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## Philosophical and legal aspects of Volunteerism in Social Work

The article discusses the current philosophical and legal problems of volunteerism in social work, its basic concepts, stages of development of volunteerism as a type of services and charitable activities in our country and in Western countries. The analysis of foreign experience of volunteering in social work is of particular importance for domestic practice. The study comprehensively examines its socio-philosophical, theoretical, and legal aspects as important foundations of the theory of social work. The semantic transformation of these branch disciplines from the initial to the modern stage is described. The main conditions and historical stages that had a decisive influence on the formation of individual ideology and their own infrastructure of volunteerism in social work are determined. The authors, considering the trends in the development of volunteerism in social work, determine its content in historical stages and differentiate its role at present and in the future. Based on the normative legal acts of volunteerism in social work, the necessity of resolving philosophical and legal issues and contradictions in order to solve social problems in society is determined. The philosophy of law of the German philosopher Georg Wilhelm Friedrich Hegel is also analyzed.

*Keywords:* volunteerism, social work, social work theory, charity, philanthropy, legal relations, civil society, antagonistic society, Universal Declaration on Volunteering, International Association of Volunteer Forces.

### Introduction

In the early stages of the historical development of society, the first form of social assistance, born out of compassion for loved ones, was charity. In the course of its historical chronological development, it was manifested in various forms in the period starting from almsgiving, combining with public and private charity services, up to public assistance, and up to the organized system of social protection.

That is, charity is a true form of helping those in need.

Philanthropy is love and tangible help given to individuals in need of a helping hand. It is a philosophical concept, a synonym of charity, translated from Greek philanthropy means “loving people”.

The main purpose of philanthropy is to help certain people and poor groups to overcome their difficult life situations.

Philanthropy is a form of altruism that consists of “private initiatives, for the public good, focusing on quality of life” [1].

In this work, the main task of considering the philosophical and legal aspects of volunteerism in social work is to explain the nature of the philosophical development of volunteerism and study volunteerism as a whole system with social work. To do this task, there is a need to study philosophical and legal issues. In the process of analyzing the contribution of great theoreticians and practitioners to the development of the theory of social work, there is a risk of losing the specificity of the activity of a social worker and its theoretical basis. From this point of view, there may be a danger that the people who have meritorious work in the field of scientific knowledge will not become the real characters of the history of the development of the theory of social work.

An invariable function of a civilized society is the creation of a social protection system and the development of its multidirectionality and efficiency, the main goal of which is to provide comprehensive assistance to an individual who is in a difficult situation in life, and to bring him to a position where he can fully master himself [2; 21].

It should be noted that this topic is large-scale as the importance of studying the issue of volunteerism in social work from a philosophical and legal point of view is now increasing. The stages of development of social work and volunteerism were institutions of social protection of the people. These institutions in historical periods were the main sources of solving and preventing social problems of the people.

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The study of the philosophical and legal aspects of volunteerism in social work allows for a deep understanding of the history and development of the legal regulation of volunteerism in social work in a number of Western countries and in our country. It also allows to determine the main reasons and conditions for the emergence and development of volunteerism, its place and role in the life of society. General scientific methods of dialectical cognition, individual scientific methods, namely logical, functional, systematic, comparative analysis, scientific analysis and complex analysis methods were used as the main research methods.

The purpose of the research is to pay attention to Hegel's philosophical and legal theory as one of the periods of medieval history within this topic and to study the issue based on new domestic and foreign research on this topic.

*Results and Discussion*

In philosophy, legal questions are always one of the important topics.

The works of the German philosopher Hegel were directly related to the state and legal issues. Among his most significant works are "Philosophy of Spirit", "Philosophy of Law", "German Constitution", "Philosophy of History", and others. The most important component of Hegel's philosophical system is the philosophy of law. In his works, the connection and difference between civil society and the political state were considered. According to him, the highest level of state development is the emergence of civil society.

Civil society is a special system that protects human rights and freedoms.

According to Hegel, the concept opposite to civil society is antagonistic society.

An antagonistic society is a society in which personal or selfish goals prevail to the detriment of social or altruistic goals [3].

The formation of the theory of social work in the educational system in Kazakhstan in the 20–21st centuries is the basis of modern professional social work. General social work is a type of social assistance and services provided to socially vulnerable groups. That is, social assistance is the provision of assistance to people in dire situations.

Features that make up the main values of social work:

- love for a loved one — humanism;
- openness — empathy;
- being together in difficulties and tolerance;
- maintaining confidentiality;
- intention, belief in the possibility to change the situation, helping intentions.

Social work is a special type of activity. It helps to create a special situation for his client, exchanges opinions, helps him to live normally every day, contributes to his successful recovery from mental stress.

The analysis of the foreign experience of social work as a philosophical science also shows us that the first steps of its theoretical foundation are connected with the development of the first charitable activities.

The theoretical development of scientific knowledge about social work has developed in two directions in many countries:

1. Behaviorist theories based on the theory of cognition, the dominance of the cognitive direction;
2. Growing interest in justifying the theoretical premises of social work.

Thus, in the theory of social work, systematic concepts of social protection, social guarantees, and provision of social services, assistance and support to people in difficult situations began to form. Accordingly, the uniqueness of the theory of social work and the focus on creating a philosophical and legal foundation of social technologies are increasing.

A social worker offers his services to all categories of people that need help, regardless of race, ethnic group, social status, religion. To show the place of social work theory in the regulation of economic, social, and legal relations in human life and to solve the problems arising from it and how it is being carried out in Kazakhstan today, to focus on the methods of social work being carried out in the Republic of Kazakhstan and ways of its improvement based on the foreign experience of social work, the following tasks are set:

- To reveal the process of implementation of a social work theory in the Republic of Kazakhstan by a comprehensive analysis;

- To consider the social models and features of social work based on the works of scientists who studied the theory of social work;
- To determine the content of the theory of social work and the degree of development of all its methods and models in the country;
- To reveal the meaning of social work, including social theory, and determine its role in society.

Social work is a professional service that helps people and social groups overcome personal and social difficulties by providing support, protection, correction, and rehabilitation. One of the quality types of social work is volunteering.

Volunteerism is a way of preserving and strengthening the quality of giving kindness, selfless and free help to anyone, regardless of gender, age, religion, ethnic and cultural characteristics [4; 163]; a volunteer is a person who works for free in various organizations, such as medical, educational and social welfare [5; 102]; volunteers have certain knowledge and skills and are a person providing professional services for social responsibility. Volunteering is the most effective method and method of practical informal learning in social work [6; 211].

If we take into account the connection and peculiarities of social work and volunteerism, there is reason to say that volunteerism is an important branch of the social sphere. Social work is the main institution of social assistance. As social work is a profession, it receives compensation for its services. As for voluntary work, it is free of charge, spending time and effort on volunteering without expecting any praise or reward.

Volunteerism is a special type of social activity; it forms and develops such qualities as creativity, motivation, independence in mastering skills, and reproduces such qualities as virtue, morality, caring. Whereas social work is the ability to intensively and consciously interact with the social environment, the willingness of a person to change and improve himself, and the issues of social development of society.

Now, if we review the main stages of the historical development of volunteering in Europe, the problems and contradictions of volunteerism in Europe within the EU are divided into institutional and active.

S.V. Sinetsky, who studied the conditions for the development of volunteerism in his work, notes a number of important stages of volunteering:

The first stage is the period that constitutes the Middle Ages. It was the period in which volunteerism as a phenomenon arose spontaneously and the prerequisites for its separation from the public consciousness emerged. The second period dates back to the 18th and 19th centuries. According to S.V. Sinetsky, this is an important period associated with the beginning of the domination of capitalism. New resources and social protection were needed. Charity has become one of these tools in terms of the effectiveness of shaping the image of economic elites. The social approval of people led to the rationalization of this type of activity and contributed to the transition of volunteering to a new quality. We see that volunteering at this stage became a full-fledged “invariant” of charity and this stage itself is characterized by the creation of a volunteering infrastructure [7; 105].

The research approach to volunteerism in social work is highly controversial. On the one hand, this led to the non-isolation of the periods and did not allow to assess the cultural specificity of the volunteering of different states or groups of countries as a separate part of the European Union. On the other hand, it allows us to focus on a number of important features of an author’s research.

The main institution that influenced this is belief and the work of religious infrastructural institutions.

First of all, the essence of this issue indicates the controversial nature of the phenomenon of “volunteerism”, whose history is presented as “paradoxical for the modern market consciousness”. Second, public opinion plays an important role in the development of voluntarism. Thirdly, an author’s interpretation of the process of formation of the European volunteerism tradition is presented.

Let us move on to another phase of volunteerism. Analyzing the transformation of the volunteerism in Europe, Canada, and the USA R. Stebbins identified three stages in its development:

The first period is 1300–1960. In this period, religion or ideology plays a major role in defining and motivating volunteerism, and volunteers in this period feel a sense of duty through ideology. The second period lasted between 1960–1980. During this period, it began to develop with renewed vigor throughout the world including Europe. If in the 19th century the fight against poverty and care for the health of people were the main areas of volunteering in Europe, in the 20th century they were considered only part of many directions. The activities of national States and projects that financed its development and offered various programs were attributed. The third phase began in the 1980s and continues to this day. It is characterized by a really low level of targeted financing of many volunteer projects [8].

Based on these divisions we propose dimensions that reflect changes in its social structure as a standardized system of relations between European volunteers. Thus, we determine the important features of volunteering, the characteristics of the European volunteer community, the level of development of institutional structures and legal norms.

The legal regulation of volunteering was first adopted in 1990 at the International Association for Volunteer Effort (IAVE) Conference in Paris, where the General Declaration of Volunteers was adopted. For the first time in the history of mankind, it was difficult to say what was special about the World Volunteer Declaration. It was affirmed in accordance with the 1948 Universal Declaration of Human Rights as a means of social, cultural, economic and environmental development as set forth in the 1989 International Convention on the Rights of the Child. The declaration defines the idea of the movement, the main principles and goals, the rights and responsibilities of volunteers, as well as the organizations with which they cooperate.

Afterward, 2001 was declared as the International Year of Volunteers at the XVI World Conference of the International Association of Volunteers in Amsterdam. As a result of this conference, the following principles were discussed. Volunteerism:

- is a voluntary choice of voluntary service that reflects personal attitudes and positions;
- is a citizen's active participation in the life of the human community;
- contributes to improving the quality of life, personal prosperity, and deepening of cooperation;
- is usually reflected in joint activities within different communities;
- contributes to the realization of basic human needs in the way of creating a fairer and more peaceful society;

-“contributes to balanced economic and social development, creation of new jobs and new professions”.

Volunteerism is at the heart of a number of forms of social activism. The following forms are the most important:

- charity – providing free help (donation) to needy people. Donation is individual or collective. It is not necessarily money. Donations include items, food, toys, medicine, etc.;
- philanthropy – taking care of art, sciences, creating libraries, art galleries, theaters, etc. unlike volunteers, patrons do not provide their services, time and labor, but provide material support [9].

There are three main principles that must be followed in the implementation of general voluntary activities:

1. Not receiving remuneration for voluntary service. There is no financial reward for volunteering. However, the organization that invites the volunteer to do some work will pay for transportation expenses, food, special clothing, etc.

2. There is no coercion in voluntariness. However, sometimes there is a phenomenon like forced labor in volunteering. Such service is not considered volunteering if it benefits one party.

3. Benefits of volunteering to society and people. Voluntary action performed should be socially important, should bring real benefit to a certain person, society, environment.

On December 30, 2016, the Law of the Republic of Kazakhstan “On volunteer activity” was approved, and for the first time in our country, the legislation regulating the activities of voluntary organizations and protecting them on a legal and normative basis began to be implemented. This Law consists of 4 chapters and 19 articles.

According to the Law, the main tasks and types of volunteer work can be specified as follows:

- 1) Development of volunteer activities;
- 2) Development of a system of stimulating volunteer activity of citizens and volunteer organizations;
- 3) Improvement of the system of training volunteers and volunteer coordinators;
- 4) Improvement of the system of cooperative interaction between various volunteer organizations and other public associations and non-profit organizations that use volunteer work.
- 5) The volunteer organization shall appoint a coordinator of volunteers who will carry out its activities in accordance with Article 13 of this Law.
- 6) The volunteer organization has the right to engage organizations that carry out educational activities to train volunteers to conduct special seminars, hearings, work meetings, and volunteer meetings.
- 7) The volunteer organization promotes volunteers under the procedure established by it, and also submits nominations of outstanding volunteers for promotion and awarding according to the procedure

established by the legislation of the Republic of Kazakhstan to the organizer of volunteer activities, as well as to state bodies that are not organizers of volunteer activities.

8) In the cases stipulated by the written civil legal contract with the volunteer, the volunteer organization provides the volunteer with special clothes and covers his travel, accommodation, meals, necessary personal protective equipment, equipment and heavy work, harmful and reimburses other expenses incurred during the performance of work related to work in hazardous conditions.

9) The volunteer organization develops and approves the volunteer code of conduct.

10) A volunteer organization has the right to keep records of volunteers in its organization [10].

Thus, the above-mentioned legislation is considered as a mechanism of philosophical and legal regulation of the issue of volunteering in social work, and we see that it plays a paramount role in the creation of civil society.

### Conclusions

Volunteerism is a significant social institution in current social work. It is a special part of civil society. Volunteering is a social practice that involves doing social or charitable work in free time and without financial reward. In addition, volunteers are also called community helpers, freelance workers, leaders, mediators, and sponsors in the modern context. The main common thing that unites them is volunteerism.

Today, there are various types of volunteering. This ensures that young people in civil society realize flexible opportunities to realize their voluntary potential in the current living conditions.

Volunteerism and social work always create a new social reality.

Thus, in modern times, humanity has made volunteerism one of the main values of civil society. Today volunteers from more than 100 countries of the world share universal values, join the global world movement and become influential in the world. This, in turn, will undoubtedly give an impetus to the prevention of acute social problems in the states, and consideration and implementation of significant ways of legal regulation of these activities should be the main focus.

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## Әлеуметтік жұмыстағы еріктіліктің философиялық-құқықтық аспектілері

Мақалада әлеуметтік жұмыстағы еріктіліктің философиялық-құқықтық өзекті мәселелері, негізгі ұғымдары, тақырыптың еліміздегі және батыс елдеріндегі қызмет түрі мен қайырымдылық іс-әрекет

ретіндегі даму кезеңдері қарастырылған. Әлеуметтік жұмыстағы еріктілік қызметтің шетелдік тәжірибесін талдаудың отандық тәжірибе үшін ерекше маңыздылығы белгіленген. Зерттеуде әлеуметтік жұмыстың теориялық кеңістігінің басты негіздері ретінде әлеуметтік философиялық, теоретикалық–құқықтық қырлары жан-жақты талқыланған. Көрсетілген салалық пәндердің бастапқы кезеңнен қазіргі заманға дейінгі мағыналық трансформациясы сипатталады. Әлеуметтік жұмыстағы еріктіліктің жеке идеологиясы мен өзіндік инфрақұрылымын қалыптастыруға шешуші ықпал еткен негізгі жағдайлар мен тарихи кезеңдер анықталған. Авторлар әлеуметтік жұмыстағы еріктіліктің даму тенденциясын алдыға тарта отырып, оның тарихи кезеңдердегі мазмұнын анықтап, қазіргі және болашақ кезеңдегі тарихи рөлін саралайды. Әлеуметтік жұмыстағы еріктіліктің нормативтік–құқықтық актілерін негізге ала отырып, қоғамдағы әлеуметтік мәселелерді шешу үшін философиялық және құқықтық сұрақтар мен қайшылықтарды реттеу қажеттігі анықталған. Сондай-ақ, неміс философы Георг Вильгельм Фридрих Гегельдің құқық философиясына өзіндік талдау жасалған.

*Кілт сөздер:* еріктілік, әлеуметтік жұмыс, әлеуметтік жұмыс теориясы, қайырымдылық, филантропия, құқықтық қатынастар, азаматтық қоғам, антагонистік қоғам, жалпыға бірдей еріктілік декларациясы, Халықаралық еріктілер күштері қауымдастығы.

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## Философско-правовые аспекты добровольчества в социальной работе

В статье рассмотрены актуальные философско-правовые проблемы добровольчества в социальной работе, его основные понятия, этапы развития добровольчества как вида услуг и благотворительной деятельности в нашей стране и в странах Запада. Отмечено особое значение для отечественной практики анализа зарубежного опыта добровольческой деятельности в социальной работе. В исследовании в качестве важных основ теории социальной работы всесторонне изучены ее социально-философские, теоретико-правовые аспекты. Описана смысловая трансформация указанных отраслевых дисциплин от начального до современного этапа. Определены основные условия и исторические этапы, оказавшие решающее влияние на формирование индивидуальной идеологии и собственной инфраструктуры добровольчества в социальной работе. Авторы, рассматривая тенденции развития добровольчества в социальной работе, определили его содержание в исторических этапах и дифференцировали его роль в настоящее время и в будущем. Исходя из нормативно-правовых актов добровольчества в социальной работе, определена необходимость урегулирования философских и правовых вопросов и противоречий для решения социальных проблем в обществе. Также проанализирована философия права немецкого философа Георга Вильгельма Фридриха Гегеля.

*Ключевые слова:* добровольчество, социальная работа, теория социальной работы, благотворительность, филантропия, правоотношения, гражданское общество, антагонистическое общество, Всеобщая декларация добровольчества, Международная ассоциация добровольческих сил.

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