civil society has its own rather complex internal structure.

Speaking about the latter, V.V. Lysenko points out that civil society is characterized by the presence of mainly not vertical, hierarchical connections, as in the state, but horizontal, mainly powerless, connections. [4] The latter are very diverse and, according to the researcher, form three layers:

1. economic relations based on economic pluralism, diversity of forms of ownership while respecting the interests of the individual and society as a whole;

2. social, cultural and spiritual relations, including family, kinship, ethnic, religious and other stable ties. Civil society can only be based on a diverse, ramified social structure, reflecting all the richness and diversity of interests of representatives of various social groups and strata;

3. the upper layer of civil society - socio-political, relations arising in connection with the satisfaction of socio-political interests and freedoms through participation in various kinds of parties, movements, civil

initiatives, associations. It is this layer of civil society that includes the most socially active institutions that are in close contact with the state-political system of society (primarily political parties).

Civil society is a set of relations and institutions that operate independently of political power. A necessary condition for the functioning of such a society is the existence of autonomous social factors and a personality type, determined by such traits as sufficient autonomy from the state, the ability to constructively interact with other individuals in the name of common goals, as well as the ability to subordinate private interests to the common good expressed in legal norms. There is a two-way relationship between the nature of the social structure and the dominant personality type. On the one hand, the formation of a community of free citizens requires appropriate institutional prerequisites, and on the other hand, the existence of civil society presupposes the presence of an appropriate type of citizen. The relationship between civil society and the rule of law is of a similar nature.

Among the most general ideas and principles underlying any civil society, regardless of the specifics of a particular country, in our opinion, are the following:

➢ recognition and protection of natural human and civil rights;

➢ legitimacy and democratic nature of power;

➢ equality of all before the law and justice, reliable legal protection of the individual;

➢ political and ideological pluralism, the presence of legal opposition;

- ➢ guaranteed by law the opportunity for everyone to unite in public associations based on interests and professional affiliation, freedom of their activities, equality before the law;

- ➢ economic freedom, diversity of forms of ownership, market relations;

- ➢ freedom of creation and independence of the media outside the framework of state censorship, limited only by law;

- ➢ non-interference of the state in the private life of citizens, their mutual duties and responsibilities;

- ➢ effective social policy that ensures a decent standard of living for people;

- ➢ creation of the necessary material and other conditions for the development of science, culture, education and upbringing of citizens, forming them as free, cultural, socially active members of society, responsible before the law;

- ➢ the existence of a mechanism that stabilizes relations between the state and civil society (consensus mechanism), and ensuring the security of the functioning of the latter by government bodies;

- ➢ class peace, partnership and national harmony.

3.2 Civil society institutions

Civil society institutions can be divided into three groups. These are organizations in which an individual:

> receives the means to satisfy vital needs for food, clothing, housing, etc. The individual can obtain these funds from production organizations, consumer and trade unions, etc.;

> satisfies the needs for procreation, communication, spiritual and physical perfection, etc. This is facilitated by family, church, educational and scientific institutions, creative unions, sports societies, etc.;

> satisfies the needs for managing the life of society. Here interests are realized through participation in the functioning of political parties and movements.

A social institution is a historically established, stable form of organizing the joint activities of people performing certain functions in society, the main one of which is the satisfaction of social needs.

Opportunities for the development of Russian civil society are associated with the expansion of two practically active parts of its social base at the expense of representatives of the "buffer zone," which includes every fourth Russian. To do this, it is necessary to promote the activation of their existing readiness for solidarity actions and involvement in the work of organizations and individual initiatives. Here, the role of a positive assessment of the experience of Russian public organizations and initiatives of various types by the state and the public and wide awareness of the country's population about the activities of NGOs and civil initiatives is important. In this regard, the issue

of developing a state program to promote the development of public initiatives

and its systematic implementation is on the agenda.

CONCLUSION

Social control, the theme of this paper, is not a new concept, neither is it a new social practice. This is because, it is an integral aspect of culture, since norms, and laws violations usually attract collective social condemnation. As society becomes complex, the rates of deviance, and criminality tend to proliferate. Consequently, formal social controls emerged as an alternative to informal social mechanisms that had previously been used to regulate behavior, largely in rural areas. For hundreds of years, various thinkers and writers have spent a great deal of time discussing phenomena of interest to criminologists. Social control has been one. After all, issues of defined 'bad' behavior, immorality, social control, punishment and order, have been central to religious, political and social thought, down through the ages. The problems confronted by those living in such communities are multifarious, and therefore require 'joined-up' multiagency interventions. Deviances, and/or crimes themselves, can be linked to poor socialization within the family, and/or the improper school orientation. These, coupled with weak society-based social controls may lead to problems such as drug abuse. Social controls interventions are oriented towards checkmating the activities of deviants, and criminals, thereby rehabilitating them, and by extension creating, and sustaining a largely conforming, and law abiding society.

At the end of the work, we will draw some conclusions. We can distinguish at least three levels of analysis of civil society, varying in degree of specificity:

▪ social (or general sociological), when civil society is considered as a developed sociality, individualized social relations, reflective of the political system of the state; social-class (or stratification), where civil society appears as a sphere of interaction between social strata, estates, classes, alternative public organizations, parties; as a certain social system or social organization of society;

- personal and individual, where civil society is a way of social existence of an individual person, expressing the individuality of his interests in the social, economic, political, spiritual and moral spheres of public life.

Civil society, therefore, represents that state or level of development of human society, the basis of which is not the abstract common good, collective interest or class need, but a multidimensional living person; This is the stage of its progress when civilization moves from one-dimensional and "one-hemisphere" (exclusively state, political) to integrative-synthetic, or "two-hemisphere" thinking. From this point of view, a person appears both as a citizen of the state and as a member of civil society, and not as a marginalized and lumpen "cog" - a subject in the mechanism of a colossal state coercive machine. Civil society is another step on the path of a person gaining freedom, his own essence.

The formation of civil society means the rejection of hierarchical structures of power in society and their replacement with new, open social structures, the cell of which consists of public, civil associations and organizations of citizens, the relationships of which both within and among themselves are built on opposition to authoritarian methods of government.

Civil society is that historical type of sociality where the main character is a person who has realized his social and individual interests with the whole diverse range of his immediate life needs and the corresponding system of values.

The formation of civil society, as it develops, acquires a systematic nature, which presupposes its own structure and mass character, the core of which is personalized relations of private property based on a social contract.

Thus, civil society acts as a great unifying force of human society, representing that primary, initial level of public human existence, that "truth" of individual and social life, which in civilizational conditions forms the fundamental way to overcome social alienation in all its forms.

Civil society has a historically variable character, taking various forms of its existence in history, being at every given moment a system of an open and incomplete type. But if the very reality of civil society undergoes changes, then our knowledge about it, its essence, structure and functions inevitably changes.

The genesis of civil society dates back to the dawn of ancient states, whose policies were aimed at democratizing the social system. The development of civil society is directly related to the development of law, in particular Roman law.

It was at the turn of the 18th-19th centuries that the formation of civil society began, which continues to this day.

In the course of comparing the development of civil society in European countries, it was revealed that the motives for their formation are different, and that they should not be interspersed with each other. This is due, first of all, to the mentality of our people, therefore the evolution of its formation is different in nature.

Civil society is the key to global interaction; it is on the foundations of democracy that the establishment of interstate relations is possible. Civil society is the path to improving the life of society and its effective formation in the modern world.

BIBLIOGRAPHY

1. Innes, M.,(2009),Understanding Social Control: Deviance, Crime and Social Order, Berkshire: Open University Press.

2. Abdullayev Tursunboy Yakhshiboyevich. The concept and types of public control and the relationship between society and the state. International scientific journal "Interpretation and researches" Volume 1 issue 9, p 4.

3. History of Russia: textbook / A.S. Orlov, V.A. Georgiev, N.G. Georgieva. - 3rd ed., revised. and additional - M.: TK Welby, Prospekt Publishing House, 2007. - 528 p.

4. Lysenko V.V. Civil society: on the issue of legal understanding // History of state and law. 2009. N 23. P. 46.

5. Gadzhiev K.S. The concept of civil society: ideological origins and main milestones of formation // Questions of Philosophy. 1991. N 7. P. 30.

6. Bodnar A. Civil society: problems of interpretation // Political science - yesterday and today. M. - 21011 - No. 3.

7. Burke E. Government, politics and society: Sat. -M.-2001.

8. Vasiliev V. A. Civil society: problems of its research: M. -2005.

9. Vasiliev V.A. On the issue of tolerance in modern Russia // Social and humanitarian knowledge. 2000. - No. 3.

10. Vasilchuk Yu. Civil society / Polis. 2011.- No. 4.

11. Volodin A.G. Civil society and modernization in Russia // Polis. -2000.-No.3.

12. Civil society: world experience and problems of Russia. M. - 2008.

13. Civil society: theory, history, modernity. M. - 2009.

14. Civil society: origins and modernity. M. - 2010.

15. Gutorov V.A. Civil society: the evolution of practical philosophy and modern reality.// V.A. Gutorov/ Strategies for the formation of civil society in Russia. St. Petersburg - 2002.

16. Demidova M. V. From the history of the emergence and development of the concept of "civil society". M. - 2004.

17. Political parties of Russia: Pages of history: M. - 2000.

18. Fedotova V.G. State and civil society as the true goal of Russian reforms / V.G. Fedotova // Philosophical Sciences. 2002. - No. 4.

19. Fergusson A. Experience in the history of civil society. M. - 2000.

20. Khlopin A. Civil society in Russia // Pro et contra. 2012. - No. 1.

21. Course of lectures on the theory of state and law, Saratov, 2013.