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## **SEARCHING FOR A NEW FORMULA OF A STATE: INTERNATIONAL DISCOURSE ON DELIBERATIVE DEMOCRACY**

The idea of civil society might be taken into closer consideration in a variety of contexts. International discourse searches for the appropriate forms of institutionalization corresponding to its essence. The importance of the subject matter became part of the transformation of the post communist regimes that were characterized by the distinctive dichotomy between a society and a state, as well as the European integration process, where the idea of civil society was reflected in formal and legal subjectivity of individuals [7, p. 9; 8, pp. 14-30]. The development of civil society in the 21st century has aroused curiosity concerning the instruments and forms that promote effective participation and deliberation in the field of local self-government and other areas. Social participation might be perceived as the way of expression of the civil society [5, p. 12; 9, pp. 22-24; 6, pp. 240-241].

Deliberative democracy might be perceived as a present form of civil society. It reaches presently new fields of varied empirical insights and theoretical debates, however, some flaws of deliberation and participation are also noticed [11, pp. 77-84; 13, pp. 22-23]. In the matter of fact, the diversity of forms of participation gives a real opportunity to shape the policies of a state, region or local government [10, p. 184]. Citizens themselves implement solutions in the area of administration, social affairs and economy through their participation in contemporary social dialogue.

It can be observed that during a thirty-year worldwide debate on the development of deliberative democracy, any unified 'school' or current were established [12, pp. 227-230]. In line with the development of the discourse, it was becoming more internally diverse. Advocates of deliberative democracy differ when answering the question of what kind of communication is conceived as deliberative, where and at which level deliberation should take place, who should participate in deliberation and how. They also present different points of view on the expected outcomes of deliberation [14, pp. 208-211; 13, pp. 19-37].

Although there is some overlap in certain solutions, methodologies, and tools, several stages can be identified in the deliberative democracy discourse. The first generation of explorers of deliberative democracy were concerned with the normative theory. Jürgen Habermas highlighted the legitimacy of collective decisions through the discursive character of their decision-making procedures. In his early works, John S. Dryzek presented a radical concept of discursive democracy allowing for a transnational or supra-state view on democracy. The

considerations of Joshua Cohen also fall within the above current [1, pp. 17-35].

The second generation of scholars was concerned with defining deliberation more broadly in order to consequently create a model more 'sensitive' to the heterogeneity, pluralism, and complexity of contemporary democracies [2, pp. 780-807]. Their field of interest included the requirement of rational arguments and consensus in deliberation, which consequently brought deliberative democracy theory closer to other issues related to multiculturalism, environmental politics, or feminism [4, p. 298]. Representatives of the second generation raised issues of potential inequalities during discourse, and the possibility of instrumentalization or strategic use of deliberation by its influential participants. In this way, deliberation brought deliberative democracy closer to the real world of dilemmas and conflicts, while giving deliberation a more practical meaning and making it more 'mature'.

Unlike their predecessors, the third generation of participants of the scientific discourse on deliberative democracy does not shy away from detailed institutional designs and empirical analysis of deliberative practices. The research on institutional mechanisms in order to develop actual deliberation is promoted. Within this current, there are theories more oriented towards practical solutions, namely the design of deliberative institutions and their empirical analysis. Therefore, a large part of the literature is devoted to various participatory practices, e.g. participatory budgets.

In recent years, the concept of a deliberative system, where deliberation is conceived as communication occurring in multiple, sometimes partly overlapping spaces, where the need for interaction between these spheres is emphasised, has gained renewed importance. In this respect, deliberation is not confined only to the forum interested in structure, which was the focus of the scholarly community's reflections on deliberative democracy in the 1990s, and defined by John S. Dryzek as the 'deliberative turn' [3, passim].

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УДК 342.733:37.014.1:341

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## **ПРАВО ЛЮДИНИ НА ОСВІТУ У МІЖНАРОДНОМУ ПРАВІ**

Право на освіту є одним з фундаментальних прав людини, визнаних і захищених у різних міжнародних документах і конвенціях. Це право є важливим елементом для реалізації індивідуального потенціалу, розвитку особистості та досягнення стабільного соціального прогресу.

Право на освіту означає, що всі люди мають право на доступ до освіти без будь-яких форм дискримінації, незалежно від їхнього віку, статі, етнічної приналежності, соціального статусу чи фінансових можливостей. Це право також включає право на якісну та різноманітну освіту, яка відповідає потребам та інтересам кожної людини. Крім того, важливо забезпечити участь у процесі прийняття рішень стосовно освіти та повагу до прав дітей на освіту та самовираження.

Освіта не лише надає людині знання та навички, а й є важливим інструментом для боротьби з бідністю, нерівністю та дискримінацією [4, с.77].

Одним із ключових документів, що визначає право на освіту, є Загальна