

Chapter 3

Philosophical and legal concepts in the context of regulating national and international public order

The modern globalized information world is a unique phenomenon and unknown to past epochs. On a history scale it is a moment in which humanity began to understand its commonality, but for the sincere feeling of "ordinary earthman" of international solidarity, it is necessary for humanity to realize itself, firstly, transhistorically – as a planetary unity, branched into various spiritual and intellectual development lines, each of which has a unique experience of knowledge about a person, preserved in the cultures of the peoples of our time, and secondly, in the context of the development of the Universe – as a phenomenon of cosmic order. The concept of the noosphere, formed in the works of E. Le Roy (Le Roy, 1928), V. I. Vernadsky (Vernadsky, 1991) and P.T. de Chardin (Chardin, 1989), seems to be an important factor in the solidarity of mankind, in spite of the diversity of its contemporary interpretations. The noosphere is a certain result of the evolution of the Universe, implemented on the planet Earth in the form of one of the geospheres, globally arranged by the solidary scientifically grounded activity of mankind (Vernadsky, 1991: 256). However, despite the positive results of scientific activity, permanently unclear are both criteria of its "scientific validity", especially on a planetary scale, and the content and prospects of science itself. "Revolt against mind", which in due time drew K. Popper's attention (Popper, 1994: 84), albeit in other various contexts, reflect the general tendency of mankind to periodic disappointment in science, because of its own miscalculations and the fluctuations of the general public mood (Sorokin, 2006: 97). The current aggravation of social relations of various levels, including international ones and events on the verge of previous centuries suggest that the "spontaneous" component of human nature in these transitional periods is mass in conflict with the prevailing scientifically grounded "pictures of the world" and the rules of the organization of societies (Radzivill, 2018: 25). However, during these periods appealing to "non-scientific" forms of knowledge makes actual and updates the most interesting philosophical ideas. The concept of the noosphere, as a reflection on events at the turn of the XIX-XX centuries embodies, firstly, the general methodological approach established by I. Kant at the turn of the XVIII-XIX centuries, according to which any notion of reality and adequate activity are conditioned by our motives and the ability to perceive and, while discussing, systematize empirical experience, and secondly, gives ideas about international law and the development of a global civil society (Tihomirov, 1899).

The purpose of the chapter – realizing that the challenges to mankind at the end of the second – at the beginning of the third millennium acquire previously unpredictable volumes, and based on the fact that the recurrence of such challenges is observed at the turn of the several previous centuries, embodied, in particular, in the crisis of the dominant rational foundations of science and the organization of social relations, – to show the heuristicity of the philosophical ideas formed as a reflection on the events at the turn of, respectively: XVII – XIX centuries – in the works of I. Kant and the nineteenth and XIX – XX centuries – in the concept of the noosphere.

Philosophical aspects of the concept of the noosphere

Describing the philosophical spectrum in the doctrine of the noosphere, its variety should be noted, from which, first of all, one can distinguish methodological and value aspects.

Methodological aspects of the concept of the noosphere, presented by the authors, are based on the epistemology of I. Kant that is taking into account the condition of sensory impressions and rational conclusions of the subject of the inquiry – the characteristics of himself, including existing circumstances, in which the inquiry is carried out. Particularly clearly this approach is embodied in the idea of "the Omega Point" T. de Chardin, which is understood as a mode of inquiry, in which "the subjective point of view coincides with the objective order of things" (Chardin, 1989: 38). In general, the concept of the noosphere is developed in the paradigm of evolutionism. Beginning with the works of G. Spencer (Spencer, 2012: 742, 743), the nonlinearity of development is clearly recognized in evolutionism: to its generally progressive characteristics (irreversibility) such significant complications as discontinuity, large-scale fluctuations and levels of quantization are added. Inadequacy of separate chronological development periods is realized, that is, the previous stages of evolution are considered not as coordinate, but as fundamental in relation to the following ones, since they lay the essential features of the latter, with the fact that each subsequent stage may have external characteristics, alternative to the previous one. Such an approach allowed to interpret the evolution of any complex system as the disclosure of its potential by a certain general algorithm, which is implemented in multi-level, different-scale, multi-inertial, and differently vectored ways, an example is Haeckel's-Muller biogenetic law) (Yatsik, 2006: 271), as well as to reveal the fundamental differences in the interpretation of the evolution of inorganic and organic, biological and social (Evolutionism, 2005: 14).

One of the logical conclusions concerning understanding the evolution as the development of already existing potential is the idea of its predestination, at least in the fundamental characteristics. In particular, P. T. de Chardin considers the development of the Earth's noosphere as a natural consequence of the cosmic

"predestination" appearance and development of the Homo sapiens in the evolution of the Universe. His evolutionism goes beyond the materialist "evolution of bodies" and focuses on the predictors of what, in the end, was embodied in the spiritual and intellectual traits of human. He considers matter as a quantum in the process of self-development, which once formed, is not enriched with other sources, revealing and detailing its initially laid potential, that is, future structures, the dynamics of their complications and harmonization, in the end, behavior and consciousness (Chardin, 1989: 47,48). Not being a supporter of either materialism, or Cartesianism (as the methodological basis of materialism) and trying to reconcile the idea of "the Divine Providence" with the empirical data, P. T. de Chardin highlights redistribution of internal characteristics of matter, including consciousness, initially «distracted» on its more basic levels as the main driving force of the evolution of the Universe. It should, however, be taken into consideration that, as he further explains, "consciousness", in his understanding, should be regarded as a specific function of complexity (Chardin, 1989: 234). Consequently, in the course of the evolution of matter in the Universe the formation of increasingly complex and perfect formations take place, some of which (that is, at certain levels of structural complexity) begin to behave more and more variably at a certain stage of the evolution. This trait, inherited in living matter, develops in its bosom to more perfect forms of behavior, which at the final stages of biological evolution are completed with the ability to certain prognostic actions, on the basis of which reflex traits of a human are formed (Chardin, 1989: 126-127).

V. I. Vernadsky, sharing the basic principles of evolutionism, focuses on the near-surface (geological) space of the Earth. As T. de Chardin, he begins with an explanation of the methods of the inquiry. In his opinion, the evolution of the surface of the planet is clearly observed only on a planetary scale, but for an adequate understanding of such a macroevolution, the "geological thinking" of the researcher should also include his ability to quickly adjust the "caliber" of observation and analysis on various scales of geological phenomena, which by their nature are multi-level and multi-inertial (Vernadsky, 1991: 305-507). The geological space of the Earth, according to Vernadsky, is formed and further complicated as a result of the interaction of two cosmic origins – the stone inert of "the planet foundations" and the scattered matter of the Cosmos, represented by cosmic dust and meteorites, as well as powerful radiation of different origin and frequency interval. As "frontier" and a product of synthesis of these two general interaction parties, geological space as a whole and all its components develop the most dynamically and differently, replenished with new formations of variable scales, from isotopes of chemical elements to geospheres (Vernadsky, 1934: 52-54].

Without appealing to the ideas of T. de Chardin in relation to the primarily distracted "consciousness of matter", V.I. Vernadsky draws attention to the

characteristics of self-regulation of the surface of the planet. He considers its ability to respond more and more adequately to the devastating effect of Cosmos the most important internal factor in the evolution of the Earth's geological space. However, he appeals to Le Chatelier's principle, according to which, processes in the system (that is in geological space) go in the direction of neutralizing actions that violate the existing equilibrium of the system (Vernadsky, 1934: 283). Consequently, according to V.I. Vernadsky, the totality of geospheres, in the process of their general variation and evolution of each of them, impeded the destructive effect of the Cosmos more effectively, while providing increasingly flexible mechanisms for the selection of favorable for the planet forms of introduced energy and matter from the Cosmos by its filtration and transformation at different altitudes from the surface of the planet, and most importantly – through their "biologization".

The main factor of the evolution of geospheres, that is isolation and complication within the limits of the geological space – mantle, lithosphere, hydro-, bio-, atmosphere, and others, higher and lighter geospheres according to Vernadsky are the global migration of chemical elements, the redistribution of which is carried by water and living organisms that served as a powerful factor in accelerating the Earth's evolution in relation to other planets (Vernadsky, 1934: 99). Water, in comparison with living organisms, operates for a longer time and at greater distances in depth and in altitude above sea-level. The unique characteristics and the total amount of water on the Earth provide the dispersion and dissolution of solid rock and their intensive migration, which, in turn, increases the probability of new formations as a result of chemical reactions. Concerning the appearance and geological action of the biota, it should be noted that V.I. Vernadsky positively takes the idea of panspermia, arguing that necessary time for the evolution of the formation of biopolymers as predictors of living matter within the "prebiological" stage of the Earth's evolution, may be insufficient, therefore, he assumes their cosmic origin (Vernadsky, 1991: 158-160).

The significance of the biosphere for the evolution of the planet is a special subject of V.I. Vernadsky's attention (Vernadsky, 1991: 292). Reproductive activity directs living matter to the constant expansion and filling of all niches of the planet with renewable and genetically fixed material. Organic systems can accumulate enormous amounts of energy, due to which their quasi-stability is established: these systems are dissipative and live through a narrowly balanced, in the course of evolution, regime of metabolism, energy and information with the environment, specific to each taxonomic unit. In time, I. Prigogine identified this characteristic as a "curse of living systems," which he formulated as the need to destroy the ordering of other systems to maintain their own order.

Consequently, the main vector of evolution of the surface of the planet is understood by V.I. Vernadsky as production of increasingly effective mechanisms

for the preservation of a stable order, which opposes the diversity of short-lived chaotic formations. Both for the Universe and for the geological space of the Earth, the evolution of matter, if abstract from the specifics of its embodiment, acts through the Darwinian triad – variability, heredity and selection: highly harmonized (highly symmetric) compounds, formed as unlikely combinations of high internal order, are found to be significantly longer in time on the background of the chaotic appearance and disintegration of compounds of low symmetry, which constantly increases their overall volume and the probability of a new appearance. These combinations are "information discoveries of evolution": once they appear, they do not disappear, they are constantly reproduced and enter into more complex ensembles as their constitutive components. The inheritance of the general direction of the evolution of the Universe is ensured precisely by the fact that the elementary highly harmonious compounds necessarily create highly homogeneous formations of higher levels, by which the multi-level genetic connection of the Universe and the nonlinear growth of elements of ordering by limiting chaotic processes in it are achieved. A part of highly harmonious compounds at the level of polymers reveals inherent in their structure potentialities of complex variable reactions on irritants – predictors of behavior. Within the geological space, silicate and carbon polymers became particularly important for the pre-biologic stage: the first ones created a peculiar buffer for the Earth at an early stage of its development which, growing, protected the planet from sharp fluctuations in temperature and spectra of radiation and now covers the lithosphere and mantle. A part of carbon polymers has become the basis of life on the Earth.

The most interesting sections of the "Phenomenon of Human" of T. de Chardin are dedicated to the development of life on the Earth, the biological evolution of primates and among them - the ancestors of human beings, as well as the appearance of the Homo Sapiens, as a biological species, and his further settlement on the planet as a social being. Living systems, being in a state of constant imbalance, are forced, on the one hand, to attract a certain resource from the environment, and on the other - to periodically divide to reduce internal instability, which is caused by the constant expansion of the living. Support of the viability of a separate taxonomic unit through the dying and updating of its individual elements provides the evolution of living variability and the growth of the effectiveness of inheritance mechanisms (Chardin, 1989: 110). For example, the growth of "information accuracy" and the thrift of inheritance mechanisms shows a comparison of them in the "early" and "late" chords: only a few dozen whitebait can survive from a million spawns, while most mammals not only nurse younglings but also teach them later to fully use the inborn individual behavior potential of the species. The growth of the accuracy of inheritance and variation of the adaptation becomes the main direction of the evolution of the living: once the fixed genetic

combination does not change on the basic (conditional and genetic) level, but varies and branches out, it is capable of creating more and more adaptive variants on its basis, which acquire information from the environment through phenotypes, laying the preconditions for the further evolutionary changes. Thus, the species genotype becomes dead-end, or gives an explosion of variations based on its structure, thus extending to the level of the genus, order and class. This alternative is being implemented in the periods of geological changes, when narrowly adapted groups perish, and the achievements of a general evolutionary value are implemented at the further stages of evolution (Chardin, 1989: 112).

Valuable dimension of the concept of the noosphere relates to the study of the prospects of universal human solidarity and the interpretation of human's nature on the basis of belief in the dominance of its humanistic potential. As a necessary moral and ethical ideal, it establishes a positive motivational basis for solidarity efforts of mankind in the development of the noosphere. According to T. de Chardin, with the appearance and spread of the "Homo Sapiens complex", the biological evolution on the Earth rapidly ends with the formation of a perfect physical body and the corresponding psychophysical traits of a modern person. Having reached stagnation in this field, evolution continues in the development of consciousness and other human abilities, directly or indirectly important for a social organization. Quite interesting is the assumption of T. de Chardin P.T. that there are two the most "energetically beneficial" levels of stability for mankind – the individual and global humanity (Chardin, 1989: 67, 233). The main axis of human evolution, according to T. de Chardin, is the improvement of its individual abilities, among which, in one or another way, they receive further mass development that contribute to the formation and support of the most socially safe for individual (in certain circumstances place and time) social environment.

The main feature of people, which connects the individual and collective level of their existence, according to T. de Chardin, is the virtue of reflexion, which is defined by him as acquired by consciousness ability to focus on and collect oneself (Chardin, 1989: 136). The reflection of human beings, that is, their "thinking about" everything that happens with them and with the world around them, is also the main characteristic that separates human beings from the biological world: the animal also "knows", but, unlike a human being, it does not know, that it knows (Chardin, 1989: 137). It is also important to note, that in the "energy" of human relationships, T. de Chardin gives a prominent place to the ability to love, which remains undeveloped at the present stage of the history of mankind. The philosopher considers only an immense love for all people and the world, which, as a rule, seems unrealistic as a mature form of love. However, according to T. de Chardin, such an immense love is not only psychologically possible, but it is "the only one and complete way we can love" (Chardin, 1989: 210). The disclosure of the Human potential for such love is also due to the level of self-knowledge.

All social forms of coexistence of people, as their size and complexity grows, require a lot of "energy expenditure", including cultural assets and means of ensuring public order and emotional solidarity. According to T. de Chardin, the very global community of mankind, due to its planetary conditionality, makes it possible to distribute and use the resources of the planet for the benefit of all mankind. This community is not considered to be one-dimensional homogeneity, on the contrary, its concept of "grain" of matter (Chardin, 1989: 43) provides the "naturally spontaneous" division of the levels of its quantization, which, in relation to humanity, is embodied at certain historically established levels of the legal personality of human communities, as this, in particular, shows in the "new law of nations" G. Scelle (Scelle, 1932).

Prerequisites of "noospheric" thinking in the philosophy of I. Kant

Laid in the social nature of the Homo sapiens, that is, when it emerges as a species, reflection needs its disclosure in the long historical development. Early forms of institutionalization of the reflective traits of humanity are associated with the emergence of ancient philosophy (Reale, 1994: 3-4), however, according to T. de Chardin, only at the turn of the XVIII – XIX centuries a complex institutionalization of the consciously directed and systemically organized reflexion of mankind on its historical experience took place, gained on its basis the empirical knowledge and, the most importantly, on the traits of the human mind. At this time, in all areas of social consciousness, there have been such important changes that T. de Chardin compares their scale and consequences with the changes of the Neolithic revolution (Chardin, 1989: 172). Change in the attitudes to the relations of human beings and the world is considered by T. de Chardin as one of the most important achievements of this critical period: being included in the process of evolution, a human ceases to be perceived as a distant observer of reality, as it was typical for Cartesianism. "A human being is an evolution that conscious himself" he quotes J. Huxley (Chardin, 1989: 176).

According to J. Reale and D. Antiseri, "artillery preparation" to radical changes at the turn of the XVIII – XIX centuries began in Germany in the 1770s, embodied in a movement called "Sturm und Drang" ("Storm and Onslaught"), and later in Romanticism (Reale, 1997: 3). Philosophical Romanticism, by definition of B. Croce, "raised the flag of what is sometimes called ... intuition and fantasy, as opposed to the cold mind and the abstract intellect" (Reale, 1997: 9). The fundamental figure of this period is I. Kant, whose views were formed during the spread of Romanticism. The foundations of the new (non-Cartesian) philosophy laid down by him are based on the study of not only the rational, but also the intuitive and volitional components of the human mind in which the representatives of Romanticism were concentrated. Already his first work in 1758 "On the forms and principles of sensual and rational human perception" indicates

that he was aware of the problem of adequacy of human knowledge and the need to revise their epistemological basis (Reale, 1996: 628). Mature consequence of efforts in this direction were "Critique of Pure Reason" (1781), "Critique of Practical Reason" (1788) and "Critique of Judgment" (1790) (Reale, 1996: 269). Already in the first "critique" I. Kant carried out the "Copernic Revolution" in metaphysics: just as Copernicus argued that the Sun is not rotating around the Earth, but on the contrary, the Earth, rotating, is irradiated by the Sun, I. Kant proved that not subject explores the object "as it is," and vice versa, the object becomes known in forms, due to the properties of the subject (Reale, 1996: 634). Kant distinguishes cognition of sensuality, which is fixed in phenomena and rational, which forms noumena (Kant, 2006). The virtue of a human to rationally deduce the notion of neo-obvious (noumena), even Plato defined as "second navigation", studied in detail by Kant in "Critique of the capacity to judge" (Reale, 1996: 663).

In his "Critique of Practical Reason" I. Kant explores the ability of the human reason to moral activity. Only "pure", that is, not under external influence (aspirations, feelings, experiences) practical reason is the basis of human's moral actions, and Kant's critique is aimed precisely at the practical reason conditioned by external influences – in order to promote awareness of such influences and establish control over them. By dividing the practical principles into "maxims" (subjective principles) and "imperatives", Kant defines a moral imperative as an objective practical principle in understanding its significance for everyone. The imperative must be unique, but it may have different formulations, the most common of which are the following: "Act only according to that maxim whereby you can, at the same time, will that it should become a universal law." and "Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end" (Reale, 1996: 657). An important conclusion from Kant's work in the realm of moral laws became the understanding that all beliefs, whether religions, laws, or scientific world pictures are based on our choice, our reasons for choosing certain facts, and their explanation to justify our thoughts and actions. This provision makes us realize the fullness of our own responsibility for everything that is happening around, because it is a consequence of our choice.

In his "Critique of Judgment" Kant highlights the descriptive and reflective capacity to judge: the latter, considering and purifying our conditionality, is aimed at finding universal and can be embodied in "aesthetic" and "solemn" ability to judge (Reale, 1996: 644). This justifies the need to educate a human in the sense of beauty and holy (the latter should not necessarily be the subject of religion, but rather morality, that is, again, of one's own choice). The predictor of "the Omega Point" of T. de Chardin can be recognized in the following words of Kant: "Nature, perceived noumenally, remains "a thing in itself," but it will not prevent the

interpretation of it as organized rationally, due to the unwavering striving of a spirit to think about it this way" (Reale, 1996: 667).

I. Kant approbates his new methodological approach on the basis of the well-known empirical generalizations in the field of natural science, morals and law. He, in particular, developed a model of the formation of the Universe that was later developed and published by Laplace and widely known as "Kant-Laplace nebular hypothesis" (Reale, 1996: 630). Questions of the organization of social relations were covered in his "Groundwork of the Metaphysics of Morals" (1785), "Metaphysics of Morals" (1797), and "On Pedagogy" (1803) (Reale, 1996: 629). But the most interesting for the future "noospheric" thinking are two works – "Idea for a Universal History with a Cosmopolitan Purpose" (1784) (Kant, 1994a) and "Perpetual Peace: A Philosophical Sketch" (1795) (Kant 1994b), which laid the legal foundations of global civil society, left out by the authors of the concept of noosphere.

Legal aspects of the concept of noosphere

In the work "Idea for a Universal History with a Cosmopolitan Purpose" I. Kant shows that the motives of human activity, acting as the driving force of history, are fulfilled against the backdrop of the most extensive universal trends, which have all signs of predestination. Accordingly, the task of philosophers should be the development and presentation of the system of history – as a plan of nature, aimed at improving civil association of the human race (Kant, 1994a). He writes: "What seems to be confused and unconditional of any laws of individuals, one could recognize with respect to the entire human race, as the invariably progressive, albeit slow, development of its original inclinations" (Kant, 1994a). The most important problem for mankind, solving which is compelled by nature, is the achievement of a universal legal civil society: only in such society it is possible to achieve the ultimate goal of nature – the development of virtues laid down in a human. Stating his point of view on history as a higher sense of human development to the "civil status of public security," Kant notes that by giving the person wisdom and will, nature wants people to deserve merely that happiness and perfection they create by themselves free from instinct, by their own reason. The tool that nature uses for this is an antagonism of human interests, which, through trial and error, ultimately should lead to the formation of an order consistent with universal laws (Kant, 1994a). This problem is the most complicated and therefore is resolved in history later on, because it is associated with the spread of the correct understanding of nature of a perfect public order by people, which can only be provided by long historical experience and culture (Kant, 1994a). The established perfect social order in certain states can be provided only with the support of legally regulated relations between them (Kant, 1994a). Therefore, the history of the mankind can be regarded as the implementation of the secret plan

of nature – to establish internal and, for this purpose, also – an external perfect social order, as the only state in which nature can fully develop all the contributions that it has invested in mankind (Kant, 1994a).

Continuing the idea of a world civil society in the work "Perpetual Peace" Kant begins with the fact that this is the name of a tavern in the Netherlands, drawn against the background of a graveyard, but his work is based on the belief that mankind has a chance to gain eternal peace other than at the cemetery, although this issue remains open because of the blemishes of people, especially the heads of states who can not gorge with war (Kant, 1994b). Kant admits that all "peaceful" treaties, as they are quickly violated, are in fact agreements on armistice: like any other political phenomena, these violations are caused by the very nature of a human. To achieve truly eternal peace, I. Kant offers "preliminary" and "definitive" articles. The first ones should be achieved as soon as possible – these are the principles that appeal to the conscientiousness of governments, which, in turn, should foster their mutual confidence. There are six of them: 1) no peace treaty shall be considered valid if it was made with a secret reservation of the grounds for a future war; 2) no state, regardless of its size, shall be acquired by another state – not by inheritance, exchange, purchase or gift; 3) standing armies shall disappear over time; 4) national debt shall not be used as an argument in external affairs of the state; 5) no state shall forcibly interfere in the political structure and government of other states; 6) no state during war shall use the dishonest military acts (employment of assassins, the instigation of treason, etc.) that would make mutual trust impossible during a future time of peace (Kant, 1994b).

Kant begins the presentation of "definitive" articles with the postulate: "All people who can influence each other should be united in civil society." Civil (civilized) society is understood as the one that is subject to law, and not to the arbitrariness of the powerful ones, he distinguishes between three most relevant and interrelated levels of legal provision of social relations in its development: a) state public order in the composition of the nation; b) legal regime of international law concerning the relations of states with each other; c) universal civil order, which covers both the relations between states and the relations between people, since all people shall be regarded as subjects of universal civil law and order (Kant, 1994b). Kant further reveals the content of three definitive articles, which he formulates as follows: 1) social order in each state should be republican (Kant, 1994b); 2) international law should be founded on a federation of sovereign states (Kant, 1994b); 3) the law of world citizenship shall be limited to the conditions of universal hospitality (Kant, 1994b). More than half of the work "Perpetual Peace: A Philosophical Sketch" is occupied by supplements. In the first one – "On the guarantee for perpetual peace" – the author proves that such a guarantee "is magnificent in its art, nature, which course of development leads to providence"

(Kant, 1994b). The content of the second one, titled "Secret Article for Perpetual Peace," is briefly formulated as follows: "Governments that are armed for war shall take into account the maxims of philosophers on the conditions of the universal peace." Noting that the very title of the supplement is contrary to the conditions of perpetual peace, which must be based on trust and transparency, Kant acknowledges that the supplement contains an inherent in international relations conflict between the subjective maxims of politicians and the moral imperative, therefore, every politician should conform his maxims that are conditioned by the practical demands of today at least to maxims of philosophers that are usually closer to the moral imperative and act in perspective. This idea is revealed in the appendixes to the second supplement, which titles are self-explanatory: "On the Opposition Between Morality and Politics With Respect to Perpetual Peace" (Kant, 1994b) and "Of the Harmony Which the Transcendental Concept of Public Right Established Between Morality and Politics" (Kant, 1994b). Kant proves that, as a goal of history, such harmony should be carried out in perspective, and as a philosopher he offers his own working maxim for this purpose: "The maxims aimed at the harmony between law and politics require publicity" (Kant, 1994b), that is, universal awareness, recognition and support.

The prospects of the world civil society regulated by the law defined by I. Kant at the end of the XVIII century were partially implemented only after the Second World War in the neo-liberal international order established by system-building agreements between sovereign states. This rule of law has become the latest contribution of positivism in the theory and practice of legal regulation. Due to the supremacy of the obligations of states under the UN Charter (Art.103) (United Nations, 1945), international public law gained systemic unity for the first time during this period, rapidly gaining a codified basis and institutional provision of all areas of international cooperation. However, within this system, neither individuals that are under jurisdiction of a state, who were seen by Kant as "subjects of universal civil law and order", nor collective subjects other than sovereign states received their own status (Carty, 2005: 535). The fundamental discoveries in human and social sciences, which during the last century have become the basis of a new paradigm for the whole system of knowledge, contributed to the awareness in the theory of law: firstly, of primacy, in relation to the collective legal personality – the individual legal personality that comes from psychophysical properties of a human; secondly, multi-leveledness of collective legal personality, where there is a potential possibility of each level to influence the overall course of history: accordingly, an important condition for the maintenance of the rule of law at different levels of social relations is not the privileged status of one of these levels (in positivism it is the level of public authority of the state) but the definition of the rules for the coordination of collective interests between the main historically established forms of organization of human communities, as

defined, in particular, in the already mentioned concept of the law of nations of G. Scelle (Scelle, 1932b). The task of the new law of nations must obviously be the institutionalization of all the established levels of collective subjectivity (from generations and neighboring communities – to national states, regional entities and the entire international community) with the definition of the scope of rights and responsibilities of each level, as well as the development of principles and procedures for the harmonization of different levels of legal personality and procedural rules for the coordination of current "conflicts of interest" that will naturally arise in the process of "intersubjective" cooperation (Radzivil, 2017: 7). Thus, international law, without infringing on the legitimate powers of sovereign states, must legalize the internal multi-leveledness of the international community, necessary for any complex system. At the same time, the main factor of observance of legal norms and decisions is the principle of faithful fulfillment of legal obligations, which is based not on state coercion, but on the understanding of their social significance. Such factors as reliability of information, transparency and clarity for citizens of the laws and acts of the bodies of justice, grounds and volumes of delegation of authority to public institutions, criteria of the election of authorized persons, logistics of financial flow, and other public resources become the guarantee of effectiveness of such an approach. Procedural provision of the participation of civil society in making socially significant decisions at all levels of social relations is also an important task of law. In the movement of civil society institutions to their maturity education plays a crucial role, which is much broader than it is considered by the relevant ministries, due to the variety of new means and opportunities provided by the "global information civil society", main objectives and characteristics of which are set out in the Okinawa Charter on Global Information Society of July 22, 2000 (Okinawa Charter, 2000) and in the Declaration of Principles "Building the Information Society: a global challenge in the new Millennium" of December 12, 2003 (Declaration, 2003). These "soft law" acts outline the possibilities that open up the world's communications networks to humanity, transferring the main volume of international contacts into the level of interpersonal information exchange. Being focused, above all, on the comprehensive assistance in a convenient mode for each person, they contribute to the awareness of the subjects of the global information civil society of the prospects and opportunities of powerless international relations, as well as their mutual learning and, ideally, the development of a sense of responsibility of everyone for the choice of the direction of further development by mankind. Nevertheless, the words of T. de Chardin remain relevant against the backdrop of these shifts: "Science and humanity go round in a circle because they do not dare to recognize the existence of a privileged trend in evolution. Exhausted by this fundamental doubt, scientific research is scattered, and humanity is lacking determination to undertake the improvement of the Earth (Chardin, 1989: 119).

Conclusion

Crisis phenomena at the turn of the XX-XXI centuries, when the efforts of the United Nations to maintain peaceful international law and order are blocked by spontaneous social movements of the transition period, often accompanied by "rebellions against reason", require the shift away from established in the previous century paradigms and the use of philosophical concepts of the past "transition periods", separating for further development those that best contribute to the restoration of the constructive origin of human consciousness and collective activity. In this sense the concept of noosphere, which embodies the philosophical novels of the early twentieth century, and the new (non-Cartesian) philosophy of I. Kant, which, at the turn of the XVIII-XIX centuries, systematized the purpose, possibilities, and functional correlation of epistemological, ontological, and deontological knowledge, activating a range of further research in these areas, – are a powerful source for their updated interpretation and further development.

Of particular relevance, although "extrascientific" from the point of view of both materialism and "political realism", is the idea of the sense and predestination of history, which stands firmly in the works of I. Kant, and the authors of the concept of noosphere and develops in modern metascientific, philosophical, and political and legal theories such as the principle of anthropy, the concept of a common heritage of mankind and the "human dimension", etc. Having made a moral choice of these ideas as value benchmarks, scientists may need to conventionally outline and further develop such an understanding of the historical process in which it has the meaning as the movement and approach of mankind to a highly harmonious at all levels of its organization state in which each personality and all collective subjects of social relations will have the whole complex of possibilities to fulfil their creative humanistic potential in the best way possible. This condition, being objectively hardly probable in the past historical epochs, when searching for and securing of its individual components were carried out, may become dominant after the general awareness of the international community of its advantages and specific characteristics. Technically, global information environment greatly contributes to this process, and already effectively provides the spread of positive experience of successful examples of organizing favorable public order for the development of personality. General awareness of the planet's population of the uniqueness and value of the phenomenon of a Human on the scale of the entire Universe can become the axiological stimulus in this movement of mankind to its maturity. Understanding the aspiration of peoples to the planet-wide spiritual and intellectual unity – as a value-emotional vector of the transhistorical orientation, the authors of the concept of noosphere, providing rational basis for this endeavor, lay emphasis on science that acts as a powerful geological force that requires a balanced and

responsible attitude to its results, and as well as constant reflection on their effectiveness and morality.

According to Kant's ideas, the law should be an integral part of the scientific provision of a harmoniously organized public order at the level of nations and the international community. Contemporary international law is built on the principle of sovereign equality of states and other principles of the Charter of the United Nations and has served for more than half a century as a rationally grounded framework basis for national legal orders, which helps to overcome religious or other ideological differences and eliminate conflict situations – through the development of recommendations and legal formulation of compromises achieved in multilateral treaties between states. However, current challenges and rethinking of methods and sources of legal regulation require a serious improvement of positive law, perhaps through creative synthesis with centuries-long experience and conceptual wealth of the law of nations. Such synthesis, in turn, should become an integral part of system-wide changes – both in the style of regulation of social relations at all levels of their institutionalization and in the dominant elements of the vital priorities of individuals in their interpersonal communications.

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