

society and their effectiveness in the conditions of transitive societies are investigated. It turns out the mutual dependence of the axiological constants of being an individual, social orientations in the phenomenon of law and justice. The process forming the consciousness of the individual as a manifestation of the spirit of his own personality through the assimilation of the objective historical experience of mankind is researched. Legal awareness is the result of the systemic integrity of the categories of justice, the rule of law, freedom, duty, law, etc.

Keywords: law, legal consciousness, philosophy of law, natural law, positive law, law

УДК 159.964.2

STATE FORMING PARAMETERS OF HUMAN SELF-DETERMINATION IN SOCIETY AND THE STATE (PHILOSOPHICAL IDEAS OF JACQUES MARITAIN)

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Abstract. The article presents the analysis of philosophical ideas Jacques Maritain, which gives special meaning to the concept of «nation», «state» and «civil society». The main purpose of the article is the consideration of the problem of man, the nation, the state and civil society taking into account the work of the famous French philosopher. Political society requires the highest ruling organ of the state. The main goal of any government should be fairness within the territorial limits of this state, but not devoid of political control of society, through the internal structure of this society – the people. The state acts as the authority that is given the right to use power and coercion, but the state exists for the people. The people is a large number of human individuals who have teamed up with fair laws, in mutual friendship and in the name of the greater good of their human existence, constitute a political society. The state is a part of political society, both interested in keeping the law, maintaining the General welfare and public order, as well as manage public Affairs. The state is represented as a set of different institutions that are connected like clockwork. But the state, as well as the people and civil society do not have sovereignty rights and duties, and the only one who has this sovereignty is God.

Keywords: people, nation, state, society, community, civil society, political community.

Introduction. The question of building a democratic society is quite acute in time in Ukraine. It is important for Ukraine to determine who is the main person in the state: civil society or the state itself? Political society needs a higher

government – the state. According to Maritain, the general good of society should be its main goal, for which one of the main functions is the maintenance of a general social order. The main objective of any state should be the observance of justice within the territorial boundaries of the same state, but not without control of the political community, through its internal structure. The construction of a democratic society must be based on a people, defined through the nation, a civil society and a state that has the functions of the supreme governing body, but under the control of the very civil society, that is, the people, because the state itself has no natural law to the supreme power.

Analysis of the studies and publications. For this article, the main thing is the work of Jacques Maritain "Man and the State" (1951). However, a number of foreign scholars in their writings touch upon some problems of neo-Thomism (Y. Bohensky, Y. Borgosh, N. Lobkowitz, A. Hubscher); among the Russian and Ukrainian scholars research is important S. Auerintsev, B. Bichko, O. Malinovskaya, A. Migonateva and others.

The purpose of the study. The main purpose of the article is the consideration of the problem of man, nation, state and civil society in view of the work of the famous French philosopher neotomist Jacques Maritain.

Results. A number of events in recent years have intensified the attention of the world community to the activities of states, nations and civil society. Humanity has been interested in these concepts, and even today, given the terrible events that take place in the world, it is not surprising that the question of the place and role of democracy in the political and social life of humanity of the twenty-first century is again and again. What is the relation between socio-political processes and the problems of contemporary philosophy, culture, art, ethics, politics and the person that everyone, as a person, can make to determine in the world.

A well-known representative of the neo-Thomism is Jacques Maritain, who tries to assess the situation that has developed since two wars and world disasters, and suggests introducing another one, in addition to all other institutions, for the regulation of relations between individuals and groups, one that will be able to change people's world at a high spiritual level and to create a society respecting each other's personalities - religion. His views can be attributed to "Theocentric humanism" and "Personalized democracy", which puts forward the following conditions on which each person in society will be comfortable.

The work of J. Maritain "Man and the State" was written not only as a theoretical treatise, but also as a practical manifest which in some kind calls to action. This work is based on six lectures, that were read in December 1949 as a part of the "Analysis of Political Institutes of the USA" course, but they are very close to our modern society, especially those that concern human and humanity in general. The author offers a concrete historic ideal for a new democracy, which today is the cornerstone of the problem in Ukraine.

The work "Man and the State" was written after the Second World War, but it deeply and clearly shows the main problems of the modern democratic society in Ukraine. Jacques Maritain proclaims the idea of the world rule, which should consist of the most wise and high-moral representatives of each of the nations. In our case, the ruling elite, just does not have these features like wisdom and high morality. There are either moral or wise, or not the ones and not the others, and this is a huge problem for our nation.

When we try to separate the concept of a nation, political society (Body Politic, Political Society – J.M.) and the state there are many problems and difficulties. When we express these concepts in a generally accepted manner, they are used as synonyms. But if you consider their social content, then you need to clearly distinguish each of them. Such concepts as the community and society are subjects to delimitation, these concepts have in their content the ethical and social, not biological basis. But the community is more connected with nature and ethnographic factors, but the society is closer to the mental and spiritual abilities of people.

Public life unites people with the help of some common “object”. In our society, the same “object” is a task that needs to be performed, or the goal to which one must strive. If you give an example, then a rather interesting option is offered by a well-known neotomist who proposes to consider society as an enterprise, a trade union, a scientific association, and a community, then it would be appropriate to say that these are regional, ethical, linguistic groups, and social classes. Jacques Maritain notes: “The community is a product of instinct and a descendant of specific conditions and historical structures; society is a product of reason and moral power (the fact that in antiquity called “virtue”) [1]. In society, individual consciousness is a priority. It emanates from human freedom, but in the community, the adaptation of human nature to this historical situation takes place, it is also clear that there is no community that can grow into a society, so they would say different origins from the very beginning. “In the community, social relations emerge from specific historical situations and the surrounding situation: collective forms of perception, or collective subconscious, have privileges in front of individual consciousness, says a well-known neotomist, and a human is a product of a social group. In society, the individual conscious preserves the priority, the social group is formed by people, and social relations come from a concrete initiative, a concrete idea and a voluntary decision of the individual” [1].

Characteristic for a community is the imposition of an individual's forms of behavior, which manifests itself through social coercion, but which appears as predetermined. In society, social coercion manifests itself through the law, or what calls Jacques Maritain a “rational coercion”, or by the idea of a higher common goal, which, in this case, requires individual conscience and freedom, which must freely submit to the law. The community can never develop into society, but it may be a natural basis for development, with the help of the reason, of a particular social structure [2].

For Jacques Maritain, a nation is a community, not a society. That's why it is the most complicated and perfect, which is generated by civilization life. This human community is based on the fact of birth and origin [3]. “A nation is a community of people who understand themselves the way history was made, people who protect their past, loving themselves, with some inevitable fate of self-centeredness. According to Jacques Maritain, the gradual awakening of national consciousness was a characteristic feature of modern history”[1], but with the development of the history of mankind national consciousness acquired painful features – nationalism, since the concept of nation and state were not clearly delineated. Consequently, a nation has a defined one language, but this does not mean that language groups are nations. The nation is formed on the basis of the personal participation of each of its members in the specific human values of the

national heritage, that is, it has its own history, but it is not a society; it is represented as a community of communities, for which the self-consciousness is characterized by a set of common feelings and representations that human nature has identified and formed around social, historical and physical facts. A compulsory distinction from the state as a characteristic of a nation is the absence of a single governing body in it, but this does not mean that all people are equal in the nation, because for different nations it is characteristic of belonging to them elite groups [3]. The nation has hopes, dreams, honor, a common history, for it are not typical norms of the general order, it has no legal laws and forms of organization, which is already inherent to the state. But at the same time, a real national group can turn into a real political society [4].

The idea of a political society can arise within a national community, but the national community itself can only be the basis, because the nation always depends on the existence of a political society. Both a state and a political society can always be attributed to the sphere of society. These terms are often identified, but this can not be done, because political society as a whole is an integral one, while the state is a part. She is most interested in preserving the law, in maintaining the general order and the state, as well as in the management of social affairs. The state acts as the body which has the right to use poer and coercion, but the state exists for people [5]. The people represent a large number of human personalities, united by a just law, in mutual friendship and in the name of the common good – their human existence, they form a political society. The people are the substance itself, the living and free substance of political society. And in this situation, which is the most difficult one for the person who is at the root of these problems, this is where the problem of self-determination of a person, which with the help of a political society, community, nation can identify itself as a worthy member of society and the state, appears here. That is why civil society must be based on mutual love, loyalty to the people, a sense of justice and laws [6].

Discussion. Consequently, the state is a part of a political society that is interested in preserving laws, supporting the general well-being and public order, as well as managing social affairs [7]. The state is represented in the form of a set of different institutions, which are combined as a time mechanism, since when one of its parts ceases to "work", then the language of the whole state cannot be successful. The state is a "work of art that was created by a person who uses the brain and energy of a human, and without human does not represent anything ... but represents a higher manifestation of reason, a non-personal, stable, superstructure ... which is bound by the law and the system of general rules, "says Maritain [1]. But the state, just like the people and civil society, have no sovereignty in their rights and responsibilities, and the only one who is endowed with this sovereignty is God.

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ДЕРЖАВОТВОРЧІ ПАРАМЕТРИ САМОВИЗНАЧЕННЯ ЛЮДИНИ У СУСПІЛЬСТВІ ТА ДЕРЖАВІ (ФІЛОСОФСЬКІ ІДЕЇ ЖАКА МАРІТЕНА)

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Анотація. Метою статті є розгляд проблеми людини, нації, держави та громадського суспільства з огляду на роботи відомого французького філософа. Політичне суспільство потребує вищого правлячого органу – держави. Основною метою будь-якої держави має постати дотримання справедливості в територіальних межах цієї ж таки держави, але при цьому не позбавленого контролю політичного суспільства, через внутрішню структуру цього суспільства – народ. Держава виступає як орган, якому дане право використовувати владу і примус, але держава існує для людей. Народ представляє собою велику кількість людських особистостей, які об'єдналися за допомогою справедливих законів, у взаємній дружбі та в ім'я загального блага – їх людського існування, утворюють політичне суспільство. Держава – це певна частина політичного суспільства, яка зацікавлена в збереженні закону, підтримці загального благополуччя і суспільного порядку, а також має керувати суспільними справами.

Ключові слова: людина, нація, держава, суспільство, спільнота, громадське суспільство, політична спільнота

ГОСУДАРСТВООБРАЗУЮЩИЕ ПАРАМЕТРЫ САМООПРЕДЕЛЕНИЯ ЧЕЛОВЕКА В ОБЩЕСТВЕ И ГОСУДАРСТВЕ (ФИЛОСОФСКИЕ ИДЕИ ЖАКА МАРИТЕНА)

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Аннотация. Целью статьи есть рассмотрение проблемы человека, нации, государства и гражданского общества с учетом работы известного французского философа. Политическое общество требует высшего правящего органа – государства. Основной целью любого государства должно быть соблюдение справедливости в территориальных пределах этого же государства, но при этом не лишенного политического контроля общества, через внутреннюю структуру этого общества – народ. Государство выступает как орган, которому даны права использовать власть и принуждение, но при этом государство существует для людей. Народ представляет собой большое количество человеческих личностей, которые соединились с помощью справедливых законов, во взаимной дружбе и во имя общего блага – их человеческого существования, образуют

политическое общество. Государство – это определенная часть политического общества, которая заинтересована в сохранении закона, поддержании общего благополучия и общественного порядка, а также управлении общественными делами.

Ключевые слова: человек, нация, государство, общество, сообщество, гражданское общество, политическая общность

UDC 165.742:001(477)

THE DEVELOPMENT OF THE IDEAS OF HUMANISM IN THE CONTEXT OF EUROPEAN SCIENTIFIC THOUGHT

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Abstract. *The article is sanctified to the study of problem by cosmological the world picture, presenting the spectrum of humanistic ideas that were conceived on European soil and found further distribution in the general philosophical scientific space. Analysis of literary sources, as well as monuments of literature indicates the formation of scientific thought of individual historical periods. The conducted study suggests that, in the context of European scientific thought, the ideas of humanism were of paramount importance - the person was proclaimed the highest value.*

Keywords: *pedagogical ideas, consciousness, interdisciplinarity, cosmology, humanism, picture of the world*

Introduction. In the context of European scientific thought, the ideas of humanism were of paramount importance – the person was proclaimed the highest value. the study of problem by cosmological the world picture, presenting the spectrum of humanistic ideas that were conceived on European soil and found further distribution in the general philosophical scientific space. Analysis of literary sources, as well as monuments of literature indicates the formation of scientific thought of individual historical periods.

Analysis of recent research and publications. The problem of perception and interpretation in consciousness is a multidimensional and complex phenomenon, studied at the junction of many sciences, often called interdisciplinary (G. Klaus, V. Sitarov, K. Zhol, E. Panov, F. Bacevich, E. Selivanova, G. Pocheptsov). «The trend of awareness and upholding one's own uniqueness and preservation of cultural traditions confirms the general pattern that humanity,