Legal Consciousness in a Paradigm Format of a Social Ideal

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Abstract: Legal culture in an extremely general sense is a consequence of the realization by national intelligence of ideas about the proper format of reproduction of the human way of existence. The essence of the legal system lies in the social legitimization of a certain model of social interaction. The ideal imperatives of the social ideal do not coincide with the specific provisions of positive law. Overcoming the noted contradiction is possible within the framework of the ontohistoric basis of the legal system, which implies an organic correlation of priorities of public ideas about the essence of legal culture and technological standards of state legal regulation. The organic synthesis of positive and natural formats of legal culture, carried out on the platform of ontohistoric basis, is the main condition for organizing an effective law enforcement system.

1 INTRODUCTION

Understanding the processes of the formation of public life cannot claim completeness without referring to the parameters for ensuring the legal order of its organization. The conceptual solution to this issue, the relevance of which in a context of the crisis of imperatives of public reproduction has acquired particular importance, we see in overcoming the contradiction between the system of unofficial norms for regulating social life and the institutions of positive law (Jian, 2002). The preservation of a social capacity of a social organism in the context of the value pluralism of the dominant society in today 's society strongly causes the organization of such a system of legal regulation, which was based, first of all, on the foundation of a culture in which the ideas of social ideal are accumulated. This makes it possible to justify the recognition of legal regulation as a general value reproduced by the main population.

The differences in the forms of existence and nature of the legal system are expressed in the fact that the content of this phenomenon in its different states is produced by man, and is a manifestation of its internal nature, being a manifestation of its reaction to the challenges of time. Human legal culture cannot exist contrary to its sociocultural nature, and the essence of human existence is expressed in a system of ethical ideals. The principle of improvement of human existence is a kind of criterion for evaluation of humanistic values, including humanistic values of legal culture. Anything that prevents such improvement is more or less anti-human. Taking as the highest value the improvement of human being, creating conditions that ensure the dominant influence of human over anti-humanistic, can be brought into line with the socio-philosophical understanding of humanism and humanist orientation with the understanding of social progress, as a form

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of movement of social matter from lower forms to higher forms (Goodale, 2002).

The specificity of the legal sphere is expressed in the synthetic unity of its actual and symbolic aspects, the dualistic role of the subject of law, which not only reproduces, but also ensures the existence of the legal space. Legal culture, legal consciousness and law and order are in the focus of substantive interest of a wide range of disciplines of socio-humanitarian, educational, pedagogical and legal cycles that set their own angles of its reflection. The philosophical level of analysis of legal culture institutions opens up resources for the correlation of legal consciousness and a complex of socio-ethical orientations: "The philosophy of law is designed to reveal the deep, socio-volitional principles of the formation and implementation of behavioral acts of individual and collective subjects of public relations. This is also facilitated by the study of legal culture as a complex social phenomenon that manifests itself in various forms" (Ruvinsky, 2020).

The relevance of the problem is determined by the correlation dependence of the objective side of the legal system and subjective complexes for the execution of its content. Both parameters are directly related to the qualities and social and legal consciousness: "There are laws of nature and laws of law. The laws of nature are absolute and have force, as they are. Man does not dwell on existence, but claims that within himself he has the scale of legal: he can obey the need and power of external authority, but never obey them as much as the need of nature, for his inner essence tells him how it should be, and he in himself finds confirmation or not confirmation of what has the force of law" (Hegel, 1990). 4. Mastering reality, revealing the laws and principles of its organization, a person acquires the resources of the transition of the potentially possible into the real sphere: "Law is essentially due to the specifics of culture, inextricably linked with cultural values, ideals, knowledge, the dominant type of worldview basic for each historical era" (Treushnikov, Ivashevsky, 2013).

2 RESEARCH METHODOLOGY

The parameters of the presented work are dictated by the need to master the new states of society and the structures that ensure the legal format of its development. Legal culture is a priori due to the format of continuous changes in the content and forms of its implementation, which gives legal institutions a special ontological status. In our view, it is necessary to apply a system of measures to solve this problem, which will allow detecting the universal content of the essential components of the investigated phenomenon, which is the essence of philosophical analysis. The cultural aspect, in terms of an integrated approach, appears as the most important pattern, a social organization operating throughout the history of world civilization, characterizing the commitment of man and society to a system of value preferences. At the same time, relations of culture to society are defined not as relations between subjects, but as relations of predicate (culture) and subject (society). Culture as system quality characterizes not any separate, isolated henomenon of social life, and is defined as norm of all system of the social relations of this society. As a general social pattern, culture appears not only as a direct actor of the historical process, but also acts as a special tool for the development of social institutions. The influence of culture is so significant that without taking into account its fundamental provisions it is impossible to form a system of the worldview and a social model of behavior, as well as economic, political, social, intellectual and scientifictechnical spheres of public life. The main task of culture is to form a developed personality that is organically harmonious with the established system of social relations (Strizhen, Shendrik, 2014).

3 RESEARCH RESULTS

Legal culture in an extremely general sense is not a product of the creative initiative of individual "passionaries." It is the result of the realization of the cognitive-heuristic potential of the collective mind, the fruit of long-term reflections of national intelligence on the proper format of existence of social community. The format of the social mode of existence is based on a system of technologies that ensures the effectiveness of the formation of a person organically included in the processes of social reproduction. Legal regulations in this perspective appear as institutions the content of which is due to the filling of social archetypes of the existential culture complexes. The coincidence of ideal ideas with the format of objective reality can be ensured by means of legal regulation, the axiological orientations of which correlate with the value priorities of social culture as a whole (Strizhen, Shendrik, 2014).

Recognizing the importance of law as an integral component of social existence, it is necessary to pay attention to the specifics of technologies for human mastering the format of one's own existance. The

legal reality expressed as the totality of knowledge, representations, emotional experiences of the regulations of the norms of social interaction arising in the subject (individual, large, medium and small social groups) is marked with the category "legal consciousness." Legal consciousness is an ideal system of accumulation in the psychomental structures of the social subject of legal norms, mechanisms and principles of their implementation: "The success of law is due to how much it penetrates into consciousness. Without the support of members of society, the right turns into either a dead letter or a heavy burden," − wrote P. I. Novgorodtsev (Novgorodtsev, 1995).

In the complex of social reproduction, the state of legal consciousness appears as an immanent institution of the subject of social interaction, pursuing certain goals, the meaning of which is expressed in the category "social ideal." The scope of the concept of "ideal" generalizes the totality of ideas about "the highest goal, aspiration, perfect embodiment of something" (Ozhegov, 1964). Therefore, in the sociocultural aspect, the phenomenon of "ideal" acts as a form of expression of the finite meanings of social existence. Ideal representations are invariantly included in the content of consciousness of a socialized subject: "Such introection can become the basis of deep and fixed structures of social identification..." (Shukshina, 2010).

4 DISCUSSION OF RESULTS

The solution to the problem of identifying legal consciousness can be implemented in the following views, that this is "a set of legal ideas and psychological forms corresponding to them, reflecting social existence through the prism of class relations and embodied in the norms of law, acting as the practical side of legal knowledge, legal theories, legal representations of the ordinary order, as well as in group and individual legal views" (Griffith, 2018).

Another variant of understanding the nature of legal consciousness is the assertion that legal consciousness is such a "form of public consciousness, which is a combination of legal views and feelings that have a normative character and include both knowledge of legal phenomena and their assessment in terms of class (or national) justice, as well as new legal requirements expressing economic and political needs and interests of social development" (Shchitov, 2014).

Legal consciousness as a socio-legal category is the result of an individual's assimilation of necessary and sufficient legal norms recognized by society. In the study of E.A. Ryabov, we read: "Based on the analysis of a number of definitions, the author defines legal consciousness as a form of public consciousness, which is a combination of legal knowledge, ideas, views, as well as manifestations of a psychological, emotional-volitional nature (feelings, emotions, attitudes, etc.), expressing the attitude of the individual, group, society as a whole to the current law, to the practice of its implementation and the desired changes" (Ryabov, 2003).

The movement towards social ideals is accompanied by a conflict between the provisions of positive law cultivated by the State, the policy of which is determined by the requirements of a specific socio-political moment, and natural law corresponding to the imperatives of national culture, which meets the basic needs of society in the context of providing vital resources for its reproduction. At the same time, this contradiction is not antagonistic, its resolution is possible within the framework of the ontohistoric basis of the legal system (OIBPS) (Ruvinsky, 2020). This category, proposed by R.Z. Ruvinsky to indicate the integral unity of traditional ethical ideals, the peculiarities of legal mentality, the specifics of law enforcement accumulated in the axiological invariants of national-ethnic culture. The format of social existence on the foundation of axiological priorities of cultural traditions is justified by the practice of the historical existence of the social team that has formed a system of socio-cultural reactions that ensure the effective development of the spheres of social and natural space.

We proceed from the concept of correlation of the practice of social existance with a meaningful content of public consciousness. The legal culture rooted in the consciousness of a socially developed subject is a set of socially significant ideas about the proper format of organizing the legal system setting constructive guidelines for its development and implementation: "Value is the most important component of the subject-forming activity and the subject itself in it" (Stepanov, Tolstova, Kupirova, Kuzmin, Ivanov, 2020).

The axiological paradigm fills the plot of social behavior with clear guidelines that make up the vectors of the subject's worldview. Value priorities are the basis for the formation of the paradigm of social development, they inform the phenomenon of social life of a certain quality, making it measurable, systemic and, therefore, involved in the system of socio-reflective activities of the subject.

5 CONCLUSIONS

Providing its own development with the necessary resources, social community does not create amaterial and spiritual culture anew, on the contrary, the progressive movement relies a priori on the results already achieved. It is impossible to eliminate any of its stages from social history, each next phase of the development of society is a direct continuation of the preceding. Economic, intellectual and scientific and technical achievements of modern civilization would not be possible without a certain tradition of axiological priorities cultivated by most members of the social community.

A legal system based on the traditions of national culture allows, with great reason, to hope for its adoption as a concept of a national law and order program: "legal values of Western civilization cannot be a worthy alternative to their own, culturologically based legal worldview" (Griffith, 2018). A priori, the specificity of legal consciousness lies in the fact that the process of its formation begins at the subconscious level before the subject enters the sphere of legal relations. The ethnocultural orientation of the social paradigm in the historical perspective precedes legal consciousness, "asserting its fertile powers. Which inspired human legal consciousness and gave it indestructible support..." (Ilyin, 1993).

The law is a priori aimed at the formation of conditions and methods for the implementation of social interaction, the content of which would be shared by all members of the social body. The legal state in the public consciousness is a social state, that is, it is a form of organization of vital aspirations of society. Only when the positive right corresponds to the natural right, the law - to the imperatives of morality, the mechanisms for the implementation of the right - to public ideas about the proper, only then there will be reason to talk about the organic impact of the content of legal awareness on the culture of law and order.

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