Становление человека печатающего. – М.: Фонд «Мир», Академический Проект, 2005. – С. 9-14.

References

1.McLuhan, H.M. 2007. *Ponimanie media: vneshnie rasshireniya cheloveka [Understanding Media: The Extensions of Man].* Moscow: Kuchkovo field.

2.McLuhan, H.M. and K. Fiore. 2012. *Vojna i mir v globalnoj derevne [War and peace in the global village].* Translated by I. Letberg. Moscow: AST: Astrel.

3.McLuhan, M., Hutchon, K. and E. McLuhan. 1977. City as Classroom: Understanding Language and Media. The Book Society of Canada Limited.

4.Tyurina, I. ″Velikoe prorochestvo: Filosofskaya koncepciya Marshalla Maklyuena″ [″The Great Prophecy: The Philosophical Concept of Marshall McLuhan″]. 2005. *In Galaktika Guttenberga: Stanovlenie cheloveka pechatayushchego, The Gutenberg Galaxy: The Formation of a Printing Man,* 9-14. Moscow: Fund "Mir", Academic Project.

5.Woolf, G. 2001. ″Mudrost' Sv. Marshalla, Svyashchennogo Glupca″ [″Wisdom of St. Marshall, the Holy Fool″]. *Russkij zhurnal, Russian Journal,* no (April 19).

6.Kuznetsov, M.M. 2010. ″M. Maklyuen″ [″McLuhan″]. In Novaya *filosofskaya enciklopediya [New Philosophical Encyclopedia]*, edited by V.S. Stepin, 478 - 479. 4 vols. Moscow: Mysl.

7.Arkhangelskaya, I.B. 2011. Marshall Maklyuen: Put' k teorii media [Marshall McLuhan: The Path to Media Theory]. *LAP LAMBERT Academic Publishing. (29):* 26-30. https://doi.org/ 10.18372/2412-2157.29.13888

В. І. Онопрієнко

ГЕРБЕРТ М. МАКЛЮЕН: МЕТОДОЛОГІЯ ВЗАЄМОЗВ'ЯЗКУ КУЛЬТУРИ, МЕДІА І КОМУНІКАЦІЙ

Анотація. М. Маклюен створив концептуальну модель історичної динаміки суспільства, в центрі якої лежить проблема типу та способу комунікацій. Розквіт популярності М. Маклюена і його робіт припав на 1960-1970-і роки, з розвитком Інтернету його теорії набули нового значення, і на рубежі XX-XXI століть вони знову опинилися в центрі теоретичних дискусій. М. Маклюен розуміє комунікацію як екстеріоризацію чуттєвої здатності людини до сприйняття, виділяючи на основі цього критерію аудіо- (або мовленнєву) комунікацію та відео-(або зорову) комунікацію, що, у свою чергу, лягає в основу диференціації аудіо- та відеокультур, тобто «культур слуху» та «культур зору». Друковане слово, що зробило писемність основою масових комунікацій, надало індивіду такі права, як селекція інформації, вільна її інтерпретація, критицизм і можливість надходити з цією інформацією на власний розсуд – власне, право на індивідуальність.

***Ключові слова**: медіа, комунікації, технології, культура, культура слуху та культура зору, епоха племінної людини, галактика Гутенберга*

V. Onopriyenko

HERBERT M. McLUHAN: METHODOLOGY OF THE INTERRELATION OF CULTURE, MEDIA, AND COMMUNICATIONS

Itroduction. McLuhan created a conceptual model of the historical dynamics of society, in the center of which there is the problem of the type and method of communication. **The aim and tasks** are the studies of the basic ideas of the historical dynamics of the society in the concept of M. McLuhan. **Research methods** are based on the methodological aspects of the concept of the historical dynamics of society according to M. McLuhan. **Research results.** The heyday of the popularity of McLuhan and his work came in the 1960s-1970s, with the development of the Internet, his theories acquired a new meaning and at the turn of the XX-XXI centuries again found themselves at the center of theoretical discussions. A certain type of communication (communication technology) not only defines, but creates a social world – a "galaxy", which has its area and, despite the possibility of expanding or changing configurations, superimposing galaxies on top of each other or mutually passing through, nevertheless has fixed borders. McLuhan understands communication as the exteriorization of a person's sensory ability to perceive, highlighting, based on this criterion, audio (or speech) communication and video (or visual) communication, which, in turn, forms the basis for the differentiation of audio and video cultures, that is, "cultures of hearing" and "cultures of sight". **Discussion**. Historically, the first is the era of the "tribal man", that is, the era of oral speech (audio culture), in connection with which the "sensory balance of the tribal man" is characterized by syncretism and inclusion in the mutually resonant speech of the members of the community, which corresponds to the mythological syncretism of consciousness and the dissolution of the individual in the tribal team. In addition, the "culture of hearing" generates a style of thinking that expressly demonstrates the paternalistic attitudes of the mass consciousness. The changes brought about by the introduction of writing and printing are as follows: a cold, monotonous visual world instead of an emotional, varied oral world; loss of the mystical element; one feature - rationality of thinking - instead of all the richness of feelings. **Conclusion**. The printed word, which made writing the basis of mass communications, granted the individual such rights as the selection of information (while one cannot escape from the sounding voice, one can read and watch anything), its free interpretation (one's point of view as opposed to obedience), criticism and the ability to do with this information in his own way - in fact, the right to individuality.

***Keywords**: media, communications, technology, culture, culture of hearing and culture of sight, era of tribal man, Gutenberg Galaxy.*

UDC 316.334.1(045)

J. Kharchenko, S. Kharchenko

KEY DETERMINANTS OF GLOBAL LEGAL INSTITUTIONS (PHILOSOPHICAL ASPECT)

Volodymyr Vynnychenko Central Ukrainian State Pedagogical University
e-mail: spharchenko_1@ukr.net; kharchenkojv@gmail.com

***Abstract.** It is confirmed that, in the modern global society, a certain general image of legal institutions has been formed, which, being a "superimposed" model adjusts other existing models to suit it. The "legal institution "performs its classical function for regulating social relations, enshrined in legal acts of various levels. The aim of this study is the explication of "global legal institutions" in the framework of modern socio-philosophical and philosophical-legal discourse and conceptualization of the key determinants of their development. The key task is to comprehend the phenomenon of global legal institutions and its impact on the modern global legal society. The socio-philosophical and philosophical-legal methodological principles made it possible to reveal the connections of global legal institutions with other phenomena of law, to fix the coherence of the formulated and codified legal norms with the basic ideas and moral goals underlying them. It is proved that the key determinants of global legal institutions are: a reflection of the global system of law in terms of its structure, as well as the logic of its development. Global legal institutions can be formed at the junction of various supranational*

entities, associations, unions, and alliances as a set of legal norms governing relations within these entities. The conclusions prove that the key determinants of global legal institutions are the legal regulation of norms and protocols due to the presence of many global dissimilar legal systems; the asymmetry of the norms of legal liability, where the theoretical and practical models of legal liability often do not correlate due to the complexity of the design of an integral global legal system.

Keywords: legal institutions, global legal institutions, modern global legal society, global legal system.

Introduction

Today, some approaches to defining the role and functions of legal institutions are becoming increasingly blurred at the global level, although the phenomenon of legal institutions is not something new in terms of its understanding. The key ways of their formation are in principle defined, and the tools are quite widely spelled out. "Legal institutions" were arranged historically as a relatively small stable group of legal norms regulating a certain type of social relations. Of course, models of legal institutions differ depending on the types of societies and forms of their state structure. However, in the modern global society, a certain general image of legal institutions has been formed, which, as the single model, is "superimposed" on the rest existing models to "adjust" them.

At the same time, the modeling process involves the study of objects of knowledge on their models; construction and study of models of real-life objects, processes, or phenomena in order to obtain explanations of these phenomena, and in the case of the study, moreover the essence and characteristics of individual and global legal institutions. That is, modeling is necessary to determine either what contributes to the "building" of a single model, or what keeps the global legal world diverse.

The modern agenda that has developed in the global legal world dictates new conditional rules related to understanding the operation of law in a purely declarative sense of the word. In this regard, on the one hand, legal institutions continue to perform their specific legislative and legal functions. On the other hand, the force of the law may be blocked by political, economic, or other conditional reasons.

In modern scientific discourse, "legal institutions" are often understood as a purely legal concept. S. Alekseev notes that for a long time scientific research, aimed at clarifying the specifics of the legal regulation of a certain area of activity, when this activity has a strictly defined object, was carried out from the point of view of the legal regime of this object, type of activity. While studying the system of law, it turned out that each industry has its own specific regulatory regime and the legal originality of the industry is concentrated in it, thus it became obvious that the concept expresses the defining, key aspects of legal reality. Therefore, it is quite justified that attempts have been made in the literature to give a general theoretical understanding of this category. In addition, the very existence of the phenomena. denoted by the term "legal regime", and their significance in legal reality, once again testifies to the multidimensionality, versatility, volume of law as an institutional entity, and also the fact that the key importance of normativity in characterizing law does not at all imply its reduction to a single "system of norms". As soon as the law is considered in dynamics, in functioning, it immediately reveals new essential facets, aspects of its institutionality, and there is a need for multifaceted coverage of legal regulation, such aspects of it as the mechanism, methods, types of regulation, and also legal regimes (Alekseev, 1995: 242). That is, the "legal institution" must fulfill its classical function as a mechanism, a set of rules, governing a particular area of activity; as a special procedure for regulating public relations, fixed in legal acts of various levels, based on legal means established and provided by the state.

If this is a global society, then we are talking about social relations based on legal means established and provided by this or that association of states.

The aim and tasks: are to conceptualize the key determinants of the development of global legal institutions and the explication of this term in the framework of modern socio-philosophical and philosophical-legal discourse. The key task is to comprehend the phenomenon of global legal institutions and its impact on the modern global legal society.

Research methods

The socio-philosophical approach allows the authors to consider global legal institutions, their structure, and mechanisms for the formation of social ties through the prism of modern society, humans, culture, religion, and law. Also, universal knowledge about the primary legal community that combines legal norms is developed; the institution itself is represented in a new way (as a "core", "establishment", "edification").

G. Gasanov drew attention to the originality of diverse legal institutions, which is based on their archetypes. In his opinion, legal systems, based on traditional and religious regulation, where the law is not considered as a result of the rational activity of a person, and even more so of the state, have significant originality. He distinguishes between so-called traditional legal systems (based on customary law) and religious legal systems (Muslim, Hindu law). The countries of traditional law include Japan, the states of Tropical Africa, and some others. The basis of the religious legal system is any system of belief (Gasanov, 2014: 4). Therefore, the effectiveness of the legal regulation of social relations is achieved not only through the artificial improvement of legislation but also by strengthening the interaction of the structural elements of the legal system, its natural improvement, which depends on the effective structure of the interacting elements. Traditional legal institutions have such efficiency.

The philosophical-legal approach provides for understanding the essence of legal institutions, their emergence, connection with other phenomena of law; understanding the coherence of formulated and codified legal norms with their underlying basic ideas

and moral goals; updating the conceptual apparatus of the philosophy of law in terms of the interpretation of legal institutions.

I. Isakov, relying on this approach, concludes that all types, levels and groups of legal systems have their own essential features, often contradictory, excluding the possibility of their harmonization. Such harmonization is possible only in socially homogeneous legal systems. As practice shows, the social differences of legal systems not only limit the parameters of their convergence, but under certain conditions can give rise to antagonism between them. So, thanks to a systematic approach, it is possible to highlight the most significant aspects of the studied phenomena in relief. Firstly, the main component of all multi-level legal systems that have a backbone character is law; secondly, the national legal systems of sovereign states (unlike other levels) strive for the unity of the social essence and legal content; thirdly, the national, intranational and supranational levels of legal systems have a generic feature, but are heterogeneous in elemental composition; fourthly, globalization (unlike a social revolution) cannot change the social and essential principles of the legal system, but leads to borrowing or changing their legal norms and institutions (Isakov, 2017: 77-78). Based on this, it can be argued that globalization rather emasculates, stereotypes the core of social institutions, rather than renovates or enriches it. Differences in worldview, underlying various legal institutions, are often erased by force.

The philosophical-legal method makes it possible to analyze global legal institutions in the context of epistemological, logical, psychological, sociological, legal, and ethical approaches.

Research results

The key determinants of global legal institutions are a reflection of the global system of law in terms of its structure, as well as the logic of its development. Logical links between the structural links of global legal institutions are established under the condition of creating the most stable global supranational legal system. Such a logical connection is determined by the nature, volume, quality, and content of social relations, at first glance, mediated by law.

V. Chirkin notes that customary law does not determine the integral status of a person. The foundations of this status and many fundamental rights are established by constitutions. Therefore, customary law cannot be considered a special global model for the regulation of human rights. In today's multipolar world, there are three global legal systems, which are fundamentally different models of regulation of human and civil rights. They differ in their social essence. Within each of these system-models there are also global families of law. Their differences are based, first of all, on socio-cultural characteristics. Each family of law includes many legal systems of individual states with their socio-legal characteristics. Approximation of the legal regulation of human rights between the legal systems of states is easy if they belong to the same legal family. This process is somewhat more complicated between legal families, even if they belong to the same global legal model system. Rapprochement in the regulation of human rights between global systems is partially happening, but does not concern the essence (the social nature of the fundamental rights of man and citizen) and has elements of antagonistic contradictions. They can be overcome only by changing the essence of the systems themselves (Chirkin, 2015: 133-134). The need for a comprehensive settlement of contradictions between global legal systems through law gives rise to the creation of specific global legal institutions, within which special specific groups of norms, which have objectively developed within the branch of global law, will operate.

V. Chirkin confirmed that the mutual influence of global legal systems exists. In his opinion, there is some rapprochement between them (including from one of the families of Muslim law). However, this only looks like a convergence of certain elements of a particular global legal system. Convergence is partial, extremely limited. It is very far from harmonization, its elements are observed in some families of law, belonging to the same global legal system (an example is the law of the European Union). Despite the growing convergence of global legal systems, it has its own objective limits: their formational-civilizational principles cannot be changed or lost, cannot be accepted by another global legal system, because such systems are irreconcilable, antagonistic (Chirkin, 2014: 129). The author considers global legal systems, namely Muslim, liberal social capitalism, as well as totalitarian socialism, which, in his opinion, have been preserved in five countries (Vietnam, China, Cuba, North Korea, Laos).

Global legal systems, in order to avoid contradictions, require strict observance of the primary legal norms necessary for their generality. The interaction of such norms contributes to the emergence of new legal institutions. Legal norms form harmonious groups, obeying internal laws, which at the same time are laws that unite specific social relations that are designed to regulate legal norms. The core and determinant of the relations of global legal systems is the idea of social justice. However, its various interpretations also give rise to contradictions.

V. Chirkin defined social justice as both: the principle of being (at the achieved level of the country's development) and the goal-setting. Its indicators change in connection with the development of the country and vary significantly in different countries. What can be considered as social justice in Tropical Africa is not at all such in the developed countries of Europe and America. Considering the norms of legislation, we can notice that the principle of social justice in its actual manifestation has two interrelated aspects: general social and specific targeted. The provisions, relating to the regulation of socio-economic rights, ownership of the bowels of the earth by the people, the subsistence minimum, in principle, apply to all citizens, although, for example, the right to free medicine and a state-guaranteed subsistence minimum are much more important for the poor than for the rich. Targeted social assistance is addressed to certain groups of the population (employees, children,

pensioners, etc., as well as to specific individuals who find themselves in a difficult life situation) (Chirkin, 2016: 77). Consequently, legal institutions are relatively isolated narrow groups of interrelated legal norms that regulate a specific type of qualitatively homogeneous social relations. It is such a legal narrowness that, pointwise influencing one or another segment of the legal system, regulates it, debugs it, and makes it stable and holistic.

Interpretive pluralism in the sphere of legal relations violates the balance of law as such. S. Kharchenko noticed that the relevance of history is the fault of the root foundations of the development of the world. At the same time, there is a fundamentally non-linear way of organizing the integrity of the social space. In this unbalanced state, opportunities are opened for internal immanent mobility, as well as for interpretive pluralism in the sphere of legal relations. Such conditions set the stage for the presumption of destruction of traditional notions of the structure of public relations, leveling the idea of integrity as such and the law in general (Kharchenko, 2019: 93-94). Legal institutions have such a degree of specificity of legal norms that when the legal regulation of a separate legal institution changes it becomes impossible to regulate a particular type of social relations.

Global legal institutions can be formed at the junction of various supranational formations, associations, unions, alliances. They are presented as a set of legal norms, regulating relations within these entities.

Discussion

In the global system of law, legal norms are grouped, consolidated and transformed into a global institution of law, which is an association of similar legal norms that regulate social relations of many large groups. E. Jalilova understands a legal institution as a single structurally interconnected system of legal norms regulating social relations, similar in content and subject of regulation, and also connected by a common legislative design. The term "legal institution" or "institute of law", despite its popularity among legal theorists as an object of study, has not yet received a single definition and approach to its definition. There is also no comprehensive approach to the education system of legal institutions (Dzhalilova, 2018: 23). Often, the polyvariability of the definitions of legal institutions, the leveling of their role, lead to a distortion of interpretations of key provisions of law (for example, international law).

E. Jalilova confirmed that the institution of law differs from the industry and sub-sector, primarily by the scale of the subject of legal regulation. It orders not the entire set of qualitatively homogeneous social relations, but only the various aspects of one or a narrow group of typical social relations. In view of the systemic nature of the law itself, the institution is characterized by a number of features that are specific to the branch of law: a legal institution is a structural unit of the legal system, following the sub-branch of law, however, provided that the corresponding branch is characterized by a complex structure, since some of the branches consist only of legal institutions and are not characterized by division into sub-sectors, for example, family law; a legal institution is a set of norms based on the law, designed to regulate, within the framework of the subject matter of a given branch of law, a certain social relation with relative independence, as well as derivative relations related to it (Dzhalilova, 2018: 29). Consequently, a sign of a legal institution is the legal unity of norms, specific protocols and rules for regulating public relations. The norms of a legal institution act as a single complex, a single, but not autonomous, stable group, and also consist of sub-institutions.

Global legal institutions, despite the homogeneity of the factual content, create new norms that regulate a more complex structure of social relations within the boundaries of the global legal society. In such conditions, the problem of legal and moral responsibility is actualized.

I. Kuzmin defined the term "legal responsibility" as a determinant that is in simultaneous interaction and interconnection with numerous state-legal phenomena, which together provide the statics and dynamics of responsibility. For the simultaneous perception of the entire system of legal liability and the objectivity of the study, it is necessary to build an appropriate model of liability in law. Here it becomes possible to compare the theoretical (accumulating theoretical views and approaches) and practical (based on the rules of law and materials of legal practice) models of legal liability, as a result of which it is possible to obtain reliable knowledge about legal liability suitable for practical use. The formed systemic model of legal liability allows to extrapolate (impose) it on any kind of legal liability, thereby providing unity and an integrated approach to the study of legal liability (a kind of doctrinal cognitive structure is being created) (Kuz'min, 2018: 18). Within the framework of global legal institutions, due to the complexity of the design of an integral global legal system, the theoretical and practical models of legal responsibility are often in an imbalance.

For example, in this regard, N. Chenbay draws attention to the activities of people with technocratic thinking in the field of legal science and legal responsibility for their actions. That is, any society today must "follow technology" without losing control over it: technological and social progress must occur simultaneously. Otherwise, humanity is in danger of destroying not only the external world but also the spiritual world of human (Chenbay, 2020: 143). Legal institutions contain a smaller volume of norms than in the field of law. However, at the same time, global legal institutions are able to significantly "expand" this volume. Often they "substitute" law - in a postmodern society, global legal institutions become "simulacra".

Conclusion

Consequently, the key determinants of global legal institutions are: 1) on the one hand, the narrowness, isolation, and, on the other hand, the expansion and scale of legal provisions, depending on the nature of the norms that make up the content of the legal institution; 2) legal regulation of norms and protocols due to the presence of many global dissimilar legal systems; 3) the asymmetry of the norms of legal liability

- theoretical and practical models of legal liability often do not correlate due to the complexity of the design of an integral global legal system; 4) the regulativity of global legal institutions, which is aimed at balancing social relations, presented as a set of dissimilar large groups, associations, unions, alliances; 5) striving for consistency, harmonious functioning of the global legal society and various branches of law; 6) spatiality and polyvariability of global legal systems.

Literature

1. Алексеев С. Теория права / С. Алексеев; издание 2-е, переработанное и дополненное. – М.: Издательство БЕК, 1995. – 320 с. http://privlaw.ru/wp-content/uploads/2020/05/
2. Гасанов Г. Основные правовые семьи народов мира / Г. Гасанов // «Системные технологии». – 10 (2014). – С. 1-5 https://cyberleninka.ru/article/n/osnovnye-pravovye-semi-narodov-mir
3. Джалилова Е. Проблемы определения понятия и сущности института права / Е. Джалилова // Вестник Волжского университета имени В. Н. Татищева. – 1, 2, (2018). – С. 22-31 https://cyberleninka.ru/article/n/problemy-opredeleniya-ponyatiya-i-suschnosti-instituta-prava
4. Исаков И. Научная и практическая значимость системного подхода в исследовании разноуровневых правовых систем / И. Исаков // Юридическая наука. Раздел Теория и история права и государства; история учений о праве и государстве. – 3 (2017). – С. 73-78 https://cyberleninka.ru/article/n/nauchnaya-i-prakticheskaya-znachimost-sistemnogo-podhoda-v-issledovanii-raznourovnevyh-pravovyh-sistem
5. Кузьмин И. Системная модель юридической ответственности : монография / И. А. Кузьмин. – Иркутск : Иркутский юридический институт; Типография «Иркут», 2018. – 186 с.
6. Kharchenko S. Concept of "absolute right" of G. Hegel in modern changing world / S. Kharchenko // Вісник НАУ. Серія: Філософія. Культурологія. – 30, 2 – 2019. – С. 91-94. DOI:10.18372/2412-2157.30.14430
7. Чиркин В. Современные глобальные модели основных прав человека: новый подход / В. Чиркин // Вестник Университета имени О. Е. Кутафина МПОА. Раздел Вектор юридической науки. – 5 (2015). – С. 127-134 https://cyberleninka.ru/article/n/sovremennye-globalnye-modeli-osnovnyh-prav-cheloveka-novyy-podhod
8. Чиркин В. Правовые системы современности: взаимовлияние, сближение и антагонизмы / В. Чиркин // Вестник РУДН – Серия: Юридические науки. – 2 (2014). – С. 118-131 https://cyberleninka.ru/article/n/pravovye-sistemy-sovremennosti-vzaimovliyanie-sblizhenie-i-antagonizmy
9. Чиркин В. Принцип социальной справедливости в сравнительном измерении / В. Чиркин // Труды Института Государства и Права РАН. – 5 (2016). – С. 74-83 https://cyberleninka.ru/article/n/printsip-sotsialnoy-spravedlivosti-v-sravnitelnom- izmerenii
10. Ченбай Н. А. Технократичне мислення в сучасному суспільстві (соціокультурний аналіз) / Н. А. Ченбай // Вісник НАУ. Серія: Філософія. Культурологія. – 32, 2. – (2020). – С. 140-144. DOI: https://doi.org/10.18372/2412-2157.32.15123/

References

1. Alekseev, S. 1995. Teoriya prava [Theory of law]. Moscow: Izdatelstvo BEK. https://cutt.ly/RGBBmCD
2. Chenbay, N. 2020. "Tekhnokratychne myslennia v suchasnomu suspilstvi (sotsiokulturnyi analiz)" ["Technocratic thinking in modern society (sociocultural analysis)"]. Visnyk *Natsionalnoho aviatsiinoho universytetu. Seriia : Filosofiia. Kulturolohiia, Proceedings of the National Aviation University. Series: Philosophy. Cultural Studies 2(32):140-144. DOI: https://doi.org/ 10.18372/2412-2157.32.15123*
3. Chirkin, V. 2014. "Pravovye sistemy sovremennosti: vzaimovliyanie, sblizhenie i antagonizmy" ["Legal systems of modernity: mutual influence, rapprochement and antagonisms"]. *Vestnik RUDN – Seriya: Yuridicheskie nauki, RUDN Journal of Laaw 2:118-131. http://surl.li/bxtjs*
4. Chirkin, V. 2015. "Sovremennye global'nye modeli osnovnyh prav cheloveka: novyj podhod" ["Contemporary Global Models of Fundamental Human Rights: A New Approach"]. *Vestnik Universiteta imeni O.E. Kutafina (MGYUA), Courier of Kutafin Moscow State Law University (MSAL) 5:127-134. http://surl.li/bxtjr*
5. *Chirkin, V. 2016. "Princip social'noj spravedlivosti v* sravnitel'nom izmerenii" ["The principle of social justice in a comparative dimension"]. Trudy Instituta Gosudarstva i Prava RAN, 5:74-83. http://surl.li/bxtjt
6. Dzhalilova, E. 2018. "Problemy opredeleniya ponyatiya i sushchnosti instituta prava" ["Problems of defining the concept and essence of the institution of law"]. *Vestnik Volzhskogo universiteta imeni V.N. Tatishcheva, Bulletin of the Volga University named after V.N. Tatishchev 1,2:22-31. https://cutt.ly/aGBBEuS*
7. Gasanov, G. 2014. "Osnovnye pravovye sem'i narodov mira" ["Osnovnye pravovye sem'i narodov mira]". Sistemnye tekhnologii, System Technologies 10:1-5. https://cutt.ly/OGBBvWC
8. Isakov, I. 2017. "Nauchnaya i prakticheskaya znachimost' sistemnogo podhoda v issledovanii raznourovnevyh pravovyh sistem" ["*Scientific and practical significance of a systematic approach in the study of multi-level legal systems"]. Yuridicheskaya nauka, Legal Science 3:73-78. http*://surl.li/bxtjp
9. Kharchenko, S. 2019. "Tekhnokratychne myslennia v suchasnomu suspilstvi (sotsiokulturnyi analiz)" ["Concept of "absolute right" of G. Hegel in modern changing world." *Visnyk Natsionalnoho aviatsiinoho universytetu. Seriia : Filosofiia. Kulturolohiia, Proceedings of the National Aviation University. Series: Philosophy. Cultural Studies, 2 (30): 91-94.* DOI: https://doi.org/ 10.18372/2412-2157.30.14430
10. Kuz'min, I. 2018. Sistemnaya model' yuridicheskoj otvetstvennosti, Systemic model of legal responsibility. Irkutsk: Irkutskij yuridicheskij institut; Tipografiya "Irkut".

Ю. В. Харченко, С. П. Харченко

КЛЮЧЕВЫЕ ДЕТЕРМИНАНТЫ ГЛОБАЛЬНЫХ ПРАВОВЫХ ИНСТИТУТОВ (ФИЛОСОФСКИЙ АСПЕКТ)

Аннотация. В статье утверждается, что в современном глобальном социуме сформировался некий общий образ правовых институтов, который в качестве единственной модели «накладывается» на другие, существующие в нем модели, как бы «подгоняя» их под себя. «Правовой институт» как таковой выполняет свою классическую функцию как специальный, закрепленный в нормативно-правовых актах различного уровня, порядок регулирования общественных отношений. Доказано, что ключевые детерминанты глобальных правовых институтов являются отражением глобальной системы права с точки зрения ее структуры, а также логики ее развития. Глобальные правовые институты могут сформироваться на стыке различных наднациональных и надгосударственных образований, объединений, союзов, альянсов как совокупность юридических норм, регулирующих отношения внутри этих образований. Ключевыми детерминантами глобальных правовых институтов являются: правовое регулирование норм и протоколов ввиду наличия множества глобальных непохожих правовых систем; несимметричность норм юридической ответственности, где теоретическая и практическая модели юридической ответственности часто не коррелируют ввиду сложности конструкции целостной глобальной правовой системы.

***Ключевые слова**: правовые институты, глобальные правовые институты, современный глобальный правовой социум, глобальная правовая система.*

Ю. В. Харченко, С. П. Харченко

КЛЮЧОВІ ДЕТЕРМІНАНТИ ГЛОБАЛЬНИХ ПРАВОВИХ ІНСТИТУТІВ (ФІЛОСОФСЬКИЙ АСПЕКТ)

Вступ. В статті обґрунтовується теза, що з одного боку, правові інститути виконують конкретну законодавчо-правову функцію. З іншого боку, сила закону може блокуватися з політичних, економічних чи інших умовних причин. У сучасному глобальному правовому соціумі сформувався загальний образ правових інститутів, який, як єдина модель, «накладається» на інші, існуючі в ньому, моделі, нібито «підганяючи» їх під себе. «Правовий інститут», як такий, виконує свою класичну функцію як механізм та сукупність правил, що регулюють ту чи іншу сферу діяльності, як спеціальний, закріплений у нормативно-правових актах різного рівня, порядок регулювання суспільних відносин, заснований на встановлених та забезпечених державою правових засобах. Глобальний правовий інститут регулює суспільні відносини, засновані на встановлених та забезпечених тим чи іншим об'єднанням держав правових засобах. **Метою** даного дослідження є концептуалізація ключових детермінантів розвитку глобальних правових інститутів та експлікація даного терміна в рамках сучасного соціально-філософського та філософсько-правового дискурсу. **Ключовим завданням** стало осмислення феномену глобальних правових інститутів та його впливу на сучасний глобальний правовий соціум. Соціально-філософський та філософсько-правовий методологічні принципи дозволили: розглянути глобальні правові інститути, їхню структуру, механізми формування соціальних зв'язків крізь призму сучасного суспільства, людини, культури, релігії, права; виявити зв'язки глобальних правових інститутів з іншими явищами права; зафіксувати когерентність сформульованих та кодифікованих правових норм з базовими ідеями та моральними цілями, що лежать в їхній основі; оновити понятійний апарат соціальної філософії та філософії права в частині трактування правових інститутів. **У результатах** дослідження доведено, що ключові детермінанти глобальних правових інститутів є відображенням глобальної системи права з точки зору її структури, а також логіки її розвитку. Логічні зв'язки між структурними ланками глобальних правових інститутів встановлюються за умови створення найстійкішої глобальної наддержавної правової системи. Такий логічний зв'язок визначається характером, обсягом, якістю та змістом суспільних відносин, на перший погляд опосередкованих правом. У дискусії підтверджено, що глобальні правові інститути можуть сформуватися на стику різних наднаціональних та наддержавних утворень, об'єднань, спілок, альянсів. Вони представлені як сукупність юридичних норм, що регулюють відносини усередині цих утворень. У **висновках** доведено, що ключовими детермінантами глобальних правових інститутів є: правове регулювання норм та протоколів через наявність множини глобальних несхожих правових систем; несиметричність норм юридичної відповідальності, де теоретична та практична моделі юридичної відповідальності часто не корелюють через складність конструкції цілісної глобальної правової системи.

***Ключові слова**: правові інститути, глобальні правові інститути, сучасний глобальний правовий соціум, глобальна правова система.*

UDC 3.086:502/504(045)

M. Abysova

SOCIALLY RESPONSIBLE CONSUMPTION IN THE CONDITIONS OF SHARPENING OF CONTRADICTION BETWEEN ARTIFICIAL AND NATURAL

Національний авіаційний університет
e-mail: maria.abysova@gmail.com; ORCID: 0000-0002-6461-7769

***Анотація.** The article is devoted to the analysis of socially responsible consumption as a type of social responsibility, caused by the rapid growth of the technosphere, i.e. the integration of technology into society and culture. The concept of "technosphere" reflects the property of technology remaining in the form of local controlled objects creating an integrated environment. The current state of technogenic civilization can be called a crisis due to the displacement of the natural by the artificial. A technized society, as a quasi-natural formation, perceives the standards of technical activity as a natural horizon for the development of events. A socially responsible consumption policy, opposed to the actions of commercial corporations pursuing financial and economic goals at the expense of public welfare, in particular in matters of environmental protection, and social stratification, declares itself as a form of civil and political action.*

Keywords*:* artificial, natural, social responsibility, socially responsible consumption, sustainable development, technogenic civilization.

Introduction

Humanity's awareness of the growth of dangers and risks in all spheres of life determines the search for ways of minimizing and preventing them. The XXI century is marked by the problem of confrontation between the two worlds. One is formed by nature, without the participation and influence of man. The other is an artificial world formed as the result of human activity. Modernity is associated with fundamental changes in the functioning of the artificial environment, which separates man and begins to develop its own laws. As a result, the artificial is replacing the natural.

An important role in the invasion of the artificial is performed by consumption. The special importance of studying consumption is emphasized in the report of the Stiglitz Commission (UN, 2009), which strongly recommends that in the assessment of socio-economic development and progress, the emphasis should be made on the measurement of production (GDP), but on the assessment of wealth, income and consumption. In this regard, the study of the characteristics of consumption and the identification of factors that determine their crisis dynamics become relevant. The sustainable development project makes one take a fresh look at the causes of the crisis and look for ways out in the sphere of consumption.

The world community has identified social responsibility as the most influential lever on the path to sustainable development and provided its legal formalization through the international standards ISO 26000, ISO 14000, ISO 9001:2000, the UN Global Compact, etc. Ukraine has committed itself to the implementation of sustainable development. In Ukrainian society, social responsibility has not taken its proper place in the system of social relations, and has not become a conscious and used norm. And the need for it is growing rapidly. In this context, the relevance of the search for