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INTERACTION OF CIVIL SOCIETY AND THE STATE IN A DELIBERATIVE DEMOCRACY: UKRAINE AND GLOBAL TRENDS

Abstract

The article analyses the concept of deliberative democracy and its impact on the modern political arena, in particular in terms of interaction between government agencies and civil society. In Ukraine, where the effectiveness of communication is becoming increasingly critical against the backdrop of global political challenges, this issue is of particular importance. The article reveals the possibilities of deliberative democracy, focusing on its impact on the dynamics of relations between civil society and the state, with a special attention to Ukraine and general global trends. It examines how this democratic process can influence political initiatives and civic engagement, providing an overview of the opportunities and challenges associated with the use of deliberative methods to enhance the interaction between citizens and the state. Particular attention is paid to the role and significance of deliberative democracy in modern democratic processes, with an emphasis on the Ukrainian and international contexts. It is demonstrated that deliberative democracy, based on in-depth public dialogue and discussion between citizens and the state, can contribute to the legitimacy of legislation and democratic institutions, both in Ukraine and internationally. The article analyses the practical aspects of introducing the deliberative approach and the obstacles that may arise in its implementation. Special attention is paid to the need for dialogue between citizens and the state and its role in strengthening democracy. It is noted that the introduction of deliberative democracy can significantly improve the quality of interaction between the state and civil society, encouraging more active participation of citizens in political life. The author emphasises the importance of further research and development of strategies for integrating deliberative methods into political systems, as well

as the need for international cooperation to strengthen democratic processes, both in Ukraine and internationally.

Keywords: deliberative democracy, state, civil society, participation, public participation, human rights, public discussions.

Introduction

In today's realities, an important element of any democratic process is not just the electoral system, but a deep deliberative practice. However, it is surprising that the scientific heritage remains far from a thorough consideration of the historical framework and circumstances in which the concepts of "deliberation" and "deliberative democracy" were born. There is still no consensus among researchers on their emergence and use.

In contrast to the traditional democratic process, where voting is central (electoral democracy), supporters of deliberative democracy argue that the true legitimacy of legislation arises only through public discussion, openness to other opinions, and a willingness to adjust one's views if "better arguments" are available. They see deliberative democracy as a public dialogue between state institutions and citizens, civil society and the government in the process of shaping the most important ways of society's development.

The relevance of the article lies in the fact that Ukraine and the world face constant challenges in the political sphere, requiring new approaches to the interaction between civil society and the state. In the context of such transformations, it is important to consider the role and opportunities offered by deliberative democracy.

The purpose of the article is to define the essence and potential of deliberative democracy in the context of its impact on the interaction between civil society and the state, with a special focus on Ukraine and the global context. The article aims to explore how deliberative democracy can affect political processes and civic participation.

A wide range of scholars and researchers have studied deliberative democracy, civil society and the state. J.-M. Bessette was one of the first to consider the issue of civil society participation in discussions of political processes, as well as the peculiarities of deliberative mechanisms in the life of the state. In general, Professor J.-M. Bessette is considered the author of the term "deliberative democracy". In recent years, researchers K. Chwalisz and I. Česnulaitytė have been dealing with the issue of public participation in public discussions and regularly prepare analytical materials in accordance with the involvement of citizens in state processes. Authors K. Ross and T. Burger are known for their work "Face to face (book): Social media, political campaigning and the unbearable lightness of being there", which examines the impact of social media on the course of political events. In particular, researchers write about Facebook and Twitter and their impact on how politicians engage the public in

election campaigns. E. Williamson and J. Barrat pay considerable attention to deliberative democracy in the context of globalisation and informatisation of society, and are among the leading authors who have studied various aspects of deliberative democracy and its role in the life of civil society and the state.

A notable role in domestic research on this issue was played by V. Tsyh in the issues of civil society, its role in the life of the state and the concept of deliberative democracy. A. Kovalev thoroughly studied deliberative democracy in the works of J. Fishkin. V. Medvedska paid considerable attention to the processes of deliberative democracy in the context of digitalisation, taking into account the challenges of society, in particular the COVID-19 pandemic and others. They have made an important contribution to the development of an understanding of deliberative democracy in the Ukrainian context and its potential in interaction with state structures and civil society.

A review of existing research shows a continuing interest in the impact of deliberative democracy on the interaction between civil society and the state, both in the context of Ukraine and in general. Some publications have already emphasised the benefits of the deliberative process in solving social problems and strengthening the legitimacy of decisions, but many works leave open the question of the practical aspects of implementing this approach in the context of specific political conditions.

Research methods

The scientific research was carried out using the following methods: systemic, comparative, structural and functional, historical, hermeneutical. The systematic method was used to analyse civil society as a complex and multifaceted phenomenon and to make a theoretical generalisation of its functional dimensions as types of political and non-political interactions, as well as to analyse the methodological foundations of the study of deliberative democracy. The comparative method was used in the comparative political science analysis of the main models of civil society with their inherent power potential and mechanisms of deliberative democracy. The structural-functional method was used to identify the key organisational and structural elements of civil society and deliberative democracy. The historical method was used to analyse the power potential of civil society in the context of the evolution of views on the concept of civil society. The hermeneutic method was used to analyse and specify the key aspects of the deliberative model of democracy.

Results of the research

The concept of “deliberative democracy” was introduced by political scientist J.-M. Bessette in his 1980 work, “Deliberative Democracy: The Majority Principle in Republican Government”. This democratic approach is a synthesis of representative and participatory democracy, characterized by structured

dialogue between the government and its citizens, fostering rational discussion, persuasion, and bipartisan compromise [1].

At its core, deliberative democracy rests on the idea that every individual has the potential to be an engaged citizen, capable of making concessions and setting aside personal preferences for collective agreement. It underscores democracy as a critical pillar for peace in Europe, contributing to stability alongside the rule of law and human rights. Within democratic frameworks, deliberative democracy enriches the shared heritage, offering a robust platform for citizen involvement in governance at various administrative levels.

Deliberation, as a participatory method, is one of several tools available to politicians and legislators to engage with citizen perspectives. It amplifies voices that might otherwise go unheard, enabling citizens to formulate specific policy recommendations for governmental action at all tiers. To be effective, deliberative democracy must be well-integrated into the political cycle, requiring genuine adaptation by public authorities. While not a replacement for established democratic processes, when applied effectively, deliberative methods can enhance and deepen existing democratic practices [2, p. 36].

Advocates of deliberative democracy highlight its potential to enhance citizen participation in democratic processes, potentially leading to more effective policy-making and bolstering trust in democratic systems. To achieve these advantages, adherence to key principles and standards is essential.

While deliberative approaches are not flawless, they require guiding principles for policymakers, decision-makers, and practitioners to effectively implement these new practices. For participants, these initiatives serve as educational experiences, necessitating well-structured introduction, ample learning time, and high-quality civic education. It's crucial to ensure the inclusion and respect of minority voices in these processes [3, p. 50].

Effective implementation of deliberative methods demands adequate resources and planning. Transparency, oversight, and accountability are necessary to ensure fair participant selection, unbiased evidence, and non-predetermined outcomes. Providing feedback on actions taken following recommendations is also vital.

When executed proficiently, deliberative democracy can align with sound democratic governance, making policy more attuned to individual and community needs and fostering trust in governmental actions. This field's growth and evolution require clear guidelines and standards.

The European Committee on Democracy and Governance has proposed recommendations to maximize the benefits of deliberative democracy globally. Clarifying the role and functionality of deliberative democracy within representative systems is crucial. The Council of Europe and its member states can play a pivotal role in this area. Standard-setting is imperative to aid those employing deliberative democracy. To be credible and avoid negative impacts

on democracy, deliberative initiatives must adhere to essential attributes. Continuous development of best practices is important, acknowledging the diversity in democratic cultures and processes among member states. Recognizing that deliberative democracy is not a one-size-fits-all solution, it's important to foster innovation and learning opportunities to strengthen democratic practices [4].

The concept of deliberative democracy, while not a modern invention, traces its roots back to ancient Greece, evolving alongside the broader idea of democracy itself. In the 20th century, instances of deliberative democracy are evident, such as the United States and Germany's "Citizens' Juries" in the 1970s, and Denmark's "consensus talks" in the 1980s. The early 2000s saw the advent of citizen assemblies in Canada, based on the "mini-publics" model. In recent years, deliberative democracy has gained traction, with various countries experimenting with its methods [5, p. 90].

This democratic approach, a subset of participatory democracy, places direct civic engagement at its core. It aims to complement and reinforce traditional democratic norms, offering a means to enhance representative democracy and policy-making [6, p. 219].

Deliberative methods represent a proactive spectrum of civic involvement, where citizen input is central and directly influences political processes. Choosing between participatory and deliberative methods isn't a binary decision; these approaches can be synergistic, applied in sequence — like a petition initiating a citizens' assembly — or concurrently.

According to the study "Mapping Deliberative Democracy in the Council of Europe Member States", public bodies aiming to deepen citizen engagement through deliberative initiatives should:

1. Evaluate where deliberative initiatives could be most effective.
2. Explore which deliberative approach best informs political processes.
3. Acknowledge that valuable contributions can emerge from government, non-governmental organizations, and citizen groups, ensuring mechanisms are in place for these diverse voices to be acknowledged [4].

Advocates of deliberative democracy suggest it can enhance policy effectiveness and foster greater public confidence in democratic procedures. While gauging trust growth is challenging, assessing the influence of participatory and deliberative democracy on policy is more feasible. The 2008 Hansard Society/MoJ Digital Dialogues initiative in the UK highlighted the mutual benefits of public participation and underscored the necessity for ongoing public-government dialogue. The success of participatory and deliberative efforts often hinges on their timing within the political cycle, integration with political processes, employed methodologies, and the mindset of the overseeing authorities [7].

Both government and public face significant obstacles in achieving “effective engagement”. Governmental challenges include limited commitment to genuine engagement and a tendency towards risk aversion, often viewing public involvement as high-risk. For the public, issues revolve around accessibility, awareness, and trust. Successful deliberative projects often see government entities at various levels supporting citizen groups in formulating policy proposals, with these contributions factored into policy development.

Four key motivations underpin the engagement of deliberative entities:

1. Ad hoc initiatives outside the formal political framework aiming to enrich and inform decision-making by incorporating citizen perspectives.
2. Formalizing processes to solidify participatory and deliberative approaches within the existing democratic system, enhancing policy outcomes and broadening engagement.
3. Embedding deliberative methods within a re-envisioned democratic structure, possibly involving constitutional mandates for citizens’ assemblies in legislative reviews or as supplements to parliamentary inquiries.
4. The potential for third-party orchestrated deliberative efforts, disguised as genuine, to sway public opinion or policy decisions. While currently, there’s no evidence of such manipulation due to the limited impact of these processes, the risk of corruption or manipulation may rise as they become more integral and influential in political proceedings [4].

Selecting deliberative methods is advantageous because they allow for comprehensive insights from a diverse, well-informed representative group, which can significantly enhance policy formulation. Nonetheless, these methods integrate more seamlessly into democratic systems where citizen participation and civil society’s role are well-established. In environments with weaker or less developed democratic and participatory cultures, additional support, resources, and oversight are necessary for the effective execution of deliberative initiatives. As deliberative processes become more prevalent and influential in shaping policy, maintaining transparency and accountability is crucial to prevent manipulation or corruption of these processes [6, p. 220].

Deliberative democracy demands unique skills, such as participatory engagement and facilitation, which are not typically found in the public sector. It also requires a cultural shift to appreciate the process and its outcomes. According to the OECD, when these elements are in place, deliberative initiatives can be routinely incorporated into democratic governance due to their ability to:

1. Aid decision-makers in addressing complex, long-term issues.
2. Boost public trust through regular and meaningful public debate.
3. Offer cost-effective solutions and streamlined processes.
4. Enhance the overall democratic health of society.

While these objectives are commendable, more empirical evidence is needed to fully substantiate them. The growing popularity and number of deliberative

initiatives are promising, but their effectiveness hinges on direct links to policy or legislative processes. Greater focus on integrating deliberative methods with policymaking is crucial. Without clear mechanisms for follow-up, these initiatives risk disengaging citizens and could potentially erode already delicate trust in democratic systems [8].

Since the onset of the large-scale military invasion, Ukraine has faced existential challenges. The ongoing territorial recovery by Ukrainian forces has not only improved security but also spurred interest in addressing a broader spectrum of social issues, particularly relevant in conflict-affected nations. There's a pressing need for constitutional review and potential amendments post-conflict. Public and expert discussions on these matters have already commenced. Additionally, amid the conflict, the development of a post-war reconstruction strategy for Ukraine, in collaboration with international organizations, has become a significant focus.

To effectively tackle this issue, it's crucial that deliberative and participatory methods are systematically integrated into political frameworks. This integration ensures that their outcomes meaningfully impact policymaking and guarantees a commitment to implementing their recommendations. Additionally, there needs to be vigilant oversight and follow-up once deliberative process participants have submitted their proposals, to track how governments and relevant bodies respond. Policy proposals must be level-appropriate, considering the scale of intervention required. This is particularly challenging for deliberative initiatives that tackle broad societal concerns like climate change, where both macro-level systemic changes and finer micro-political nuances must be addressed [9, p. 22].

Successful navigation through the obstacles to deliberation can be achieved with meticulous planning, precise design, and a consensus on foundational principles. While these principles might vary based on cultural and situational contexts, research indicates that certain fundamental design elements are essential for a well-conceived deliberative initiative. These elements include defining the mandate, outlining procedures and governance, recruiting participants, ensuring effective facilitation and deliberation, fostering communication and engagement, and prioritizing accountability and continuous improvement [10].

Conclusions

Deliberative democracy, a crucial aspect of contemporary democratic practices, responds dynamically to evolving political landscapes, fostering productive engagement between civil society and government. This approach emphasizes reasoned debates and consensus-building, deepening citizen participation in policy-making. It fosters a culture of open discussion, embracing diverse viewpoints and the art of compromise, thereby enhancing the credibility of enacted policies. This democratic framework bolsters the interaction between society and the state, enriching the democratic experience through profound

dialogues. Involving detailed recommendations for all governance levels, it necessitates distinct protocols, seamless incorporation into political processes, and a respect for minority perspectives. However, the expansion and practical application of deliberative democracy are essential, particularly in varied democratic contexts. This encompasses innovation, educational initiatives, and establishing norms for efficacious civic involvement in democratic proceedings.

In Ukraine's scenario, amidst war and socio-political challenges, this approach is particularly pertinent. Globally, deliberative democracy is perceived as a method for engaging citizens in governance and fostering confidence in democratic structures, significant in an era of globalization and digital technology's impact on politics. European nations are trialing deliberative techniques, focusing on creating norms and principles for better integrating civil society into politics. Additionally, emphasizing skill enhancement for both citizens and professionals in this sector is vital. For Ukraine, this may involve forming new public discourse platforms and refining existing citizen participation methods. On a global scale, such deliberative practices can promote inclusivity and democratization in international affairs, notably through international collaboration and knowledge sharing.

Overall, in Ukraine and worldwide, deliberative democracy holds promise as an influential tool in strengthening democratic governance, enhancing transparency, and elevating the caliber of political discourse. Achieving this, however, demands concerted efforts from governments, civil societies, and international entities to seamlessly integrate these practices into diverse political systems and cultures.

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ВЗАЄМОДІЯ ГРОМАДЯНСЬКОГО СУСПІЛЬСТВА І ДЕРЖАВИ В УМОВАХ ДЕЛІБЕРАТИВНОЇ ДЕМОКРАТІЇ: УКРАЇНА ТА СВІТОВІ ТЕНДЕНЦІЇ

Резюме

Проведено аналіз концепції деліберативної демократії та її впливу на сучасну політичну арену, зокрема в аспекті взаємодії між державними органами та громадянським суспільством. В Україні, де ефективність комунікації стає все більш критичною на тлі глобальних політичних викликів, це питання набуває особливої важливості. Розкрито можливості деліберативної демократії, зосереджуючись на її впливі на динаміку відносин між громадянським суспільством та державою, приділяючи особливу увагу Україні та загальним світовим тенденціям. Розглянуто, яким чином цей демократичний процес може впливати на політичні ініціативи та громадську активність, надаючи огляд можливостей і викликів, пов'язаних із застосуванням деліберативних методів в посиленні взаємодії між громадянами та державою. Особливу увагу приділено ролі та значенню деліберативної демократії у сучасних демократичних процесах, з акцентом на українському та міжнародному контекстах. Продемонстровано, що деліберативна демократія, заснована на глибокому публічному діалозі та обговоренні між громадянами та державою, може сприяти підвищенню легітимності законодавства та демократичних інститутів, як в Україні, так і на міжнародному рівні. Проаналізовано практичні аспекти впровадження деліберативного підходу та перешкоди, які можуть виникнути при його реалізації. Окрема увага приділяється необхідності діалогу між громадянами та державою та його ролі у зміцненні демократії. Зазначено, що впровадження деліберативної демократії може значно підвищити якість взаємодії між державою та громадянським суспільством, заохочуючи більш активну участь громадян у політичному житті. Підкреслено важливість подальших досліджень

та розробки стратегій для інтеграції деліберативних методів у політичні системи, а також необхідності міжнародного співробітництва для посилення демократичних процесів, як в Україні, так і на міжнародному рівні.

Ключові слова: деліберативна демократія, держава, громадянське суспільство, партисипація, громадська участь, права людини, громадські обговорення.

Стаття надійшла до редакції 18.11.23

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