



## INTERPRETATION OF THIRD SECTOR CONCEPTS

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**Abstract:** Today, the non-profit sector is involved in solving many socio-cultural, economic and religious problems that are characteristic of various groups of the population. About a third of them operate, are active, provide social, informational, and educational services, which are often unparalleled in the public or municipal or private sectors. In addition, the non-profit sector is an effective provider of socially significant services, characterized not only by the ability to respond quickly to the needs of the population, new social challenges and problems, but also low administrative costs.

The article analyzes the impact of non-governmental non-profit organizations on the development of civil society. The functions of non-profit organizations and their role in the formation of a civil society are also shown and interpreted.

**Keywords:** civil society, non-governmental organizations, third sector, non-governmental non-profit sector,.

At the end of the 20th and at the beginning of the 21st centuries, the concept of civil society was the most widely used society in the field of sociopolitical and legal sciences. Also, non-governmental non-profit organizations are often also explained by the concept of civil society. This term “civil society” mainly refers to antiquity. The idea of civil society originated initially as a philosophical concept. In civil society, the most important concept of freedom is involved as the existence of a person but the responsibility of the individual is accomplished through cooperation. Therefore, it is not entirely correct to associate non-governmental, non-profit and public associations with civil society.

The third sector or concept and the idea of a “non-governmental non-profit organization” became widely used in a scientific context and instilled in the public consciousness in the developed Western states in the 1990s. Based on Van Til’s scientific research, the term itself was used in Theodore Levitt’s book the Third Sector: A New Tact of Social Interaction, published in 1973. In particular, in the United States, the initial stage of development of these organizations is mainly characterized by the development of human rights organizations. In the 1990s, the twentieth century in the scientific, political and legal sciences of America began to focus especially on non-state structures, considered as strong, strong institutions of civil society.

These institutions serve the interests of the nation and the various social groups living in a particular state and society, and their quantity, quality, activity, initiative, serve to express the level of development of this state and society. If you look at the history of developed countries, you can see that most of them, when implementing the above tasks, carried out joint activities with public associations of the state, social movements and organizations, associations or charity foundations (NGOs). The basis of this cooperation is directly constituted by such important tasks as ensuring the adaptability of citizens to state and public criteria, increasing their legal culture and political consciousness, and ensuring social cooperation between the state and society. Based on the analysis, it can be argued that in the Middle Ages in European countries there were material and spiritual support for charitable associations of merchants, professional organizations, mutual aid committees, religious and political associations that had social status and were protected by law. In particular, in England at the beginning of the 17th century, the Law on Charity (Status of Charitable Use, 1601) was adopted. At the same time, Queen Elizabeth of England also signed the Law on the Poor (the Elizabethan Poor Law of 1601) (Berman,1994: 365-367), which gave impetus to the development of charity in the United States. To this day, charitable organizations of the United States, based on this law, use the principle of exemption from taxation, which is reflected in the law. In the formation of the democratic order of the United States, an activity of NGOs is observed.

Of the Western European countries, the UK plays a leading role in supporting NGOs. Especially here public associations are important, which, along with state organizations, have the same socio-economic and legal opportunities and serve to protect the interests of England and its development. If initially such organizations were created in 1865, today their number exceeds 500,000. In 1900 in Germany the number of such NGOs reached 367.

At the beginning of the twentieth century, public organizations carried out their activities in parallel with the state. In the 30s of the twentieth century, the English model of the social sector, the slide ladder, played an important role in replenishing non-profit public services. This sector creates an effective system of social agreement and cooperation with the state and business sector under the idea of the general welfare of society. This indicates that a public participation system was created in the state decision making process. In 2003-2004, in the UK, the number of people employed in the third sector was 608,000 thousand people, and the annual income of the nonprofit sector was 26.3 billion pounds, while the public sector accounted for 38%, the third (social) sector - 35% , and the private sector - 1%. Only the income of a charitable organization is 19 billion pounds per year, which makes it the main auxiliary force in the implementation of policies aimed at social protection of the state. As for the Russian Federation, now more than 600,000 different NGOs are registered, primarily as the “right hand” of the state in providing social protection.

Since non-governmental non-profit organizations (NGOs), the self-name speaks of this, is not aimed at making financial gain, they are subsidiary organizations in the management of the civil society of the state. In civil society, any strong and developed country directly associates its progressive capabilities with the level of effective activity of NGOs.

Exploring ideas such as democracy and civil society, Alexis de Tocqueville promotes the concept of "three areas" or "three sectors" of society. (Tocqueville Alexis de,1992: 378). This concept of Tocqueville was taken as the basis for the study of the theory of the third sector and served as the basis for future progress. In countries where democratic principles are based and different forms of ownership in their development, legal entities are divided into three sectors. The first sector unites state and municipal organizations, that is, structures that are considered the property of state and local authorities.

The third sector is a complex of non-governmental non-profit organizations that express structures independent of government bodies that do not pursue the goal of generating income (profit) from certain services and do not distribute these funds among their members (participants). It should be noted that the term "Third Sector" still does not have a generally accepted, uniform definition. Therefore, in the world literature, this concept is interpreted in different ways. According to some researchers, the Third Sector unites in its structure political parties, trade unions, religious organizations and many other non-profit organizations. They believe that non-profit organizations are an association that does not have the status of a state body, and various forms of a union of people who do not distribute profits among themselves. And other researchers explain that this sector is a narrower circle, that is, non-political and non-governmental, non-religious organizations that are engaged in social work, protecting the interests of society, groups and their members.

The emphasis on non-economic aspects of activities in the description of non-governmental non-profit organizations, makes it possible to distinguish them from the public and economic sectors. And the charitable and voluntary nature of these organizations sets it apart from state structures that have certain boundaries and mandatory requirements.

Some specialists focus on the following priority features of the non-state sector: 1) These structures operate on the basis of principles of democracy in the socio-political, ethnic and religious spheres. 2) They cannot function as a mechanism for influencing government or politics in general. 3) Non-governmental non-profit organizations do not aim to achieve wealth. L. Jacobson has a peculiar approach to the third sector. In his opinion, the third sector is a collection of cells of regular and more or less organized cooperation of people. The cells that meet the following criteria are in the field of view:

- cooperation within the cell has a relatively defined composition of participants and relatively defined and stable goals; as a rule, goals are altruistic in nature or relate to the creative self-realization of the participants or to the collective arrangement of their private life;
- in any case, the goals are not directly connected with the receipt of profit, nor with the mastery or use of political power; accordingly, the cell does not directly belong to business areas or the state;
- a cell arises, functions and disappears on the basis of voluntary and conscious self-organization; its inputs and outputs are open; Membership is not predetermined by origin (therefore, in particular, families, clans, etc., do not belong to the third sector).

Features of non-state structures, also investigated the American scientist Lester Salamon. The scientist pointed out the following features of the third sector, ensuring the status of a non-governmental and non-profit organization:

- Officialness (legality). - an organization receives the status of a legal entity through official state registration, subject to the status of a non-governmental non-commercial on the basis of territorial legislation and its own Charter.

- Freedom of action (actions) - ensures the functioning of non-state structures regardless of the state, conditions so that they do not come under control and pressure from the management apparatus, government and officials.

- Do not target (focus) on income (profit) - the organization's income should not be distributed among its members, on the contrary, it is spent on the organization's future socially beneficial program, or on the implementation of its specific mission.

- Independence - the organization independently develops its own structure, management processes and internal order and rules, and also takes control of the tools (instruments) of management.

- Volunteering - to the extent possible, attract volunteers to the activities of the organization, and increase their number.

- Socially important activities - non-governmental non-profit organizations should serve the public interest and the development of important values of the public.

In some laws, there is no special legal concept of “non-governmental non-profit organizations”. This situation is typical of countries such as the United States, the United Kingdom, where case law applies. Currently, in many countries where continental law is in force, non-governmental non-profit organizations also have no common legal definition (for example, in Sweden) (Alekseeva,1997:156). Instead, these organizations are characterized by such concepts as “non-profit organizations”, “funds”, “organizations of volunteers”, and “charitable organizations”, which are defined by special laws, proceed from internal documents (or articles of association) or practice.

In English terminology, naming non-governmental non-profit organizations use a number of concepts. Among them are the following terms that have a common characteristic:

- Non-profit organization (NFPO) - non-profit-oriented non-profit organizations. This term has been adopted in relation to certain European countries and mainly non-economic structures of the US;

- Non-governmental organization (NGO) - non-governmental organizations. This term is most often used in documents of international organizations as a generalized concept for various countries.

- Charity - charitable organizations. Characteristically for British structures, it has a broader meaning in relation to the concept of "donations", which fully covers the range of socially significant non-governmental non-profit organizations;

- Private Voluntary Organization (PVO) - voluntary private organizations;

- Civil Society Organization (CSO) - civil society organizations.

Although the names of non-profit organizations in each country, based on organizational and socio-economic points of view are different, there are the following common features:

- Has a strong institutional structure;

- Separated from the state;

- although the law is focused on generating income (profit), the income received (profit) among the participants (organizers, managers, members) is not distributed;
- self-government;
- voluntary organization on the part of individuals and legal entities;
- volunteering (the law does not require mandatory membership and participation, their activities depend on certain types of services, such as voluntary donations).

It should be noted that these signs and features are the basic pillars of the characteristics of third sector organizations.

The international documents in relation to the international non-governmental structures of different countries use the analogy "International Non-Governmental Organizations" (INGO) [International Non-governmental Organization (INGO)]. In particular, under the UN Charter, such national and international organizations are members of non-governmental organizations. In accordance with Article 71 of the UN Charter and Resolution of the Economic and Social Council (ECOSOC) under No. 1296 / XIVIV of 1968, a non-governmental organization is a structure that was not organized by agreement of state and intergovernmental bodies, but has a system of representation, control and accountability to by its members.

In the mid-1990s, the term "third sector", tasks relating to this sector was unknown among activists, and even scholars from a society of independent states that left the former USSR did not have any manuscripts on this issue. The meaning of the "third sector" concept was not precise, and many people first heard this word. He was often confused with expressions such as "third force", "group of interests", "third way", "third world" and, finally, "secrecy of the third stage of the economy-secret". By the end of the twentieth century, records of "interest groups" or simple socially interested organizations protecting human rights, non-governmental non-profit organizations created on the initiative of citizens appeared in many scientific publications. Began to develop many organizations included in this structure. In fact, this sector means a non-governmental non-profit organization. Within the framework of scientific discussions there was an opinion, disputes: is this a "third sector" or a "fourth", or maybe a "fifth sector"?

In the CIS countries, starting from the 2000s, one can say that the stage of formation and development of the theoretical concept of the "third sector" began.

In particular, on August 31, 1991, the Republic of Uzbekistan proclaimed itself an independent state and, as its strategic goal, defined the construction of a democratic society. Began to promote such new ideas as: "In the new context, the most important task of state, government and governing bodies is to find new forms of work, cooperation with political parties, non-governmental social structures and various new institutions of civil society that are emerging." If in 1991, 95 NGOs were registered in the Republic of Uzbekistan, then by 2000 their number reached 2585. In 2013, the number of NGOs exceeded 6,000. In 2019, their number exceeded 9,250.

"The concept of further deepening democratic reforms and the formation of civil society in the country", which was adopted at the initiative of the first President of the Republic

of Uzbekistan in November 2010, became the starting point for a new stage in the development and support of multilateral NGOs.

First President I.A. Karimov, pointing to his clear position, noted: "It is impossible to imagine an open and strong civil society, today, without developed systems of independent and stable non-governmental non-profit organizations, without free media and other civil communities that represent the interests of various social groups and segments of the population. "In addition, the adoption of the Decree of the President of the Republic of Uzbekistan "On additional measures to promote the development of civil society institutions" of December 12, 2013 played a crucial role in the development of legislation in this area (Saidov, 2001:5-10).

If you look at an objective look at the positive changes in the legislation in the field of regulating the activities of NGOs, then it can be argued that all of them are aimed at:

First, strengthening the role and influence of civil society institutions in making important public decisions; Secondly, the protection of the rights and legitimate interests of citizens, improving their well-being, and accelerating the socio-economic, socio-political development of the country; Thirdly, the implementation of comprehensive measures aimed at increasing the socio-political activity of NGOs, the institutional development of NGOs and other civil institutions, ensuring their economic stability.

The significance of the institutions of civil society and other non-profit organizations in the new conditions is growing from year to year, first of all, reliable communication and relations between the state and the people are ensured.

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