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UTOPIANS' NARRATIVES OF HABITU'S AND STRATAGEMS IN "GEOCULTURAL TURN"

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The article is devoted to problematic issue of the philosophy of law's new trend in form of narrative jurisprudence. The essence of this direction is to represent the law as a way of exchanging information in interpersonal communication philosophy. Author's input position is that: (1) the global relations are accompanied by a significant acceleration of the political process and promoting of its narrative; (2) the narrative — the term of postmodernism, the feelings of the sub-activity; (3) narrative — the links of installations of the supernatural and the unsaturated; (4) narrative — the term of postmodernism, filled with subjectivity; narrative — the connection of the human conscious with the unconscious; (5) narratives need to be explored in P. Ricoeur's paradigm of the nature of political knowledge and the norm of regulation of relations in the procedure of causal duty; (6) there are various forces and superpower that "play" in the "big politics" in the world, or more precisely guide the process of international and local life in line with their interests under the different Utopians' banners (habitués and stratagems); (7) when elite do not take into account the laws of social life, i.e., do not feel the existence of the gap between the desirable and the possible in term of law appeared to be Utopia as critics or dreams and then there is an opportunity in the course of communication within the narrative about the law to impose an ideological choice.

"We must not then add wings, but rather lead and ballast to the understanding, to prevent its jumping or flying, which has not yet been done; but whenever this takes place we may entertain greater hopes of the sciences".

(Francis Bacon, Novum Organum. — P. 364)

XXI century despite the positive changes that have taken place in world politics (the discrediting of totalitarian thinking and world order, the development of formal democratic institutions) has been marked contradictory tendencies. Glo-

balization entails a number of significant consequences, which are exhaustively described by researchers. Among them there are a great variety of problems that must be solved by mankind, which requires increased attention to science. And, it is expected that knowledge can show the most effective ways to achieve the goals and work out new strategies. However, culture will become even greater, because it creates a coherent picture of the world. We conceptualize the thesis that in the XIX century, with its redistribution of the world can be called the century of geopolitics, XX century — the century of geoeconomic processes, then the XXI century, probably, should be the century of geoculture and utopian narratives.

Narrative is a tool of coherence from imparting meaning, which then lies at the limit of legal conceptual sovereignty and independence of nations. N. Partner [24] draws attention to the fact that, on the one hand, narrative is a term of postmodernism, filled with subjectivity and relativity, and on the other hand, the connection between narrative and its attitudes has long been the subject of research in psychology and psychoanalysis. P. Ricoeur [11–14], Fokkema D. W. [21], Paul-Michel Foucault [15], Partner N. [24] and many others wrote about the meaning of “narrative” in the construction and protection of personal identity, that people usually set out their lives in the narrative or in some narrative about themselves. This idea became the “plot” of many utopias. All social and humanitarian disciplines are united in the fact that narratives are psycho-social. The story of life, told to those who lived it, is determined by its culture. Such an account of events reproduces at least the worldview of the hero of a narrative, as the maximum argues for an intellectual position or a system of his beliefs, thereby turning this position and this information system into a kind of political act. If narratives still bear the burden of national or ethnic identity, then they always have conflicting temporal parallels, with the necessary reference to historical memory. P. Ricoeur in “Time and Narrative” [11] described in detail how exactly this happens, how historical events become sources of consolidation of ethnic solidarity and identity through commemoration, too, the manifestation of distrust of one ethnic group to another. P. Ricoeur enters into the methodological discussions of social scientists as a representative of hermeneutics, which causes traditional criticism from the side of positivist sociologists. Addressing the fundamental problem of the epistemology of the social sciences — the relationship between the method of scientific explanation and the procedure of understanding — P. Rieker suggests using its solutions are unusual for sociology semiotic logic (considering action as a text) and are questionable from the point of view of positivistic methodology interpretative techniques [12–14].

The term “narrative” (narration) is conventional in the English-speaking tradition: it is entrenched in the language of history, linguistics, literature, psychology; formed a steady interdisciplinary area of knowledge dedicated to narration — narratology. P. Ricoeur defines the narrative using the key concepts of Aristotle’s Poetics, mythos and mimesis. On the one hand, the narrative is “the ordering of certain facts or events into the system, combining them into a single semantic configuration, plot”. On the other hand, the narrative is “a representa-

tion or imitation of real events” [20, 45]. Both imitation of events, and their connection in a uniform configuration occurs at the level of discourse. So experience has a narrative organization. A narrative constitutes a fundamental characteristic of experience – its temporality; living experience, in turn, becomes a condition of temporal narration. P. Ricoeur formulates a “circular” proposition: “Time becomes human time to the extent that it is narrative it is articulated, and the narrative acquires its full meaning when it outlines the characteristics of temporary experience” [20, 65]. In the first part of the book entitled *The Circle Between the Story and the Temporal* Riker explores the relationship between the narrative and the temporal nature of the experience, referring to two classic, seemingly unrelated other sources: the “Poetics” of Aristotle and the “Confessions” of St. Augustine. The facts and events of experience in themselves have no logic. Logic gives them a narration. The narrative configuration “collects” individual elements of experience and gives them meaningfulness. The term “narrative” (narration) is conventional in the English-speaking tradition: it is entrenched in the language of history, linguistics, literature, psychology; formed a steady interdisciplinary area of knowledge dedicated to narration – narratology. P. Ricoeur defines the narrative using the key concepts of Aristotle’s Poetics, mythos and mimesis. On the one hand, the narrative is “the ordering of certain facts or events into the system, combining them into a single semantic configuration, plot”. On the other hand, the narrative is “a representation or imitation of real events” [20, 45]. Both imitation of events, and their connection in a uniform configuration occurs at the level of discourse. So experience has a narrative organization. A narrative constitutes a fundamental characteristic of experience – its temporality; living experience, in turn, becomes a condition of temporal narration. Riker formulates a “circular” proposition: “Time becomes human time to the extent that it is narrative it is articulated, and the narrative acquires its full meaning when it outlines the characteristics of temporary experience” [20, 65]. In the first part of the book entitled *The Circle Between the Story and the Temporal* P. Ricoeur explores the relationship between the narrative and the temporal nature of the experience, referring to two classic, seemingly unrelated other sources: the “Poetics” of Aristotle and the “Confessions” of St. Augustine. The facts and events of experience in themselves have no logic. Logic gives them a narratio. The narrative configuration “collects” individual elements of experience and gives them meaningfulness. Harrativity can be preserved in history if it does not use a nomological model of scientific explanation. As “opponents of narrative in history”, along with French historiographers, Ricoeur calls representatives of logical positivism, that argues that the explanation in the historical and social sciences should be similar to natural sciences, that is, must use “covering laws”. Explanation through “covering laws” is different from creating a narratio. In the narrative, historical events connected by a universal connection (“one due to the other”) retain their uniqueness. In generalizations, historical events are considered, by analogy with physical events of inanimate nature, as regularly recurring and not having a chance to “happen differently”. In addition, the narrative configuration, although it is in a certain sense typical, built in accordance with certain rules, can be “reconfigured”,

receive new interpretations during reading or listening; There is no place for “historical opportunity” in generalizing explanations; events that have happened are predicted in advance.

When elite do not take into account the laws of social life, i.e., do not feel the existence of the gap between the desirable and the possible, appeared to be Utopia. Utopia and notes that the Greek word “to” in – Greek means “no”, “topos” – place. Utopia – a place that is not fantasy, fiction tale. "Utopia in politics is a kind of desire that would not be implemented, either now or later – a wish that is not based on social forces and is not supported by growth, the development of political and class forces. In modern, two kinds of political utopias hold most firmly and have an impact on its mass appeal. This – the liberal utopia and utopia of populists. Liberal Utopia is like could be, peace and order, without hurting their feelings. They practice hypocrisy, cowardly tricks to get political power. In all policies of the liberals who have to play in democracy in order to attract the masses to their side.

Critical narratives about that characteristics of the end of XIX and beginning of XX centuries works described science fiction writer and visionary Frenchman Albert Robida. In the eighties of the XIX century A. Robida wrote the first fifty articles with his own illustrations, then published the book “Twentieth Century”, “Electric Life”, “The war in the XX twentieth century” [25]. In his works A. Robida foresaw the coming society of risks: revolution in Russia; era of brutal confrontation between supporters of different ideologies; wars; finite automate; accidents in large power plants; future space travellers conflicts on spacecraft during long mission. Albert Robida visionary – fiction “travelling” through time pays particular attention in “design” too fast processes the desire of elite to get ahead capabilities. He thought that voluntaries’ political ‘design’ cause apocalyptic disasters and brings society to the brink of survival. A. Robida says that those who will survive understand that technology, the world has changed, but not the man. The fact that the airplane is moving faster then the horse does not mean that people become better [25]. In the short satirical tale “Today is” A. Robida describes how Louis XIV and his entourage appeared in Paris in 1889 and saw the technical achievements of that era. In result they wanted to return to his time because technology can regresses man himself. It narratives describe geopolitical trends and geoeconomic realities. Really, the “utopia” is a difficult concept. Utopias are expressed in different and even contradictory social ideals: the liberal, revolutionary, progressive, fantastic. Fantastic contains a huge range of possibilities: Thomas More [10] and Campanella [8], followed by Varas were the founders of utopian socialism and communism, F. Bacon [3, 193–224] was an enemy of democracy and idealized power of knowledge and scientific elite, the satirical grotesque of Cyrano [5, 227–306] was directed against spiritless reality and fool ideals. However, the difference in the early utopian political ideals did not deny the existence of a unity. The common feature of all utopian thinkers was search of new horizons. Induced historical circumstances utopia stimulated to action, that is, to certain results. It get according to the T. Bourdier’s theory form of habitués. Its kind of “mental and cognitive structure” of people action in social life [22] which appeared in old times.

It was an era of Egyptian history during the latter half of the Eighteenth Dynasty when appeared to be the dramatic change of Egypt's polytheistic religion into one where a sun-god. Amnites IV changed his name to Akhenaton (1353–1336 BC) and policy. He dreamed changed the people of Egypt for the better. It should be society without cast of priest. The priests had power to determine even the selection of pharaoh as they demonstrated in the choice of Titmouse III. Some Egyptologists believe that the priests could have prevented the assassin of a pharaoh, especially a young man. [16, 66–67]. Of course Akhenaton did not fully confront the priests of Amen until well into his reign. Preventing accession and confronting a reigning pharaoh are two very different matters. The royal residence of the pharaoh and his queen was shifted to Akhenaton ('Horizon of the Aten') in what is now Amarna. Historian Aldred Cyril wrote, that "while his father Amnites III did not actively per use military conquests, through most of his reign, Egypt's military position was strong. Akhenaton's foreign policy was much weaker. His focus was on domestic affairs and theology. His foreign policy appears to have verged on pacifism, greatly weakening Egypt's international position. Unlike his Tuthmosides ancestors, Akhenaton did not lead an Egyptian army to support Mitanni and Egyptian allies in Syria and confront the foreign threat. Throughout Akhenaton's reign Egypt's control over the various client states in what is now Syria and Palestine continued to deteriorate. This allowed the Hittites to extend their power south toward Egypt. There was also increasing problems from roving bands of Hapiru in Palestine [16, 65]. Tribute payments from many former client states cease [16, 68]. Project of Akhenaton existed only 17 years. After the death of pharaoh it was forgotten. The most of Egyptians did not understand Akhenaton Utopia.

Scientist Metzger Thomas thinks that "Chinese utopianism" is a peculiar phenomenon in form of Stratagems which was wrapped in a fog of definitional confusion. If "utopia" denotes a societal ideal set forth by someone regarding it as hard or impossible to implement, this idea has been important in the West since Plato but has almost never been expressed in the course of Chinese intellectual history (except possibly by the poet T'ao Ch'ien. If, however, "utopian" describes the pursuit of an impracticable goal of political perfection by people insisting it is practicable, then the people pursuing it will necessarily deny their goal is utopian. The Chinese intellectual conceptions has been and still is utopian in the latter sense. The Chinese have often been well aware that contemporaneous evils could not be conveniently overcome, but they still saw this recalcitrance as an eradicable condition, not as a reflection of permanent human frailties [22].

When we looked for conception necessary to find out any instrument of analyze and formula. In philosophy of law we have Kant's formula of pure law. Kant worked out possibility to question matter of law from point of view its "secrets" and possibility to settle the conflicts of interests. Kant arguing not only those rights is an epiphenomenon of duty, rather than vice versa, but also that "practical reason" has priority over "theoretical reason". Both of these tendencies appeal to Chinese philosophers, because, quite simply, they are inherently "Chinese" tendencies.

Thus, although back in 1757 Danish lawyer M. Hübner in the comparative study of antiquity, China and Europe proved the existence of natural law in China [23], many modern Western scientists still believe that China has no real legal tradition. This is highly strange idea that China has achieved such success in modernizing the economy and in many areas exceeds even America on a strong belief in most European lawyers still “has no real legal tradition” and is still in search of the right, which would have a high technical value and is relatively stable [23], and it was to be no reason to talk about legal policy based on “real” law. Thinking and system of Chinese legal institutions seem so distant European scientists, and often incompatible with the views that profess these researchers that can be questioned, as they believe in the existence of rights in China. And when for lack of better they still use it, you always try to emphasize the inadequacy and inefficiency of this concept as having a western roots, quite alien in relation to reality. Chinese people “well do without the law” [7, 400; 2, 397].

Feature of the traditional Chinese culture is the non-adversary method of dispute resolution. At the heart of Confucian teaching are the concepts of harmony (he wei gui), moderation in all things – the doctrine of middle way (zhongyong), concession or yielding (rang), and avoidance of litigation (xisu). Comparisons of Confucian ethics and Kantian ethics have, consequently, served as the springboard for much cross-cultural dialogue, especially from the Chinese side. In this context we can understand why Nietzsche called Kant the “Chinaman of Königsberg”. Nietzsche summed up the characteristics or tendencies those ideas that have tended to characterize most Chinese philosophers and interest of West in China in time when Bilfinger was known for a work on Confucianism (1724), a quasi-Taoist commentary on Wolff’s German Metaphysics (1725), and a tract on force (1728). Wolff’s continued tradition of Leibniz in his speech on the Chinese (1721) – a watershed event in the Enlightenment. All that had motivated Kant, then at Tübingen, to study these provocative pagans (in 1726 Wolff would cite Bilfinger when preparing his speech for print). In Taoist ontology, the dynamic principle (Tao) weaves the world by “stretching out” the void (dao zhong) and that produces things and life by individuating the resulting field into lingering wholes. Nature and the good are opposites but harmonize in their parallel thrust toward sustainable complexity. It is true that Kant’s early views may be placed in a Eurasian rather than a purely Western context. Recent research suggests that key ideas of Kant’s natural philosophy also have sources in Taoist and Confucian thought, which were disseminated in continental Europe by Jesuits based in China, popularized by Leibniz and Wolff, and further developed by Wolff’s Sino-philic student Bilfinger. One example is the idea of dialectics that Bilfinger found in the Chinese classics, and which Kant encountered. Plato (427–447 BC.). Also understands the original system as the kingdom of equality. However, his utopia depicted in the dialogues “State”, “politics”, “Timaus”, “Critias”, based on the idea of statehood. Thus denied the opportunity to return to the childhood of humanity. In the dialogue “State” Plato stands opposed tyranny, oligarchy, death, abuse of power. However, his humanity is given in the form of antidemocratic. Plato believes democratic views impractical. States should lead scientists philosophers

who are under the protection of soldiers. Speaking against the private ownership of words, Plato actually tries to keep her in the country as a caste of private ownership of consumer monopoly of the ruling aristocracy. The utopian idea of Plato aimed at suspending the contradictions within the ruling class of slave owners by restoring the state for examples of Egyptian caste system and Sparta.

These views of Plato influenced the outlook of Thomas More. He was an opponent of uprisings and violence. Utopia of Thomas More is organized state based on common ownership by legendary king utopias that created conditions for the development of culture and science. Giovanni Domenico Campanella, author of “Sun City” [8] describes a theocratic republic led by metaphysics. The governor has three assistants: The Power (in charge of military affairs); Wisdom (responsible for science), Love (food business, fertility, education). Campanella wrote that the “Sun City”, respect him as a worthy, who mastered the arts and crafts and who are able to apply them with the greatest skill and overcome selfishness. For Jakob Boehme the most important of innate properties of matter is motion — not only as a mechanical and mathematical movement, but more as a desire, life spirit, voltage, or, to use the expression of flour [Qual] matter. Primary forms the essence of living matter, individualized, it create differences in the nature of force” [4].

The real founder of English materialism and all modern experimental science was Bacon. F. Bacon wrote that “the science is in his eyes physics, which relies on sensory experience. According to his teachings, feelings are infallible source of all knowledge. Experimental science involves the application of a rational method to test data. A special role in his Utopia “New Atlantis” Bacon [3] assigns science and life Bensalem community in Atlantis House of Solomon. This building is an organization created to model communities of monks — Order. Order must know the causes and hidden forces of all things and expand the scope of the power of man over nature. That “New Atlantis” is a research centre and ideological development. In the second half of the XVII century, — Early XVIII century. Century organizational principles of the “House of Solomon” were the basis of Royal Society of London, the Academy of Sciences in Paris, Berlin and St.-Petersburg. However, some similarities with the Rosicrucian symbolism make the book popular among supporters of esoteric theories. This idea demonstrated Swift by his parody Gulliver’s travels.

It is interesting that to clarificate the position of Francis Bacon to Boehme term “Qual”. It was interpreted as the desire, the life spirit, and voltage characteristics of the principle of self-motion. Here, too, there is some esoteric context, as Jacob Böhme (1575–1624) was a German philosopher — a supporter of pantheism. The works of Jakob Böhme were fusion of natural philosophy and mysticism. Jacob Boehme poetically equated God and the world. Thus, according to Jakob Böhme, intrinsically evil principle there along with good, as a result of separation, self-revelation of the Divine essence [4]. These spontaneous — dialectical ideas had a great impact on the further development of German philosophy (Baader, Schelling, Hegel). His description of the three original Principles and the seven Spirits offers a striking analogy with the Law of Three and the Law of Seven which are described in the works of Boris Mouravieff and George Gurdjieff.

Cerano de Bergerac's "L'Autre monde ou les états et empires de la Lune" [5] was the first of three satirical novels, that are considered among the first science fiction stories. Arthur C Clarke credited this book with being the first example of a rocket-powered space flight, and for inventing the ramjet. It was published after the author's death, in 1657. "Another World, or the state of the Moon" [5] occupied a special place among the Utopians XVI–XVII centuries. Although the "Moon" theme was not new. Since Roman satirist Lucian and Scottish monk Godwin (1648) have used it to. Serrano straggled with scholastic philosophy and that is why he rightly considered to be the pupil of Pierre Gassendi, who was persecuted by the Jesuits for his apology of the ethical teachings of Epicurus. However, in philosophical speculation Serrano went on Gassendi. Inconsistent Gassendi manifested in the desire to reconcile his Catholic conscience with his gentile knowledge. Epicurus with the church. Serrano refused from religion and from pantheism of Campanella, whose works he knew and whose image is placed in the "realm of philosophers" in the unfinished work of "Worlds of the Sun". In "Other world" his hero the Demon of Socrates emphasizes – "people imagine that which they do not understand has a spiritual nature, or it does not exist" [5]. Thus Serrano indicates epistemological source of idealism and religion. Serrano proclaims the unity and eternity of the material world. If recognition system of Copernicus for Campanella and Bacon were difficult process, for Serrano it is organic, even though he added a comic element here. Serrano knows only matter and mind and that make his utopian desire specific. He did not interest in the political and economic transformation; he did not build an ideal state and social order. For Serrano existed only utopia of unlimited intelligence. When More, Campanella, Bacon placed their utopia on separate protected from the pressure of reality islands, they separated them from the earthly world and representing them as a possible model for the whole Earth. A world of Serrano – antithesis, that will never happen on Earth. Utopia actually neutralized and replaced by utopian desires that are also lack of potential opportunities. If More, Campanella, Bacon considered people as passive smart material for transformation, in Serrano the people's topics is missed. Cerano de Bergerac realized the absurdity of bourgeois thinking and bourgeois society. Obviously, he felt an irresistible attraction of materialism and fragility of support in the form of Epicurean ethics. Serrano could only use the gesture of utopia – satire.

Huguenot Denis Varas (Denis Veiras d'Allais, 1630–1700), whose life and circumstances are not known even now, in his book "The History of the Sevarites or Sevarambs" [6, 309–448] promoted his basic concept that "nature and beauty has made us equal". Although the work did not already contain a formal dialogue form of Plato, but implicitly this dialogue continued to influence the content of utopia. This dialogue about the place of beauty in life that really happened between Denis Veiras d'Allais and English philosopher Locke. Locke was supporter of bourgeois business and for him is clear: to Parnassus important things are gold and silver deposits. That beauty was not necessary. For D. Verasa appointment of the Beauty lies in the establishing social relations between perverse people. D. Veras is one of the first preachers of "natural religion" related to official recognition of its role

in the political and utilitarian sense. This view has found supporters in the later philosophy of Voltaire, Holbach, and Robespierre.

Then new Era appeared to be. A deputy from Arras Robespierre was too a romantic revolutionary. Already in 1790–1791 he was widely known as the politician. Rise of Parisians in August 1792 overthrew the monarchy in France and was declared a republic. At the insistence of the Jacobins, whose political leader was Robespierre was executed King (January 1793). Revolution developed and deepened. The influence of Robespierre on politics increased too. In the summer of 1793, power passed to the Jacobins and Robespierre that has changed and ruined him. In particular, Robespierre supported antyworkers law of Le Chapelle, the spreading of “maximum” and on wages, thus showed a misunderstanding of the interests of those who supported him. With his participation in the country started the Red Terror. The terror was not part of a conscious political realization of the project. It gradually worked itself. The system of terror was formed and developed on the basis of provisional measures against the “enemies of the revolution”. “Drift” in the mass terror began with glorification of “national” violence. Robespierre contributed to this by his speeches. He supported the legitimacy of the revolution and violence, brought it to the rank of law.

Benito Mussolini at the beginning of XX was at the same time the poets and socialists. Later Mussolini broke with the Socialists for their position before the First World War. It was the beginning of his departure from the pacifist position and the transition to fascism. When the liberal governments failed to stop the spread of anarchism, in October 28, 1922 was organized “March on Rome” (Marcia su Roma). Italian King Victor Emmanuel III invited Benito Mussolini to form a new government. In October 31, 1922 Mussolini became the youngest Prime Minister in the history of Italy.

Now the creators of “social design” deny the historical progress, as well as regression, because history, in their opinion, in principle, can not move in any direction. Reality for them is a social construct, they believe that people create and shape reality through their beliefs and behaviour, language, concepts and paradigms, “kulturkampf”, “cultural turn”. In this way was produce concept of “society of risks” (Giddens, Bronner). Now “cultural turn” in political theory, international relations are associated with the invasion of postmodernism and chaos theory. The reasons for this turn is quite complex and not always obvious. In the literature it is usually associated with the crisis of “modern”, the fundamentals of which (autonomous entity, a sovereign state, “big” theory”) and major oppositions (subject/object, “I”/“Other”, external/internal). Postmodernism is associated with large-scale changes in methodology that affected mainly empirical sphere. His supporters have positioned arbitrary modern. For them modern is not a model, but only a coincidence that can make a decisive impact on changes in the political system [1]. Their task as postmodernists believe – bridging the gap: on the one hand, between philosophical concepts, on the other – reflection and data from the social practices, the third – social practice as such. They also try to go beyond the opposition of theory of international relations and political science by appealing to more general philosophical categories of “justice”, “value”, etc. [9]. Unlike “tra-

ditional” scholars, postmodernists prefer to focus on specific, special issues and criticism of established theories of international relations. Postmodernists argue the falsity practice of realists in international relations to analyze current political events with traditional theoretical methods of legitimizing knowledge in paradigm of science history including the extrapolation principle from Machiavelli, Hobbes, and then through the political philosophers of the Enlightenment [2].

For the first time the “cultural turn” in international relations theory was announced in an article of Professor University of Arizona Richard Ashley “Geopolitics of geopolitical space: a critical theory of international relations”. This work has marked the beginning of penetration of postmodernism in international studies [17]. R. Ashley aims to explore the process of competition between the two research traditions in international relations theory.

The analyst R. Devetaky believes that the contribution of postmodernism to the study of international relations has three components: (1) problematization of state sovereignty; (2) review the opposition of “sovereignty/anarchy”; (3) construction of theorizing history of sovereign states [19]. So, in other words, postmodernism examines the issues and concepts, which previously did not pay attention when have been analyzed power relations. Proposed by R. Ashley look at the history of international relations is quite close to the “genealogy” of Michel Foucault. R. Ashley motivated by the fact that his chosen approach can “grab” discontinuity points, collisions, motion, mindless game pluralistic forces and interpretations on the surface of human experience. For his part, Foucault argued that the same interpretation can be considered as the practice of domination that occurs on the surface of history. History is an endless series of interpretations, crowning interpretation, while maintaining their arbitrariness.

These almost similar thesis lead and Foucault [15] and Ashley to “common denominator”, namely genealogical approach. Researchers are familiar – in international geopolitics has much in common with genealogical approach. Both concepts were focused on movement, space, strategy and power. As geopolitics and supporters genealogical approach does not trust theories containing moral assertion traditional institutions or deep interpretation of status once and for all fixed entities, the final truth behind the development of the law. Analysts studying these areas the international community should consider it simultaneously in four aspects: (1) an object, location and product of endless struggle, conquest and displacement of many historical forces, (2) as a place where power and domination rooted in normalized form, (3) as a field of practice where there are specific entities seeking recognition and function; (4) as a set of technologies, strategies and rituals by which practice is suppressed. That is why the international community does not mean limiting violence by means of codes, rules, precedents and procedures – it is an object of power politics and modality, through which the violence and domination strengthened [18].

Thus, we can draw some conclusions from the analyzed above works. As we see, in a certain measure narrative jurisprudence is close to the communicative theory of law – it is also based on the understanding of law as an integrated social system based on mutual communication between the participants in legal communica-

tion. In the course of such communication within the narrative of law, there is the possibility of imposing an ideological choice, which means that the concept of law will be adapted to a certain ideologically correct model. And such an approach deprives the legal science of autonomy, terminates the search for justice as an objective criterion of law.

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Дікарєв О. І. Утопічні наративи стратегіми “геокультурного зламу”.

*Стаття присвячена проблематиці нової тенденції філософії права у формі наративної юриспруденції. Суть цього напрямку полягає у тому, щоб представляти право як спосіб обміну інформацією у філософії міжособистісного спілкування. Вихідна позиція автора полягає в тому, що: (1) глобальні відносини супроводжуються значним прискоренням політичного процесу та його наративізацією; (2) наратив є явищем не лише постмодернізму, а й рефлексії класичних теорій; (3) наратив — ланка між людським свідомим та підсвідомим; (4) наратив — ланка між суб'єктивним та об'єктивним виміром соціуму; (5) наратив необхідно досліджувати в парадигмі Рікера про характер політичних знань та норму регулювання відносин у процедурі причинного обов'язку; (6) актори “грають” у “великій політиці” відповідно до їхніх інтересів до своїх *habitués* та *стратегем*; (7) коли еліта не враховує закони суспільного життя, тобто не відчуває існування розриву між бажаним і можливим у термін закону, виникає критична утопія і можливість в ході спілкування в межах наративної юриспруденції нав'язати ідейний вибір.*

У статті позиціонується концепція про те, що ХХІ ст., незважаючи на позитивні зміни, що відбулися у світовій політиці (дискредитація тоталітарного мислення і світоустрою, розвиток формальних демократичних інститутів), ознаменовано досить неоднозначними тенденціями. Глобалізація тягне за собою цілу низку значних наслідків, досить вичерпно описаних дослідниками. Серед них виділяють різноманітні завдання, які належить вирішувати людству, що вимагає посиленої уваги до науки, в тому числі й правової. І, очікується, що знання можуть підказати найбільш ефективні шляхи досягнення поставлених цілей і напрацювання нових стратегій. Проте культура стане ще більшим благом, оскільки створює цілісну картину світу. Якщо ХІХ ст. з його переділом світу можна назвати століттям геополітики, ХХ ст. — століттям геоекономіки, то ХХІ ст., імовірно, належить стати століттям геокультури наративів, тобто герменевтики індивідуального досвіду в рефлексії соціального процесу. Сучасні наративи номінують події соціального життя через осмислення в категоріях упорядкування інтересів суб'єктів для нормування пріоритетних відносин. У філософії права нині виник напрям наративної юриспруденції, концептуалізованої в США. Сутність цього напрямку полягає у представленні права, як способу обміну інформацією в міжособистісному спілкуванні.

Наратив — інструмент зв'язності і додання сенсу юридичним нормам людських відносин та їх утопіям. Утопії Платона, зображені в діалогах “Держава”, “Політик”, “Тімей”, “Критій”, засновані на ідеї державності. Утопія у Томаса Мора — це не анархія, а організована держава спільної власності,

заснована легендарним королем Утопом для створення умов розвитку культури та науки. У своїх працях фантаст й візіонер француз Альберт Робіда у 80-х роках XIX ст. написав спершу п'ятдесят статей з власними ілюстраціями, потім опублікував книги "Двадцять століття", "Електричне життя", "Війна в XX-му ст.". У своїх працях він передбачає і описує майбутню революцію в Росії, епоху жорстокого протистояння прибічників різних ідеологій, війн, аварій на великих електричних станціях. А. Робіда стверджує, що для того, щоб людству вижити, необхідно зрозуміти, що той факт, що літак рухається швидше коня ще не означає, що людина стала краще. В короткій сатиричній казці "Вчора зараз" А. Робіда описує, як Людовік XIV і його оточення з'являються в Парижі в 1889 році і, ознайомившись з технічними досягненнями тієї епохи, побажали повернутися до свого часу, оскільки розвиток технології спричиняє регрес людини. Технічна "утопія" стає апокаліптичним наративом. В утопіях виражаються різні і навіть протилежні суспільні ідеали: ліберальні, революційні, прогресивні, що можуть відволікати від "архіважливих" проблем дійсності. Фантастичність утопії містить у собі колосальний спектр можливостей. Якщо Бекон був ідеалізатором сили знань та науки, аристократії духу, то Томас Мор та Кампанелла, а слідом за ним Варас були засновниками утопічних політичних наративів. Якщо відповідно до своїх соціальних симпатій ці мислителі зайняті побудовою ідеальних соціальних систем, то сатиричний гротеск Сарано спрямовано вже і проти дійсності та ідеалів: за руйнівним скепсисом важко помітити його мрію про майбутнє людство.

Проте різниця у ранніх утопічних політичних ідеалах не заперечувала існування єдності. Спільною рисою всіх утопічних мислителів був пошук нових горизонтів. Унаслідок історичних обставин утопія стимулюється до дії, тобто до певних результатів. Це потрапляє відповідно до теорії Т. Бурдера "Форми звичаїв". Її різновид "розумової та когнітивної структури" людей (*habitués*), тобто дії у суспільному житті, який з'явився у давнину. Тобто нинішній геокультурний вимір має певне класичне коріння, хоча в політичній теорії, міжнародних відносинах асоціюється насамперед із вторгненням постмодернізму та теорії хаосу. Причини такого повороту досить складні і не завжди очевидні.

Ряд скритих *habitués* виявилися у взаєморозвитку західних правових наративів з китайським стратегемним правовим наративом. Вчений Мецгер Томас відніс до *habitués* до "китайського утопізму" у формі "страгагем", загорнутих у туман конфуціанських визначень. Тим самим, розкриваючи коріння західної "утопії", що описує прагнення до нездійсненої мети політичної та правової досконалості (у філософії права ми маємо формулювання Канта чистого закону). Кант стверджує, що не тільки ці права є епіфеноменом обов'язку, а навпаки, але також, що "практичний розум" має пріоритет над "теоретичною причиною". Обидві ці тенденції спираються на авторитет китайських філософів. Порівняння конфуціанської етики та етики Канта послуговували трампліном для великого міжкультурного діалогу. Ще в 1757 р. датський адвокат М. Гюбнер у порівняльному дослідженні традиції Китаю та Європи доводить існування природного права в Китаї в стратегемній формі. Про це свідчить факт дієвості китайських традиційних принципів вирішення спорів у контексті наративу гармонії (він-ми-зуй), помірності у всьому, про середній шлях (чхоньюн), концесії або поступливості й уникнення судочинства (*хіси*). У цьому контексті ми можемо зрозуміти, чому Ніцше називав Канта "китайцем з Кенігсберга". Недавні дослідження показують, що ключові ідеї природної філософії Канта також мають джерела в даоській та конфуціанській традиції, які стали відомі континентальній Європі від єзуїтів та популяризовані Лейбніцем і Вольфом.

Нині Н. Партнер звертає увагу на те, що, з одного боку, нарратив — термін постмодернізму, наповнений суб'єктивністю, а з іншого — зв'язок установок свідомого із несвідомим. Рікер досліджує нарративну природу політичного знання й норму регулювання відносин, причини подій, що сталися із всього спектра можливих причин і застосовує процедури каузального зобов'язання. Рікер описує логіку каузального зобов'язання як уявне конструювання ходу подій, послідовно зважуючи ймовірні наслідки реальної події. Як бачимо, в певному вимірі нарративна юриспруденція близька комунікативній теорії права — вона також базується на розумінні права як комплексної соціальної системи, що ґрунтується на взаємних комунікаціях між учасниками правового спілкування. У ході такого спілкування в рамках нарративу про право існує можливість нав'язування ідеологічного вибору, що означає, що концепція права буде підганятися під певну ідеологічно вірну модель. А такий підхід позбавляє юридичну науку автономії, припиняє пошук справедливості як об'єктивного критерію права.

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