Role of philosophical ideas
for political and legal institutions

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Abstract —Based on modern scientific trends and the most problematic manifestations of world public life, in particular in the spheres of politics and law, the author makes an attempt to theoretically understand the role of philosophical ideas for institutions in this field. The study uses general scientific methods, as well as the interdisciplinary methodology for a comprehensive solution of the goal. It is noted that since Antiquity, philosophical ideas have already had a significant impact on political and legal activities and relevant formations. It has been established that, being the ultimate in their essence, philosophical ideas are realized by intellectual elites in various modifications and configurations. In this regard, using the concept of Randall Collins shows the continuity of ideas from the New Time to the present day. Globalization and postmodern trends in politics and law are taken into account. Examples of political and legal institutional transformations are given in the paper. In conclusion, the direct and indirect influences of philosophical ideas, determining their importance for political and legal institutions, are revealed.

Keywords — *ideas, institutions, politics, law, philosophical ideas, society.*

I. INTRODUCTION

One of the most important problems in social philosophy is the problem of ideas and their origin. Within the framework of philosophical knowledge there is a debate about the basis of their origin, existence and practical application. It is also stated that intellectual ideas are the basis for the formation of all possible social institutions. For us, such a position means that political and legal institutions are formed on the basis of the practical implementation of intellectual ideas and have causal relationships with the latter.

By ideas we mean a multitude of intellectual constructions, special social realities that arise under certain conditions in some communities. In our research focus, these constructs assume political and legal institutionalization of states. One of the most famous and authoritative researchers of the dynamics of intellectual life is R. Collins. His main thesis is that when forming and developing intellectual ideas we assign the key role to social roots, that is, the environment in which these constructs arise [1]. Thanks to the ability of each researcher being a separate element of the team to abstract ideas, the intellectual potential is formed. This determines the

potential for the emergence of ideas. V.I. Krasikov notes that in exactly the same way collective efforts of a multitude of specialists form the whole diversity of "forms, symbols, emblems of new social unity in the context of progressive separation according to professional and social characteristics" [2].

Within the framework of human history, ideas arise in specific communities under certain conditions as special social realities [3]. In fact, it means that ideas are social institutions, their parts or what is determined by the institutions themselves. It is quite obvious that the ideas have very significant historical, socio-cultural and political grounds which mean that these intellectual constructions require taking into account all possible factors of their origin and existence. Ideas that originated in ancient times influenced the development of social and scientific thought for a long period of time. They embodied in the creation and/or subsequent optimization of various social institutions, practices and the state as a whole. The assertion about the close relationship between philosophical ideas and social order was first formulated in the writings of Socrates, and for centuries this idea has set the direction of the historical development of mankind. Since the New Time the development of philosophical thought, the state and its basic institutions have been unambiguously assessed as progressive, evolutionary. In many ways, such an understanding of ideas about social structure, their positive influence on state development was due to historical realities. In particular, overcoming the Middle Ages led to the fact that in the Renaissance man was placed in the center of the universe and was regarded as the crown of creation. The capitalist mode of production of the 18th century was undoubtedly more productive than the feudal one, and the rapid development of science and technology in the period of modern Europe gave rise to the faith in the unlimited progress of man, society and the state, forming the perception of the "sacredness of the penetration of scientific knowledge into reality" [2].

Since that moment in social philosophy, ideas of social development, rational social order, and progressive evolutionary development of the state have been perceived critically and skeptically. Hence it is logical that in the 20th century historical optimism was completely replaced by antiprogressive and eschatological sentiments, in the framework of which most prominent thinkers came to the

idea of approaching the "End of history", the finitude of human being and, of course, the social structure itself. Suffice it to recall "The decline of Europe" by Spengler, "The End of History" by F. Fukuyama, "The Clash of Civilizations» by S. Huntington, and more radical postmodern projects [4].

Manifestation of pluralism of philosophical foundations determines all the specifics of social functioning embodied in its institutional set. Traditionally, these social formations are characterized by the performance of functions that are significant for the state: consolidation and harmonious coexistence of various social groups with different interests and values; smoothing and regulating social contradictions; meeting the aggregate needs of the majority of the population while taking into account the interests of the minority; fair distribution of material and non-material benefits; regulation of various relationships; preservation and multiplication of the spiritual elements of culture; creating the least conflicting conditions for the further development of the state system of government and public organization [5].

In accordance with the relevance of the topic, caused by the complication of the world, and the analysis of opinions and research positions, we will designate the problem and the purpose of the study. The effectiveness of the future coordination of interstate interests and planetary existence depends primarily on the authorities of specific countries. The issue of this work is also set by the vital syncretism of politics and law, which allows us to consider the status of modern power institutions as "political and legal entities". Hence, we consider it logical to define the purpose of the work as defining the role and significance of philosophical ideas for the genesis and transformation of political and legal institutions.

II. MATERIALS AND METHODS (MODEL)

In identifying the foundations of intellectual ideas, it makes sense to single out several approaches that form a multidimensional methodology. The answer to the realization of the impossibility of applying existing approaches to identifying the role and importance of ideas for social development was the emergence of new philosophical concepts. These concepts include axiological, civilizational and political approaches, actor-network theory, frame theory and the position of historical macrosociology as an interdisciplinary field of knowledge. In many ways, the researchers turn to these methodological guidelines because the degree of internalization of ideas in the syncretism "personality - society" reflects the history of the country's development, the fundamental, revolutionary, crisis stages of its transition from one state system to another, from total domination and subordination of a person's life to the state ideology to the complete negation of the latter.

III. RESULTS AND DISCUSSION

Beginning with Antiquity, philosophical ideas are compared with theoretical thinking. Moreover, such thinking and cognition imply a certain methodology of cognitive activity, namely, contemplation. The path of the philosopher is the path of truth through the contemplation of

being and the ability to see the unity of the world on a world scale and in the specific forms of its manifestation. It is Aristotle who makes the separation of the entire theoretical set of philosophical ideas into so-called "contemplative wisdom" and "sanity" that governs the activity [6]. As a result, life is divided into contemplative and practical life, which is bound with the political and legal spheres. Now the wise man is perceived not only as a contemplator but also as one who through praxis cares about improving the state, laying the foundations of society and shaping its laws. From what has been said it can be concluded that philosophical ideas allow reaching the essence of the subject matter of the philosopher's study. The subject of study is the political side of a society with all political and legal institutions respectively, and philosophical ideas allow us to comprehend the essence of these institutions and trace how the genesis of political and legal institutions, including modern society, was carried out.

Even after a brief existence of philosophy, Antiquity creates a huge number of concepts in which there is a different vision of the essence of power. Nevertheless, each of the thinkers justified his ideas of the form of government that would be best realized in society. Thus, the essential, philosophical study of power as a mechanism of management and political and legal institutions as the main subjects of power relations can lead to the practical implementation of a certain type of government, determine the basic mechanisms and techniques of government in general and its parts in particular. From this it follows that philosophical ideas form the basis for any kind of social realities, allowing you to form theoretical and methodological foundations of political and legal discourse. This discourse, through its embodiment in the system of political and legal institutions, forms the system of rights, duties and functions that belong to each participant of the socio-political organization of a society. Adhering to such logic, we agree with S. Sanderson on the question of the influence of philosophical ideas on the formation and transformation of political and legal ideas. The researcher shows that the model of world history by M. Harris shows the evolution of civilization and the state. The basis of his methodological program is the philosophical ideas that set the principles and ways of the evolution of the state as a political and legal superinstitution and all its elements [7]. Moreover, the political-legal dialectic is evident in the studied concept of Sanderson. This dialectic is reflected through the principle of confrontation between ideas, which interpret differently the realization and transformation of political and legal institutions. It is from here that we see a modification of the ideas that are sometimes embodied in their configuration. Another form of influence of philosophical ideas is fulfillment of the prognostic function. Such a function acquires significance in the modern world due to the increasing riskiness and unpredictability of globalized planetary being. And since philosophical ideas allow a fundamental analysis of existing processes in society, with its help it is logical to determine the trajectories of possible transformations of modernity.

Similar methodological programs prevailed in modern times (F. Bacon, R. Descartes), which, for example, were realized by P. S. Laplace in the ideas of hard determinism - unambiguous, necessary connection of two phenomena. Of

course, today it is necessary to take into account multiple phenomena, not forgetting about the "Black Swans" or the "Butterfly Effect", due to which humanity acquires the opportunity not only to make reliable predictions about the future but also to view the history of the entire universe retrospectively. So, R. Collins argues that the influence of philosophical ideas is realized through the formation of basic provisions on the processes occurring in a particular community, after which it is possible to establish and comprehend the laws of development of political and legal elements in society. The American sociologist argues that states are the result of monopolization of legal force in a certain territory. As a basic principle of the functioning of the political system, Collins postulates that each element becomes a variable in the syncretism of politics and law. As a result, the theory of conditions is shaped, with the help of which one may effectively determine the geopolitical ups and downs of power in certain territories. Moreover, the consequences arising from these changes in power are also explained on the same basis [8]. In this case, the use of philosophical concepts reveals the essence of the state and the content of powerful authorities, allowing to identify the patterns of origin and transformation of political and legal institutions. The intellectual activity of a philosophical orientation has certain external manifestations; therefore, it is able to exist regardless of whether these external manifestations of ideas exist as such. Rather, it is determined by internal characteristics, ways of thinking, that is, internal ontological and epistemological grounds, which suggest a kind of innate ability of the intellectual community to create certain political and legal ideas. The practical application of philosophical ideas makes it possible to form legal and political institutions, as evidenced by numerous examples. Thus, the genesis of political and legal institutions in specific countries and regions depends on the intellectual and philosophical constructions that determine the context and principles of building the corresponding state power system. It is for this reason that knowledge of the essence of the ideas under consideration, first of all, makes it possible to predict the very possibility of the applicability or non-applicability of certain forms of political structure and legal system in a particular state. Thus, in European state formations the democratic form of government is applicable and can be used on the basis of reflections of public and private views of their citizens. At the same time, African states in the second half of the twentieth century actually copy the ideas of European democracies, without modifying them and generally ignoring their own contextual unpreparedness for their implementation.

The existence of philosophical ideas in the framework of actor-network theory is understood as a process that is determined by two complementary aspects. On the one hand, intellectuals who create fundamentally new theoretical and practical positions have an ideological influence on the development of society and the facts of the realization of the history of states. Another aspect is the understanding of the essence of the objects used in society. Not as objects that experience a constant impact from the subjects, but as actors, equally involved in the formation of both social

fabric and intellectual history, having a significant impact on researchers who are forced to respond to the emergence of new ideas [9]. Appearing and forming on the basis of a person's desire to adapt to the environment, power institutions regulate the activities of people in modern society in the political and legal spheres. At the same time, each political and legal institution must evolve and adapt to social realities, since it allows to effectively solve emerging problems. We see that there are external and internal causes of development and transformation of political and legal institutions. As a result, we see the existence of multiple interdependencies of influence by researchers who form fundamentally new ideas for the development of social connections and relationships, and the products they create as actors who have the property of active "activity" in the field of social connections and relationships. Such mutual influence leads to the development of the intellectual sphere in a specific social environment. Thus, in the course of its development, society, through the activities of individuals, realizes the development of the historical process in the political and legal spheres. In the course of the history of the development of ideas, the so-called "circulation" is formed, the essence of which is to transfer the knowledge gained. Together with the knowledge, the entities associated with words and records are also transferred. According to the logic of the theory, the records also become full participants in the social process and the process of the development of intellectual history [10].

Globalization as one of the external factors of the existence of society and the state implies the need for institutional changes, starting from the micro level in the form of specific citizens - participants of the political process, and ending with the macro level at which the political relations of state structures and the states themselves are regulated at the international level. In this case, the institutions of global governance are becoming qualitatively new. The purpose of their functioning is to regulate global processes. However, as a rule, philosophical ideas through reflection in the consciousness of the personality determine the peculiarities of his/her behavior, the functioning of various aspects of society and the formation of the institutional, and the degree of coherence of group interests. One example of the manifestation of modernity is the emergence of informal institutions. Therefore, it is the philosophical ideas that descend from the universal, ultimate level of generality allow us to determine the peculiarities of perception of the social and natural environment by groups and the principles of building interactions with the state. In this aspect, we carry out the main difference between the idea and ideology. Ideology is primarily external in relation to a person's character, prescribing personalities certain behaviors. The idea is perceived at a deeper, internal, personal, subconscious level, not prescribing, but forming internal motivation patterns. In our desire to describe political and legal changes and their determination by philosophical ideas, we consider it necessary to turn to the statements of postmodernists who consider that modern philosophy is losing the subject of its study. Although, most likely, here we are not speaking about the complete loss of the objective field of the "political" or "legal", we speak that the essence of the power is significantly transformed.

In classical philosophy, beginning with Plato and ending with Hegel, the field of intellectual reality at the level of the concept corresponded to the reality of phenomena whereas in modern philosophy with its characteristic pluralism and relativism, the field of intellectual contains empty concepts. In the mirror of classical philosophy, the domain of power was reflected in the relevant concepts and at the same time was interpreted as a real-life system of institutions and relations between the subjects of the system of a particular society. For socio-philosophical concepts, this meant that representatives of the classical period of intellectual theorizing proceeded from the statement about the determination of the methods of cognition of reality by reality itself. At the same time, the comprehension of such a political system and the changes occurring in it will certainly encounter pre-formed conceptual foundations that lead powerful subjects to the appropriate practical ways of influencing the various. As a result, we see that when the subject of philosophy changes, the ways and means of influencing current ways of implementing political practices change. Already at the level of changing the subject field of the study, we see how philosophical ideas in their dynamics lead to transformations in the field of state changes. We are talking about the changes taking place in the system of political practices. Thus, in modern postmodern philosophy, changes in the political are associated with various areas: the implementation of PR technologies (J. Baudrillard), the use of knowledge as a source of power (M. Foucault) or social practices as the basis of political actions (P. Bourdieu). As a result, theoretical developments of data and other thinkers lead to the change in the fundamental principles of the formation and use of new political programs for the implementation of actions. Being in the search of a new subject field, modern philosophy has a significant impact on changing the very process of political governance, transferring it from the field of direct coercion using power methods to the field of applied (sometimes invisible for masses of controlled people) methods, ways, and models of governance of societies and states [11].

Turning to changes in the field of legal reality and their dependence on philosophical ideas, the following should be noted. It is extremely difficult to explore the development of the legal area without analyzing the development of society. The legal reality is one of the mechanisms of social regulation, which, unlike politics, has a more stable tradition of its assimilation. Each concrete society in the process of its historical development requires a social regulation measure fixed at the highest level, strictly defined and adapted to cultural realities, otherwise, it leads to negative consequences for the integral social system. At the same time, "measure" as a criterion for the normal functioning of systems and the interaction of subjects within a society, expresses in itself the "volume" and "intensity" of the social regulation. So, the measure understood depends on the requirements of the existing social system, the stage of development of society, the level of its organization and so on. Initially, the law in primitive society was formed as a system of prohibitions, to which, over time, positive prohibitions and permissions were added. For us, this looks logical and makes it possible to point out a fact indicating the existence of some internal logic of the development of law, largely determined by the factors of the whole social dynamics. This means that the legal system develops from a certain stage of the existence of society, not through a banal opposition to nature, but through the prominence over it, as well as within society itself, satisfying needs regarding formal normativity as a set of regulators of interactions between individuals and social groups. Philosophy is the most important determinant of the development processes of the legal side of social life - and this is not a strong statement in form. We can observe such a definition in several aspects, for which it is necessary to expand the "introduction" noted in the previous paragraph. It makes sense to bring the actually derived opinion. Thus, when referring to historical processes related to the development of law, we observe a gradual transition from the prohibitive-prescriptive nature of regulation to the permissible; the current state of the development of law allows indicating the path it has gone to, relatively speaking, a comprehensive "presence", that is, law exists in almost all areas and sectors of public life. Examples of the philosophical and ideological determination of legal changes "from prohibitions to permissions" are also perfectly demonstrated by Freud when he examines primitive society and the system of prohibitions in it. He argues that the prohibitive norms in the form of laws or regulatory acts in their embryonic state were determined by the dependence of man and society from the forces of nature [12]. The growing independence of society from the forces of nature entails the transformation of the worldview system, including the philosophical one, which entails an awareness of the need to transform the legal system in a particular society.

Thus, the importance of studying the influence of philosophical ideas in all plural expressions, as well as their modifications, is not questioned, making up the subject not only of metaphilosophy but also of modern social philosophy. This is also justified by the fact that philosophical ideas are one of the essential factors that are realized in social reality, therefore their practical application to political and legal institutions is of fundamental importance not only for theoretical but also, which is logical, for applied research that largely determines future civilizational understanding of the world. Consequently, the study of ideas within the framework of social philosophy makes it possible to determine not only the trajectories of the development of a particular state, society as a whole and its individual spheres, but also, in the context of globalization, to outline ways to solve global problems associated with the use of power, alignment of forces and priorities, and future contours of humanity.

IV. CONCLUSION

Philosophical ideas determine the existence of political and legal institutions both directly and indirectly. First, it should be noted that philosophy as a whole and its specific ideas fulfill a set of functions, ultimately determining the degree of influence on the transformation of political and legal institutions of both a specific society and the world community. Secondly, philosophical foundations set the vectors of political and legal institutional transformations on the grounds that are being formed within the framework of philosophical research approaches to the theoretical understanding of the political and legal processes in society. The next aspect of determining the value of philosophy for politics and law is the knowledge of the nature of political

and legal institutions, which through the processes of modification and configuration facilitates forming specific institutions and most effective building their performance. Philosophical knowledge of historical patterns not only traces the existence of specific political and legal institutions but also determines the prospects of their transformations taking into account the social context.

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