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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 філософськоправового 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.

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

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Ahomauis. 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 quasinatural 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

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effective forms of social management on the social responsibility basis to consolidate social order is increasing.

The aim of the study is the analysis of socially responsible consumption as a possible option to overcome the crisis caused by the transformation of technology into a determining factor in systemic changes in modern society.

To achieve this goal it is necessary to perform the following research research **tasks**:

- 1) analyze the essence and place of social responsibility in the system of public relations;
- 2) consider the essence of the natural-artificial crisis in the context of ontology and the theory of dialectics;
- 3) show the relationship between consumer lifestyle and technocratic society;
- 4) assess the prospects for the use of socially responsible kinds of behavior in overcoming the natural-artificial crisis.

Research methods

The main provisions of the system of social responsibility and socially responsible relations were developed in the works of H. Jonas, I. Panarin, X. Lenk, and others. Various aspects of the formation and manifestation of social responsibility are covered in the works of E. Giddens, V. Windelband, T. Parsons; a close relationship between social cohesion and social responsibility is in the works of E. Durkheim, the search for the most effective means of goal-oriented behavior – M. Weber.

T. Adorno, J. Delgado, K. Lorenz, H. Marcuse, M. Heidegger, M. Horkheimer, K. Jaspers laid the foundations for the crisis in the technocracy of modern civilization, the unevenness of the processes of material and spiritual development. The idea of "technohumanitarian balance" and the consideration of civilizational crises as its violation, associated with the acceleration of scientific and technological progress, is formulated in the works of V. Vinge, R. Kurzweil, A. D. Panov, A. P. Nazaretyan and others. A. Adler, A. Gehlen, H. Plesner, and others find the roots of the crisis in human biological insufficiency, for which social progress serves as compensation.

The constantly renewing diversity of the world of technology, and its connection with natural and social problems requires reliance on the philosophical principle of complementarity, which makes it possible to carry out methodological synthesis in the process of studying the phenomenon of technology. The basis of the study is the ontological characteristics of technology given by M. Heidegger, showing the possibilities of technology in the unity of man, society, and culture.

Research results

Responsibility as a philosophical category defines the objectively necessary relationship between the individual and society on the basis of their mutual obligations, which are realized in conscious and volitional behavior and activities, regulatory mechanisms. In a broad sense, responsibility is one of the universal ethical regulators and principles of any social interaction and organization. Socially responsible relations are correlated with the processes of effective democracy, which is represented by the self-organization of the citizens

themselves, their ability to make responsible consensus decisions and the logic of coordinated collective actions regarding the public good, harmonization of the interests of different social groups (Stepanenko, 2009: 358).

Social responsibility is a category determining the degree of free manifestation by a social subject of his duty and right to choose, under specific conditions, the best option relating to reality, based on the progressive interests of society (Plakhotnyy, 1981: 8). There are three most important foundations-characteristics of social responsibility: the social subject, his freedom, and its degree. The social subject in this definition implies an individual, a social community, society, and, in the end, humanity as a whole.

The object of social responsibility is various acts of activity and behavioral practices that are implemented in the system of social relations. Public awareness of the importance of social responsibility is the key to certainly expected achievements in this area. Due to the peculiarities of this category, which is inherently multifaceted, its understanding is not limited to any one definition or concept. Social responsibility penetrates the entire system of social relations, characterizes a certain type of behavior, and recreates the level of culture and moral qualities of a person and society.

The desire for a systematic vision of social responsibility and its manifestations necessitated the orientation of scientific research towards the simultaneous study of the features of the social responsibility of an individual, society, business, and state, applying to the natural and the artificial.

For the first time, the ratio of "artificial and natural" as a philosophical problem arose in Antiquity. In particular, Aristotle defined some existing objects as those that exist by nature, and others - due to other reasons. Everything formed "by nature" has the beginning of motion and rest in itself. On the contrary, what is artificially formed does not have an innate impulse for change. In Antiquity, the idea dominates, according to which the natural (nature, cosmos) is an ontological value, and the artificial - only as a "derivative" of it - is "secondary". At the same time, nature and space are divine, animated, and sacred. In the Middle Ages, the idea of the "creature" of nature prevails, which loses the halo of divinity, acting as a peculiarly understood "product" of God. Starting from the 15th century the idea of replacing "short-lived" natural nature with artificial "nature" becomes one of the fundamental components of technogenic civilization.

By the XX century, the artificial world has become so significant, influencing nature, that mankind began to understand that the natural world must be protected. There is no single technological complex on planet Earth. However, within the framework of philosophical studies, the artificial world is considered as a single object (V. S. Stepin, A. P. Nazaretyan, E. S. Demidenko, others), referring to the fact that the global level of some technogenic changes has been reached.

Technogenic impact on nature proceeds in three directions:

- direct technological modification of natural processes and systems for the purpose of their economic use (depletion of natural resources, territorial displacement of biocenoses, etc.);

- indirect (unpredictable and almost uncontrollable) impact of the technogenic environment on the biosphere through climate transformation (through technogenic changes in the background radiation, chemical environment, etc.);
- impact on living beings through a change in biospheric cycles and interactions caused by the extinction of other biological species (which triggers biospheric mechanisms of self-regulation).

The technosphere as a manifestation of the artificial, expanding farther and farther, steps on the natural and thereby displaces man himself. An attack on nature in general is associated with an attack on the moral nature of man (Drotianko, 2021: 12). Technocracy marks the beginning of the post-human era, in which there is less and less of man and nature. Human consciousness does not keep pace with progress. The dangers of the technosphere are growing faster than man is getting smarter.

E. Toffler's work "Future Shock" describes a production cycle that establishes a cycle of death-rebirth, accelerated renewal of things, thanks to which fashion is created and its mobility is affirmed. The standards for using things are changing towards one-time use or short-term use, and then being replaced by a newer model, which gives rise to a "throw-away culture". A whole chapter is devoted to the issue of using a thing – "Things: the throw-away society", in which he describes a new type of relationship with things that do not imply getting used to them: shopaholism, consumerism and throwing away.

The category of "old", which dominated in the traditional culture is being replaced by the category of "new." The new is precisely the permanently new, the minimal new is the "other" at the moment of its appearance, and the period of interaction with things becomes as short as possible and is increasingly signified only by the phase of familiarization. Hence there is the growth of the pathos of disposable things, although their quality and their price are often not commensurate with a one-time appeal to them. The phase of parting with things also undergoes similar changes: "... if the period of getting used to a new environment is compressed in time, then the period of weaning from the old conditions is also reduced" (Toffler, 2003: 122).

J. Baudrillard states: "We are experiencing the time of things: I want to say that we live in their rhythm and in accordance with their continuous sequence. Today we see how they are born, improved and die, while in all previous civilizations there were things, tools or durable monuments that lived longer than generations of people" (Bodriyyar, 2006: 5). On the one hand, things reach moral faster than physical obsolescence, which makes it impossible to become attached to a thing, and on the other hand, consumer products are often deliberately intended to be short-lived, that physical aging occurs in a much shorter time than its counterparts. "It is often more profitable to replace a thing than to fix it. Therefore, it makes more economic sense to produce cheap, nonrepairable disposable products..." (Toffler, 2003: 68). Consumption also contributes to the further growth of production, because the needs (real or constructed by the consumer system) determine production.

Direct functionality, the high quality of a thing associated with it, and, accordingly, its long-term use completely

contradict the discourse of fashion and consumer culture, and therefore only symbolic functionality is acceptable for this discourse. Quality is compensated by quantity and symbolic utility. Today, the man - thing relations are characterized by an ever-increasing interest in the consumption of symbols and signs, a kind of virtualization of a thing, which is noted by many researchers of modern culture. That interest in the thing, which has been known for many centuries of human history, is now being modified into an interest in the symbol of the thing. If a thing of the past demonstrated status, class affiliation, or anything else of that kind, today this function is not fixed in a thing: the meaning can be anything, including negative, and the absence of meaning is also possible. The thing turns into a text that, according to the laws of postmodernism, is not obliged to educate, contain or appeal to any intelligible idea at all. The essence of the sign and symbol conveyed by the thing can be understood only by the author of the idea, or by some group associated with it: the thing as a text is of interest in the light of the game process, which includes fragments of texts from other cultures or subcultures.

It is no longer necessary for man to own a thing, he only uses it, not trying to keep it for a long time, but changes it immediately, as soon as a newer thing appears. An illusion arises that the suffocation of traditional culture with its hoarding is being replaced in our world by the antisuffocation of free consumerism.

Thus, the destabilization/degradation of the natural environment is only one side of the coin of the problem: the other is the formation of an integrated environment of a new type. This is evidenced by the data that the "techno-substance" in terms of annual mass turnover exceeds the bio-substance of land by 1-2 orders of magnitude, and the energy capacities of technoprocesses have already caught up with geological ones (Balandin, 2005). In such conditions, the adaptive apparatus of man is under double pressure, and in our opinion, we are talking not only about the tension of existing mechanisms but also about the need to develop new ones. So, if the expansion of "classical" industrial factors in the technosphere has been gradually unfolding for quite a long time, then the modern rapid development greatly complicates the preservation of the natural and adaptation to the new technized reality.

In the sphere of the general public, various forms of protest against consumerism are brewing. Further searches within the framework of this topic can be focused on the study of socially responsible attitudes in the individual and public consciousness as a type of social responsibility.

In order to introduce the principles of socially-responsible consumption into everyday life, it is necessary to make a comprehensive effort for the whole society. First of all, it will be necessary to form socially responsible thinking for all participants: the state, business, and citizens. In this regard, the study identified the main methods for the formation of socially-responsible consumption from the standpoint of these three levels.

In order to prevent an increase in the anthropogenic load on the environment, the state must control the activities of economic entities and create the necessary conditions for the formation of socially responsible consumption. Regulation of the activities of companies by

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the state can be both voluntary and mandatory. The main methods can be the following: legal regulation; development of national standards; development of social advertising.

In order for a business to fully express itself as a supporter of socially responsible consumption, it needs to: raise standards in the industry, review business models and processes by major manufacturers, implement circular economy models and increase supply chain transparency (observance of ethical principles throughout the supply chain).

For civil society, the following are the main methods of forming socially responsible consumption: downshifting, freeganism, anti-consumerism, primitivism, and enathism.

The ideas of rationalizing home space are becoming very popular: minimizing things, and the possibility of transforming them in order to increase functionality. Another option is to go into creativity, allowing one to shift personal interests, and not external relations with things.

The efforts of anti-consumer (highly artistic, highly intellectual, humanistic, etc.) tendencies are absorbed by what these efforts are directed against. The world of consumption appropriates the subversive movements of thought and action, makes them serve its own purposes, subjecting them to recoding, commodification, that is, turning into a market commodity, as a result of which the former subversiveness disappears from them. It is able to neutralize not the social ideas and slogans themselves that call for specific actions, but their image, a symbol, from which the ideological potential that was once inherent in them is eventually forced out.

Using the example of the creation of a "capsule wardrobe" (S. Faux), one can see how the legalization of anti-consumer ideas ends with a real consumer: from the idea of limiting the number of things in the wardrobe, this movement goes all the way to a clearly fixed set of clothing items, with specified brands and terms of operation. All of these features strictly correspond to the ideology of consumerism, and the individual himself is deprived of the need for self-criticism, forming another element in the series of consumers who manifest latent consumerism disguised as anti-consumerism. The same thing happens in the choice of styles. So, minimalism, which seems to limit the number of things in the interior, actually illustrates the same consumer-type behavior, having at its disposal clearly marked objects, brands, budget, and other features for its implementation. It is the illusion of anti-materialism that becomes a part of modern

A paradoxical situation arises, where consumerism is hidden under the mask of non-attachment to things. All this gives rise to a situation in the modern world that one would like to call anti-suffocation because formally its requirements are met: there is no getting used to the thing, and the desire to possess fades into the background.

The modern technocratic is insatiable in consumerism. Therefore, the forecasts of scientists about the coming ecological catastrophe are quite justified. The united planet can seriously react to insane consumption in an attempt to attract the attention of a greedy human consumer who, armed with the idea of anthropocentrism, neglecting ecology and turning nature from a thing-in-itself into a thing-exclusively-for-us, ceased to be a reasonable

person and began to feverishly use resources outstrip the viability of the ecosystem. Nature began to be presented as an area that resisted purposeful human activity, and the tasks of science and technology were reduced to finding ways to overcome this resistance.

Discussion

Permanent innovationism, expressed in the cult of revolutionary continuity, is extremely harmful since with it the new serves the development of culture and the sociosystem, but their complete denial in favor of the invented. The focus on progress should not be limited to itself. It needs to have some kind of socially useful metagoal, a super-task, in relation to which progress is a means, an instrument of achievement. The correct formula is new is not for its sake, but "new is for society". Any innovations require an assessment in relation to themselves from the standpoint of the prospects that they are able to give to man and society. The new should not destroy the old, but improve or supplement it because any socio-cultural development is limited by certain limits.

In this focus, the way is being paved for social responsibility, which is not associated with a destructive trend of cardinal destruction of the past culture and sociosystem, but involves its systematic improvement. It is necessary to move not forward to the progress of technology, which turns into its intellectual, moral, environmental, etc. costs, but upward movement, toward the improvement of man, society, and culture. According to the apt expression of V. Kutyrev, if progress is not stopped, and death is not avoided, there is no need to push it, but to rush it (Kutyrev, 2012: 86-96).

Society is called to develop, not to stand still, but the process of development cannot be frozen by superconservatism, nor given complete freedom by boundless innovation. Responsibility for the future is becoming one of the key conditions for modern people to preserve the future for future generations, given the threat of possible environmental disasters.

Gradually, information about environmental degradation is becoming a more and more public concern, and the issue of socially responsible consumption is becoming interesting and relevant not only for consumers but also for businesses and the state, which provide goods and services to citizens. Socially responsible consumption is those actions and decisions on a purchase that are connected with problems of depletion of an ecological resource.

The transformation of the consumption model involves awareness of the environmental, social, and economic consequences of decisions made in the process of consumption (Skyba, 2021: 150); the desire to eliminate or minimize any harmful effects associated with the consumption of certain goods and maximize any beneficial, positive effects; taking into account the requests of stakeholders and society as a whole when making appropriate decisions; willingness to assume certain obligations and follow certain restrictions.

Conclusion

The modern relationship between man and the environment is in a state of extreme disequilibrium. This is due both to the growth of loads on its natural part and to the hypertrophy of the technogenic component. The

challenge of our time is the harmonization of the development of the artificial world with the natural environment. Processuality, flexibility, omnipresence (penetration in all areas of human activity) of modern technologies change the ways of production and ways of consumption.

Socially responsible consumption involves the purchase, use, and disposal of products based on the desire of the consumer to minimize or eliminate any harmful consequences of his choice and to have the maximum beneficial effect on society. Socially responsible consumption is comprehensively formed by raising the level of responsible behavior of the state, business, and individuals.

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СОЦИАЛЬНО-ОТВЕТСТВЕННОЕ ПОТРЕБЛЕНИЕ В УСЛОВИЯХ ОБОСТРЕНИЯ ПРОТИВОСТОЯНИЯ ИСКУССТВЕННОГО И ЕСТЕСТВЕННОГО

Аннотация. Статья посвящена анализу социально-ответственного потребления как вида социальной ответственности, обусловленного бурным ростом техносферы, т.е. интеграции технологий в общество и культуру. Понятие «техносфера» отражает свойство техники не оставаться в виде локальных управляемых объектов, но формировать целостную среду. Современное состояние техногенной цивилизации можно назвать кризисом из-за вытеснения естественного искусственным. Техногенное общество, как квазиприродное образование, воспринимает нормы технической деятельности как естественный горизонт развития событий. Политика социально-ответственного потребления, противопоставленная действиям коммерческих корпораций, преследующих финансово-экономические цели за счет общественного благосостояния, в частности в вопросах охраны окружающей среды, социальной стратификации, заявляет о себе как форма гражданского и политического действия.

Ключевые слова: искусственное, естественное, социальная ответственность, социально-ответственное потребление, устойчивое развитие, техногенная цивилизация.

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СОЦІАЛЬНО-ВІДПОВІДАЛЬНЕ СПОЖИВАННЯ В УМОВАХ ЗАГОСТРЕННЯ ПРОТИСТОЯННЯ ШТУЧНОГО ТА ПРИРОДНОГО

Вступ. XXI століття позначене проблемою протистояння двох світів. Один створений природою, інший – штучний світ, що утворився в результаті діяльності людини. Метою статті є аналіз соціально-відповідального споживання як можливого варіанту подолання кризи, викликаної перетворенням технологій на один з визначальних факторів системних змін у сучасному суспільстві. Для реалізації даної мети необхідно вирішити такі дослідницькі завдання: проаналізувати сутність і місце соціальної відповідальності в системі суспільних відносин; розглянути сутність кризи природного-штучного з позиції теорії діалектики; показати взаємозв'язок споживацького способу життя та технократичного суспільства; оцінити перспективи використання соціально-відповідальних видів поведінки для подолання кризи природного-штучного. **Методологія** дослідження. Різноманітність світу техніки, що постійно оновлюється, її зв'язок із природними та соціальними проблемами вимагає звернення до філософського принципу взаємодоповнюваності. Результати дослідження. До XX століття формування штучного цілісного середовища призвело до дестабілізації/деградації природного середовища. Для впровадження принципів соціально-відповідального споживання у повсякденне життя необхідно докласти комплекс зусиль з боку держави, бізнесу та громадянського суспільства. Регулювання державою діяльності компаній має відбуватися на добровільній та обов'язковій основі за допомогою правового регулювання та розробки національних стандартів. З метою переходу бізнесу на стандарти соціальновідповідальної діяльності, необхідним видається підвищення стандартів в галузі виробництва та сфері надання послуг; перегляд бізнес-моделей та процесів виробництва із зверненням до переваг впровадження циркулярної економіки. Для громадянського суспільства під впливом соціальної реклами мають посилюватися антиспоживчі тренди. Обговорення. Зосередженість на прогресі не має зазнавати абсолютизації. Потрібна суспільно корисна мета-ціль, надзавдання, по відношенню до яких прогрес виступає засобом, знаряддям досягнення. Правильна формула – це «нове не заради нового», а «нове для суспільства». Висновки. Процесуальність, гнучкість, проникнення в усі сфери людської діяльності сучасних технологій змінюють способи виробництва та способи споживання. Соціально-відповідальне споживання передбачає купівлю, використання та утилізацію продукції, виходячи з бажання споживача мінімізувати або усунути будь-які шкідливі наслідки його вибору і максимально благотворно впливати на суспільство. Соціально-відповідальне споживання комплексно формується шляхом підвищення рівня відповідальної поведінки держави, бізнесу та окремих осіб.

Ключові слова: штучне, природне, соціальна відповідальність, соціально-відповідальне споживання, сталий розвиток, техногенна цивілізація.