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THE INFLUENCE OF THE RULING ELITE ON POLITICAL ACTIVITY IN THE CONDITIONS OF DESTRUCTURING THE ESSENCE OF THE PHILOSOPHY OF LAW

Abstract

Different policy actors have different influences on the process. Most do not directly participate in political life: a particular layer of people called the political elite is more likely to get involved in it. From a philosophical point of view, the political elite is mainly defined as a minority of society, a somewhat independent, relatively privileged group (or a set of groups) that has the appropriate psychological, social and political qualities and is directly involved in the formation and implementation of political decisions related to the use of state power or influence on it. The main goal of the article is to characterise the negative influence of the ruling elite on the formation of political activity in the context of revealing its possibilities of deconstructing the essence of the philosophy of law itself. The methodology was based on the main historical and theoretical research methods that made it possible to achieve the set goal. As a result of the study, the main elements of the negative influence of the ruling elite were characterised, its place in the philosophy of law was determined and which destructuring consequences it has.

Keywords: philosophy, elite, legitimisation, destructuring, philosophy of law.

Introduction

The ruling elite consists of three interrelated elements: the bearer of power is the political elite; the bureaucratic elite includes representatives of the administrative apparatus; the communication and spiritual elite are representatives of mass media, science, culture, clergy. The political elite is opposed by the counter-elite, an oppositional social group that fights for the right to join the elite, seeks to seize power, proposes its own alternative strategy for the development of society, and whatever the consequences of the elite and the counter-elite are all part of the philosophy of law (Wakeling & Savage, 2015).

The problem of political leadership and elite theory in the philosophy of law has a long his-

tory. The word “leader” - leader, leader. Even in Antiquity, the leader was considered a person capable of making history. A specific social situation requires its leader. In each historical period, some theories determined a particular type, image and tasks of the leader. In the political aspect, political leadership is a socio-political process in which one and sometimes several people take on and perform the role of leader of a particular social group, socio-political organisation or movement, state or society as a whole.

Another thing is known. The social significance of the political elite and political leadership depends on the level of political culture and activity of the citizens of society. This is where the field of implementation of specifics is time to examine more closely (Friedman & Reeves,

2020).

In general, the issue of studying the influence of the ruling elite is a common phenomenon. Furthermore, there is even a so-called theory of elites. Elite theory is a worldview and philosophical concept of the role and significance of a particular group of people, a small, close-knit part of society (the elite), and its impact on various spheres of economics or politics. This system characterises the evolution of scientific and social achievements (transformations) due to the combined efforts of a small group of participants linked by common goals and characteristics (Cunningham & Savage, 2015).

The 21st century is a period of social transformation, numerous models of political development, and different approaches to interpreting history. Power relations have played the role of stratification and class formation throughout the history of human society. It is the elites that generate and affirm norms, values, and culture. The elite's power is rooted in the set of ideas and ideologies inherent in a particular era. The personal abilities of the elite allow it to occupy strategic positions in government structures and act effectively to implement the ideas and ideologies it professes. From a philosophical point of view, the elite is, to some extent, a mirror of the era, its wealth (Monteath & Schimpfössl, 2019).

The article's primary purpose is to characterise the negative influence of the ruling elite on the formation of political activity in the context of revealing its possibilities of destructuring the essence of the philosophy of law.

Methodology

To achieve this goal, we have used several methods that shape our methodology for studying the negative influence of the ruling elite on the formation of political activity in the context of its possibilities of destructuring the essence of the philosophy of law, namely some formal-logical, systemic, structural and institutional research methods. Also, methods of general analysis and

synthesis, abstraction and analogy were used. Historical methods of analysis are used.

Research Results and Discussions

Now the "elite" is viewed by representatives of various scientific specialities and practices, expert environments from different angles, in different scientific and worldview planes. Such significant attention to the elite phenomenon is explained by the fact that a significant number of representatives of society (despite their excellent political and social status) understand that the fate of the nation depends on the actions and position of the Ukrainian elite. There is also the belief that elite inability is the critical problem of all shortcomings. Therefore, it is not surprising that in the last decade, almost a third of the respondents, among the dominant factors that divide the citizens of different regions, named the political elite - which was stated in the course of the survey by every third respondent (He, 2018).

Since the era of Antiquity, the entire philosophical, scientific world has been interested in the problems of the formation of the political elite because the aristocratic (and later simply the popular) elite was the basis for the formation of state power. Philosophy in ancient times became the basis of all applied sciences and the basis for research. Therefore, on the day of Antiquity, the elite concept was clearly formulated by the philosopher Plato. In the dialogue "State", the philosopher constructs an ideal state system in which society consists of three complementary social strata (Hayo & Neumeier, 2014):

1. rulers-philosophers;
2. warrior guards;
3. agricultural producers and artisans.

These states correspond to the three parts of the soul: reason, will and feeling, as well as the three basic virtues: wisdom, courage and moderation. The primary condition of the fourth virtue – justice (common to all) - is that each group does its own thing and does not interfere with others.

In the Middle Ages, where the starting point of all thinking was the Christian religion, which proclaimed the equality of all people before God, the ideas of elitism did not have a significant basis for research by the philosophers of that time (Barr, 2009). Despite this, we find specific elitist ideas in the “church fathers”. In particular, the systematisation of the Christian political concept – “On the rule of lords/kings” outlined his vision of a hierarchical society, according to which to rise above one’s state is a sin since God establishes this division. Philosophers, drawing an analogy between man and power, noted that as the human body depends on the soul, the secular power must obey the spiritual and recognise God’s will. Since the representatives of God on Earth are the ministers of the church, headed by the Pope, they are the highest executions of society. In the Renaissance, there was a departure from the theological interpretation of the role and place of the ruling stratum in government. The most prominent representative of the socio-political thought of this period was Niccolo Machiavelli, who was one of the first to declare the need to differentiate and balance the power of the ruler, the nobility and the people. He, unlike his predecessors, abandoned the idealisation of political mechanisms, deciding to explore the mechanisms of real politics (Pakulski, 2018).

It should be noted that even though anthropocentrism dominated in the Renaissance and, accordingly, individualistic motives in the work of thinkers are strengthened, the philosophers of that era created the image of a political leader and formulated the concept of a substantial initiative minority manages society.

Meanwhile, in the 19th century, classical political ideologies emerged, whose representatives considered the population’s participation in government in different ways. Thus, although the ideologists of conservatism allowed certain modifications, as the philosophers of that time noted, the priority of continuity over innovation.

Nevertheless, the supporters of liberalism, among other things, advocated the admission of

representatives of the “third estate” - the bourgeoisie - to govern the country. The ideologists of socialism criticised both the feudal and bourgeois formations, proposing instead a new order characterised by a high level of social justice and equality. The views of the classics of Marxism who believed that the masses played the decisive role in the social development of humankind, and not the elite, had a significant influence on the development of political thought. Furthermore, they came up with the idea of building an anti-elite society. This, in their opinion, will be achieved as a result of the proletarian revolution, the establishment by the ruling (working) class of the dictatorship of the proletariat and subsequent reforms. As a result, people will live in a communist society, in which, as in the primitive communal society, there will be no division into classes (Markoff & Montecinos, 2001).

End of the 19th century - the beginning of the twentieth century. A kind of “challenge” led to “answers” - the first serious attempts to systematise and generalise the disparate ideas of elitism appeared.

Based on value theories in the 60s of the twentieth century. The democratic theory of the elite (“democratic elitism”) became widespread. They tried to combine the theory of elites with the theory of democracy, which contradict each other in a certain way. In their opinion, democracy does not eliminate elitism and is characterised not by the absence of the elite but only by a new mechanism for recruiting the elite - competition and the level of control over it by the masses. Moreover, the preservation of democracy depends on the elite, which plays the role of a stabilising factor since it opposes the anarchic tendencies that are characteristic of the masses. Today, this theory appears to be the most widespread in the West, requiring a separate detailed study of its genesis.

It is common knowledge that the political elite is defined by two criteria: the functional one that assumes those who are elected or those who govern us, and the value that covers those worthy

to rule. Ideally, these criteria should be maintained. The essence, philosophy and goal of democracy are precisely in bringing society closer to this ideal: democratic institutions are introduced so that, on the one hand, those who are worthy to rule, on the other, so that those who are worthy to rule have such an opportunity. This political elite, which grew up under the conditions of the union state, did not form as a real elite and therefore turned out to be incapable of solving national tasks.

Concerning their group (community), the following main functions of the political elite are distinguished (Lefkowitz, 2020).

1. Formation of the political and philosophical (ideological) foundations of the development of society as a whole and the direction of movement of the group, represented by this elite.
2. Development of political strategy and tactics and mechanisms for implementing the political will of the group given.
3. Political representation of the community in relation to the subjects of politics and the authorities.
4. Regulation of activities for the political representation of their group (community), strengthening or limiting its intensity.
5. Selection and preparation of the personnel reserve of the community.

So, the elite develops the ideology and basic principles of political strategy (goals, objectives, general calculations of benefits and public expenditures) and tools for its implementation (coercion, agitation, etc.), indirectly leading the overall political practice.

The political elite of the ruling class includes, as a rule, top management cadres and ideologists (intellectuals, bohemians, clergy). They are selected mainly from representatives of their condition, and they are significant material and social positions.

At the same time, two opportunities for replenishing the political elite are often realised (Aitamurto, 2012):

- the transition of some ideologists and politicians to the service in a “more progressive” (promising in terms of career) state;
- constant selection of talented individuals from conquered states by providing them with privileges and professional and material growth opportunities.

In addition to these social groups, the elite includes family members of influential persons from economic, administrative, and political circles. By the way, the mechanisms of family and personal ties, patronage significantly affect the way the elite functions, and this should be taken into account in the analysis of public life and when planning political actions.

In the modern world, the political elite is represented by the former party, trade union, Komsomol functionaries, as well as representatives of the nationally democratic strata. The first, having come to power in the absence of perfect laws, basically began to satisfy their own interests, following the principles of the morality of the old Communist Party nomenklatura: admiration for those who are at the highest level of power and disregard for those who are below the power. The latter, lacking professional skills and management skills, showed helplessness in solving complex social and economic problems, as a result of which they practically left the political scene, but did not forget, guided by the morality of the “new bourgeoisie” and its disregard for the law, to enrich themselves personally.

The essence, purpose and role of political elites is currently a debatable thesis in the realities of many countries. The very fact of their presence is still in question. In terms of philosophy, the main feature of the elite feeling is heightened responsibility (Bühlmann, Benz, Mach, & Rosier, 2017).

The main problems of the formation of the elite and the political class of the countries of Eastern Europe, in particular Ukraine, are advisable to include (Zhang & Meng, 2018):

- oligarchization of elite groups, their alienation from other strata of society and transforma-

tion into a closed privileged caste. This process was most striking during the transition from communist-nomenclature totalitarianism to post-communist-nomenclature neo-totalitarianism;

- the negative influence of the phenomenon of the “party of power” – special institutions, which are characterised by a high degree of mutual responsibility and clan obligations, a tendency towards authoritarianism, a combination of the nomenklatura and oligarchy, the state apparatus and property;
- de-ideologisation of party programs of political parties and movements contributes to the growth of electoral support;
- a gradual decrease in the permanent public “war of elites” and their consolidation around the possibilities of using state-administrative resources in order to satisfy their selfish interests by monopolising specific segments of client-patronage networks, their change and redistribution;
- the desire of a large number of people to join the elite and acquire a significant social status, despite the lack of the necessary natural talents and possible potential, by obtaining a prestigious education or profession or “enrolling” to a passing place on the party’s electoral list, supposedly open the way to “a brilliant career”;
- creation of favourable conditions for the purposeful manipulation of the consciousness of the broad masses of the electorate due to the neglect of the law, the dominant role of the individual over society in the conditions of total computerisation and globalisation.

As we have already noted, the elite plays a decisive role for any society because it performs certain functions inherent only to it. Among the general functions of the world’s national elites, scientists distinguish the following: transfer of experience and information accumulated by the nation and humanity; creator and bearer of knowledge; creation of reasonable opposition to various kinds of dubious social transformations,

ideas of sustainable development, innovative and adaptation processes; active promotion of domestic experience and knowledge in the global information space; leadership in shaping public policy and culture, etc.

Regarding this, it must be stated that the activities of the managerial elite today are generally not sufficient to solve specific problems because they do not rely on the solution of socio-economic problems, but mainly on the satisfaction of their interests, which in fact do not run away with state needs and the solution of problems of state development. Regarding that, today, numerous issues remain unresolved, primarily related to the security of the state, as a result - an increase in the unemployment rate, an increase in inflation, an increase in the level of migration of the working part of the population due to unemployment and low wages, an increase in the level of crime, the closure of small and medium-sized businesses. This infers the development of a global influenza pandemic and the like (Fukuyama, 2016).

So, the elite has not yet been able to break out of the clutches of an outdated worldview, the rhythm of modern global civilisation transformations is not felt, this is true, in our opinion, the statement corresponds to the management actions of the elite and allows us to conclude its effectiveness.

As a result, the functioning of this management system, in our opinion, is not only ineffective, but also accompanied by numerous violations and non-compliance, namely: the adoption of laws in compliance with the principles of democracy, the preservation of integrity. state borders, ensuring low-quality economic and social conditions for the development of the population.

So, we can conclude that the domestic elite, namely its development and formation in a modern state, has a wrong structure, is associated primarily not with the order established by law, but with the prevailing informal procedures for entering power, because most of the representatives entered the power structures, namely, the

state administrative apparatus, were actually recruited from business people who have significant material resources and help to satisfy the interests of power structures, as a result - the formation of wrong relations with the suspension, avoiding dialogue with him and solving problems in their favour.

Summing up, it is advisable to note that there are no uncontrollable societies, and indeed there cannot be. Just as state formations cannot exist without their elite and political class, however, in order to solve the above problems, their formation and creation must be carried out deliberately. This will be facilitated by the entry into them of a significant share of the middle class. The representatives of this class become the main factors of socio-economic development, the basis of the political class and form the political elite. However, there is a significant threat so that their assimilation does not occur during their entry into power, their transformation into a quasi-elite, which, having acquired real elitism, will be able to reformulate its previous value priorities and orientations.

It will be essential to use more broadly the approaches of meritocracy - a new philosophy and mechanism for the formation of the elite through its saturation, selection and circulation of honest, talented and capable people. Creation of appropriate social and political "elevators" for this. There is no need to restrict freedom of speech and introduce censorship on criticism of the government, its individual representatives and political parties, which ultimately do not comply with the European standards and international norms and the totalitarian regimes proper. Representatives of the political elite and the political class must consciously and honestly adhere to the principle declared by W. Churchill: "The difference between a statesman and a politician is that the next elections guide a politician, and a statesman is oriented toward the next generation".

The compliance of the legal elite with the challenges of the time should be a guarantee of

the spread of fundamental values in the development of society. The respective guarantees are (Davoine, Ginalski, Mach, & Ravasi, 2015):

- the ability to understand the essence of the processes that take place in the state, and to assess contemporary events from the point of view of the basic values and historical prospects of the state and have the quality of a historical vision of the possible prospects for the development of the state and law;
- the ability to carry out communication and interaction between the authorities and the people, to be tied to the fate of the state and to equip life in their country. We must look for strength in the depths of the people, and there is at the genetic level historical and national consciousness, sincere concern for the fate of the country and the people. For the legal elite, its ability to identify with society, its history and culture are essential. Otherwise, the state is threatened with the loss of sovereignty - first "soft" subordination to another culture, and then complete dependence on foreign intervention. The experience of many countries has shown that such a problem is especially acute in periods of profound changes, self-determination of peoples in transitional eras, accompanied by significant national losses, landslides in national values, destruction of stereotypes, habitual ideas, established structures.
- to participate in the definition and implementation of long-term tasks of the state. Domestic and international experience shows that introducing alternative methods of dispute settlement and the justice system is a practical prerequisite for resolving legal disputes. At the same time, among the main problems facing the institutionalisation of the practice of mediation, modern researchers and lawyers name: the imperfection of the legal framework for mediation; lack of qualified professional mediators; low level of legal culture of the population; low level of trust in such a service; insufficient level of awareness of citi-

zens about mediation, its advantages as an alternative to legal proceedings, and the like.

- to realise that one of the main reasons for political, economic, and legal instability is society's low level of legal culture. In current conditions, democratic changes in the legal culture of a society are the basis for changing the legal culture of the political elite. Under the pressure of democratisation processes, it is the moral dimension of the functioning of the political elite that should become a determining element in the formation of partnership relations between the government and society, a factor in stimulating the high professionalism of government bodies. The main source of the formation of the legal culture of state authorities and modern Ukrainian society is its own legislative and law enforcement practice of the state;
- act as the central conductor of fundamental legal values based on scientific achievements and comply with European and international standards. The starting point in the processes of forming the legal culture of society and the legal socialisation of citizens should be a system of new values compared with the eclecticism of the transitive stage. It seems that it is the value-based and only on the basis of it - the normative content of law - that leads the progressive development of public legal consciousness and legal culture.

The professional activity of representatives of the legal elite should ensure the high-quality functioning of the legal system, the main goal of which is to establish justice. The legal culture of modern society combines the features inherent in the public consciousness of the past (the prevalence of collectivist sentiments and the priority of social rights in the value system) and the features of Western liberal legal consciousness (the priority of individual freedom).

Conclusion

Despite the persistence of theoretical disputes

around the concept of "elite", scientists are unanimous that a minority and a majority can be distinguished in any society, and the first part plays a much more significant role in society than the masses. It should be borne in mind that the elite, in contrast to the oligarchy and aristocracy, which are also characterised by the presence of the elect, is obliged to recognise the public. The elite should be understood as a relatively small social stratum that unites relatively closed groups that occupy high positions in the hierarchy of status and power, access to which is limited by a mechanism of rather strict selection, can create samples of social needs and behaviour, and carry out predictive activities in society; under the political elite, we propose to consider a relatively small structurally integrated privileged group or a set of groups that is a minority of society, has unique socio-psychological qualities, values, vision, attitudes and occupies a high social position, which gives it the opportunity, having the necessary power resource potential, to be the subject of preparation and adoption or influence on the adoption / non-adoption of strategic decisions and dictate. As a result, the rules for organising life in society. The problem of the genesis of the political elite has gained relevance since ancient times and is in the field of vision of modern scientists-philosophers.

As a result of the study, the main elements of the negative influence of the ruling elite were characterised, its place in the philosophy of law was determined and which destructive consequences it has. Further research requires the study of ideology and philosophy, the introduction of the political activities of the ruling elite in individual countries of the world.

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