

Ontological Core of the Social Concept of Global Constitutionalism: a Socio-Philosophical Analysis of Content and Evolution

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This article explores the development of the conceptual foundations of the social concept of global constitutionalism. It is proved that the evolution of ontological principles in global constitutionalism is due to a system of processes: 1) the convergence of neoliberalism and neoconservatism, due to the gradual washing out of the philosophical core in them, its replacement by political technologies that justify the practice of satisfying the interest of political classes and population groups; 2) the formation on a planetary scale of a single global governing class headed by a single system of elites; 3) the formation of a single financial and economic basis for further globalization of socio-political and state-legal development in national states; 4) the formation of a single general goal of the global governing class, which has a purely practical (rational) nature, subject to the logic of preserving power and property in the hands of global governing elites — the preservation and development of the world capitalist system. Thus, global constitutionalism acts as a social concept that justifies the globalization of the socio-political, state-legal, financial and economic structure of national states and societies, filling it with content. It substantiates the position that the social concept of global constitutionalism in the ontological, epistemological, methodological and axiological terms has incorporated the most rational concepts and constructs not only from neoliberal and neoconservative, but also from national socialist (Nazi) and fascist social concepts. Examines the impact on the evolution of the ontological principles of social concept of global constitutionalism content of the ontological principles and other social concepts. It substantiates the position that the ontological perception of the world picture in the framework of the social concept of global constitutionalism as a whole is built on the basis of neoliberalism and neoconservatism that prevailed in the Western world, being the most rational systemic updating of their principles. The goal of research: to investigate the genesis of the ontological principles in global constitutionalism. Subject of research: theoretical content and stages of development of ontological principles in global constitutionalism in relation to its social essence.

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Introduction

Research questions of the ontological principles of modern social concepts are considered in the works of Bardo Fassbender [Fassbender, 2009: 529-614], Dieter Grimm [Grimm, 2010: 282-302], Gerd-Klaus Kalterbruner [Kalterbruner, 1975: 111-129], Irvin Kristol [Kristol, 2005: 5-11], William Kristol [Kristol & Kagan, 1996], Lyudmila Mikeshina [Mikeshina, 2013: 27-43], Stephen Matthew [Matthew, 2009: 483-498], Jean Brickmont [Brickmont, 2006], Jürgen Habermas [Habermas, 2001: 766-781], Friedrich Hayek [Hayek, 2005], Michael Hardt [Hardt, 2006], Neil Walker [Walker, 2008: 519-543], Vladimir Yakunin [Yakunin, 2019], etc. However, the share of researches consecrating the genesis of the ontological principles of the prevailing interpretations of the definition of social reality on a global scale (in particular, the social concept of global constitutionalism) in the context of the development of basic social and philosophical approaches to ensure the comprehensive development of national societies and states, provided that a balance of international (global) and national (state) interests in all spheres of their life in connection with the plan the measured expansion of Western interpretations of the social structure is exceptionally small. In this regard, the main goal of this research is to analyze the genesis of the ontological principles and the development of global constitutionalism, and the subject of the study is the theoretical content and stages of development of ontological principles in global constitutionalism in relation to its social essence.

Evolution of ontological principles in global constitutionalism

Due to the fact that the social concept of global constitutionalism was formed in its modern form at the turn of the 90s of the 20th century, largely as a product of the joint development of social concepts of neoliberalism and neoconservatism, at the moment it is the main matrix basic social doctrine of the Western world in the broad sense of the word (the world capitalist system).

This necessitates a detailed analysis of the evolution of ontological principles in global constitutionalism in order to identify its ontological nature.

The socio-philosophical institutionalization of globalization of the socio-political, state-legal and financial-economic structure in national states and societies was due to the formation and course of a number of interconnected and interdependent processes.

First, as the social concepts of neoliberalism and neoconservatism developed, the philosophical core was gradually washed out in them, emasculated and replaced with political technologies that justify the practice of satisfying the interest of political classes and population groups. As rightly notes Ludmila Mikeshina: “We have before us an interesting phenomenon:

a “system” is created without reliance on logicism, that is, without identifying the logical foundations, principles, elements of the system, and yet a complex functional system arises in all its structure and functions in society” [Mikeshina, 2013: 43].

Neoliberalism and neoconservatism, with the loss of the philosophical core that individualizes them, more and more turned into eclectic ideological and political teachings, formally different, but actualizing the commonality of internal goal-setting.

As rightly noted by some scientists: “Modern neo-liberalism is a many — sided ideological and political phenomenon. This is political philosophy as a conceptual and theoretical basis for a certain political ideology, and a political strategy that defines the vector of development and transformations of various political entities. This is a living political practice aimed at implementing the principles and strategic principles of the neoliberal doctrine” [Khmelinin & Rusakova, 2014: 41].

Modern neoconservatism is also multifaceted, and its difference from the modern philosophical concept of neoliberalism is in many ways a product of the mythologization of public consciousness [Byzov, 2010: 3-44], one of the options for the voters to offer a fictitious alternative to social development [Habermas, 2001: 766-781].

In addition, the ontological essence of the dominant social concepts of neoliberalism and neoconservatism in the world, was strongly influenced by the basic scientific ideas of the 20th century.

Secondly, in the second half of the 20th century, within the framework of the world capitalist system, a single global governing class began to take shape, headed by a single system of elites. Separate segments of the global management class were formed much earlier. So, the main royal houses of Europe, as well as the oldest aristocratic surnames of Europe, some countries of Latin America, Africa and Asia are in close relationship, formed several centuries ago. Therefore, a number of scientists believe that at present a global elite has been formed on the basis of national state elites that does not identify with any state or nationality [Robinson, 2012: 349-363].

Thirdly, the global governing class (global elite) began to rely on a system of transnational corporations, interconnected economies of national states, a single market, which formed a single financial and economic basis for the further globalization of socio-political and state-legal development in national states. With the collapse of the USSR, the implementation of its remains, as well as the countries of the former CMEA and China, in the world economy, the world capitalist system has acquired a global character that has no competitors [Jalata, 2013: 156-178].

Fourthly, a single general goal has been formed for the global governing class, which has a purely practical (rational) character — the preservation and development of the world capitalist system. In this regard, the political, philosophical and ideological support of the power of the global governing class now henceforth has a purely rational core.

Moreover, this goal should not be idealized as the ultimate goal of the global governing class. It is subordinate to the logic of preserving power and property in the hands of global governing elites.

In the modern system of coordinates of the organization of socio-political, state-legal and financial-economic structure, this goal is ensured by the preservation of the world capitalist system.

In the case, for example, if society is turned into a new archaic — the new Middle Ages, or a new slave system, or new feudalism (in particular, as a result of a new world war, and

subsequent chaos, a series of revolutions), then, of course, a global the goal will be to preserve the world's slave, feudal, etc. systems, any of which will meet two parameters: a) be global in nature, extending its effect to all countries, as well as to all areas of the socio-political, state-legal and financial-economic structure; b) ensure the preservation of power and property in the hands of global governing elites.

The choice of a specific form of government (monarchy or republic), political regime (democratic, totalitarian or authoritarian), state structure (federal, confederal, unitary) will be determined in the case of the collapse of society into archaic purely pragmatic factors.

Those forms will be chosen that will provide the maximum likelihood of fulfilling the main goal facing the global governing class: the preservation of the power and property of the elites on a global scale.

At the same time, these forms should provide: a) a minimum of costs for power elites while ensuring the preservation of power and property in their hands; b) the stability of the system of socio-political, state-legal, financial and economic structure in terms of the possibility of its change, destruction, collapse, collapse under the influence of various external and internal factors of an objective and subjective nature (world revolution, revolt "from above", revolt "from below", the degradation of global governing elites to a state of inability to retain power, the formation of counter-elites on a different value system, the opposite of the logic of preserving global governing elites, social inequality, exploitation of man by man, etc.).

Due to the fact that the global governing class has now formed a common goal — to preserve the world capitalist system, which provides them with a "status quo" and an elite position in society — they have the task of creating a mechanism to ensure the fulfillment of this task.

An important place in this mechanism is occupied by the need to create and develop a social concept that justifies the globalization of the socio-political, state-legal, financial and economic structure of national states and societies, filling it with content: ontological, through which one's own perception of the picture of the world will be formed; epistemological, determining the direction of the study of reality, cognitive construct and the concept of cognition of the world; methodological, justifying the totality of receptions, methods, methods of cognition of the surrounding reality, the laws of its formation, development; axiological, by means of which a worldview concept is formed in a finally structured systemic form that explains the guidelines and meaning of being, value orientations of the meaning of life, which could be used in the present, transformed in the future and passed on to future generations.

This social concept should become the basic main and matrix for the global governing elites, which is due to the unity of purpose.

At the same time, it is assumed that within the framework of individual national states and societies (especially: Asia, Africa, Latin America), the concept of global constitutionalism can use the first stages (formation and popularization, penetration of territorial and substantive) local religious, cultural, national and even class specifics [Walker, 2008: 519-543].

In addition, the global governing class is also not homogeneous in its mass. It includes: old continental elites, represented by aristocratic clans, leading their history from the 5-6 centuries of our era, intermarried with the old Jewish capital, old Jewish elite clans, the top of the rabbinate and Jewish communities; Catholic clergy represented by the Vatican; "New money" represented by the Anglo-Saxon and Jewish "rootless" big bourgeoisie; the old aristocratic elites of Japan and Asian countries; the new Gulf monarchies associated with the British Crown and American elites; India's old aristocracy associated with the British elite.

All this leads to the fact that in the presence of a common goal, global constitutionalism becomes a purely rationalistic socio-philosophical concept that sets a real, material goal — the preservation and development of the world capitalist system, as the most relevant form of preserving the power and property of global governing elites at the present stage human development.

The modern social concept of global constitutionalism in ontological, epistemological, methodological and axiological terms has incorporated the most rational concepts and constructs of neoliberal and neoconservative social concepts.

Of great importance in forming the basis of the social concept of global constitutionalism was the practice of the existence of national socialist ideology in Nazi Germany and the ideology of fascism in Italy in the 20-40s of the 20th century.

In fact, the ideology of national socialism and the practice of its implementation in Nazi Germany, as well as the ideology of fascism and the practice of its implementation in fascist Italy is the first attempt of globalization, socio-political, state-legal, financial-economic structure of society and nation-States, combining ideological constructs conservative, liberal socio-philosophical orientation in the context of nationalism with elements of social justice “for their”. While fascism and nationalism was largely the product of neoconservative and neoliberal ideology in Europe in the early 20th century [Mochkin, 2008]. Fascist ideology, implemented in fascist Italy, having much in common with German national socialism, despite the declared anti-liberalism, was based on corporatism [Pinto, 2017], undermining the foundations of democracy in governance, statism, traditionalism.

The main method of promoting the goals of national socialism and fascism was direct military expansion, coupled with financial, economic, ideological, and cultural expansion. It was a kind of experiment on the use of various elements of different socio-philosophical concepts to achieve a single result.

However, western socio-philosophical thought (neoliberal, neoconservative, theological concepts within the framework of both philosophical movements), with formal condemnation of the same generated monstrous ideologies of fascism and Nazism, took many philosophical constructs of nazism and fascism in the formation of the social concept of global constitutionalism.

Influence of neoliberalism and neoconservatism

Let us consider the evolution of the ontological principles of global constitutionalism in the context of their conditioning by neoliberal and neoconservative ontological constructs.

From the neoconservative social concept regarding the ontological perception of the picture of the world by global constitutionalism, the following principles were adopted.

First, developed in the framework of neoconservatism at the turn of the 19th-20th centuries, the perception of social life as a kind of independent of man given, formed and established from above.

And since the direction of development of social being does not depend on human activity, the essence of its development is determined by the need to preserve the existing reality. This provision, with its origins, goes into the philosophy of dynamic conservatism, according to which, progress coincides with “sustainable development”, suggesting the preservation of a developing system [Podgorski, 2016: 349-376].

From the position of Russian neoconservatism, according to some authors, social reality is perceived as being established above the order of the Universe, combining, on the one hand, unity and integrity, on the other, diversity and inconsistency, in the categories of religious dialectics (good and evil, vice and virtue) [Arefiev et al., 2015: 26-36].

In the context of global constitutionalism, this means updating the issue of preserving the world capitalist system and its development in that part in which it is necessary to maintain the equilibrium of the system itself in order to prevent the development of events to destroy or radically change it.

Secondly, the commitment to the supernatural origin of the highest state power, formed in the framework of the social concept of neoconservatism (almost from the first stages of its appearance). Thus, US President George W. Bush, who was a political figure — a protege of the neoconservatives, repeatedly noted that “the American nation is chosen by God and history in order to be a model of justice for the rest of the world”, that he hears the “commandments of God” to take important decisions in the fate of the world, etc. [Bush, 2003].

In the framework of the national concept of neoconservatism, this was expressed in the wording of the Constitution of the Russian Federation, adopted just in the era of the complete domination of the neoconservatives in the United States, in which “the bearer of sovereignty and the only source of power in the Russian Federation” was declared “its multinational people” [Russian, 1993].

In the context of global constitutionalism, this means updating the issue of building a state mechanism according to common standards on a global scale.

Thirdly, giving democratic values, which form the basis of socio-political, state-legal and financial-economic organization of national societies and states, of a sacred nature. Moreover, democratic values themselves are declared the highest value, an ontological ideal, standing above the interests and needs of individual individuals and society as a whole. This gives rise to a certain contradiction, since, according to Tair Makhamatov: “As a society itself, democracy is a living, developing system and its constituent elements are interconnected and form a dialectical unity in its historicity” [Makhamatov, 2004].

In the framework of the domestic concept of neoconservatism, this was expressed in the priority nature of democratic rights and freedoms, which are declared by the current Constitution of the Russian Federation the highest value [Russian, 1993].

In the context of global constitutionalism, this means that democratic values form the foundation, the basis of the state legal, socio-political and financial-economic structure of society and the state.

Fourthly, giving the West as a civilizational project a messianic character by virtue of its activity as a conductor of democratic values. So, in the opinion of William Kristol and Robert Kagan: “The United States is called upon to carry out humane global hegemony (the English benevolent global hegemony) throughout the world on the basis of its international influence and authority that arose as a result of the international and defense policies of past years” [Kristol & Kagan, 1996].

Moreover, this messianic role involves not only the recognition and promotion of democratic values to the world in their Western sense, but also their active promotion by any means (up to the military). So, Irving Kristol notes: “Faced with extraordinary events, the United States will always feel its duty by all means to protect a democratic nation from the attack of undemocratic forces, external and internal” [Kristol, 2004: 170-174].

However, within the framework of the Russian concept of neo-conservatism, “Westernism in its radical liberal form appears as the main threat to all aspects of Russian identity and Russian culture ... the ideology of Eurasianism and its political orientation towards the Eurasian Economic Community (EurAsEC) are recognized and promoted as an international economic organization of a number of post-Soviet states engaged in the formation of common external customs borders, the development of a single foreign economic policy, tariffs, prices and other their components of the functioning of the common market” [Arefiev et al., 2015: 31-33].

In the context of global constitutionalism, the messianic role of the West means that it has the right to impose Western state-legal, socio-political institutions, principles, connections, relations, ideas with the help of the formed single managing centers of regulation and control of national states.

Fifth, the traditionalist nature of the ontological essence of this socio-philosophical concept.

This principle is well disclosed in the work of Gerd-Klaus Kalterbrunner’s “Difficult Conservatism”, where he calls as the main principles of non-conservatism: “1) continuity; 2) stability; 3) order; 4) state authority; 5) freedom; 6) pessimism” [Kalterbrunner, 1975: 111-129].

The Russian neoconservative philosophical school considers traditionalism not through the prism of rationalism in the activities of national and international elites, the work of the state mechanism, but as a commitment to cultural, moral, religious traditions and customs.

At the same time, traditionalism in the context of global constitutionalism is expressed as the need to build a strong power vertical on a global scale with the assumption of any reforms that only contribute to its strengthening, improvement, but not change.

According to some researchers, this principle was actualized by the growth of revolutionary sentiments in the world, especially in the countries of the Middle East [America’s, 2019].

From the neoliberal social concept regarding the ontological perception of the picture of the world by global constitutionalism, the following principles were adopted.

Firstly, the substantiation practically since the founding of this socio-philosophical concept of the role and significance of law as one of the basic ontological foundations of globalization processes of the socio-political, state-legal and financial-economic life of society.

At the same time, in the framework of the neoliberal social concept at the present stage of development, the following evolutionary change can be noted: with the growth of globalization, international law is often replaced by a more vague and ambiguous category of international morality.

In the context of global constitutionalism, this means that law is defined as one of the main tools and forms of globalization of the structure of nation states, societies and their relationships.

Secondly, the formal substantiation of the personality as the peak and end in itself of globalization processes through the prism of the concept of law. Moreover, within the framework of the modern neoliberal concept, the ideas of freedom, equality, the interests of man and citizen are being transformed. On the one hand, the problem of human rights and freedoms is being exaggerated as the highest value, and on the other hand, the rights and freedoms themselves are defined not as a conscious choice in a particular state-organized society (a conscious need), but as an ideological construct created within the framework of Western civilization project and imposed on any society on a planetary scale.

In the context of global constitutionalism, this means linking the rights and freedoms of the individual with the need to organize interstate, state and public life on a planetary scale in

accordance with the ideological basis of the modern stage of development of capitalism in the world by any means and means.

Thirdly, the justification of justice as the highest democratic value. Moreover, the category of justice itself is rather vague and indefinite, so what is true, for example, for the global governing class, in particular, and the West as a whole, can be a blatant injustice for the rest of the world.

In the context of global constitutionalism, this means that the idea of justice is completely repaired by the main goal of the development of the world capitalist system — the preservation of the global governing class and its control over power and property on a planetary scale.

Fourth, the concept of social progress as a process of the comprehensive development of individuals. In the context of global constitutionalism, this means that the processes of globalization of the socio-political, state-legal and financial-economic structure of national societies and states are considered as the only possible option for social progress.

Fifth, rationalism as a conceptual essence of social development at its present historical stage.

So, the whole essence of the processes of globalization of the socio-political, state-legal and financial-economic structure of national societies and states is due to purely rational reasons and goals: the need to preserve the world capitalist system; minimizing the costs of its development by exporting them from the countries of the “core” of capitalism to the peripheral capitalist states [Wallerstein & So, 2000: 868].

Sixth, the market within the framework of the neoliberal social concept is presented as one of its ontological basic constructions, which have independent value.

Russian neoliberal philosophers also ascribe an independent role to the free market and consider it to be the basic value that determines the ontological content of the development concept of the Russian Federation [Gaidar, 1997; Mau, 2016].

Thus, from the standpoint of global constitutionalism, freedom of the international market acts as acts, on the one hand, as one of the ways to minimize the costs of the world capitalist system, and on the other hand, as one of the methods of expansion of the West on a global scale.

Influence of national socialist ideology and ideology of fascism

From the national-socialist (Nazi) social concept regarding the ontological perception of the worldview by global constitutionalism, the following principles were adopted.

Firstly, the idea of globalization of the world, invested at the first stage in the concept of its regionalization in the form of creating a united Europe under the rule of the Third Reich. So, Traudl Junge noted: “Everything was put at the service of one goal of creating a united Europe under German rule” [Junge, 2011].

It was Nazi Germany for the first time that allowed the possibility of the dissemination and application of uniform standards for organizing state-legal, socio-political and financial-economic systems on a planetary scale, imposed by any available means [Fassbender, 2009; Grimm, 2010: 282-302].

Secondly, the idealization of the Nordic and “Aryan” races with the spread of elements of democratic socialism to it, with respect to the “non-Aryans”, it was proposed to use the institutions of anti-semitism, chauvinism, social Darwinism, and “racial hygiene” [Baur et al., 1921].

In the context of the concept of global constitutionalism, these ideas are actualized through the idealization of the Western system of democratic values, in contrast to the inferiority of any others. By virtue of this, the forceful elimination of states and governments that support and enforce any value ideals that contradict the Western model is allowed.

Thirdly, anti-marxism, anti-communism, anti-parliamentarism of the real type [Frei, 1993]. In the context of the concept of global constitutionalism, these principles are updated through the denial of direct popular democracy as the power of all, or the majority power with its inherent forms (popular referenda, direct elections of government officials, etc.). In addition, the very concept of global constitutionalism has consistently denied any legal forms developed within the framework of socialist law, for example, the sovereignty of the councils of people's deputies.

Fourth, the mystical illogical justification of the primacy and perfection of the West, the Western way of life and Western values over others. Within the framework of Nazi ideology, this was carried out in the form of mythologizing the Third Reich, using the technologies of medieval mysticism [Zollmann, 2014: 494-496]. In the context of global constitutionalism, this is carried out in the form of the mystical nature and nature of the highest value of democracy, human rights, etc.

Fifth, the dehumanization of society, its demoralization and deculturalization. In particular, Nazi ideology moved along the path of a gradual departure from Christian values, the liberation of man from the "fetters" of morality, plunging into mysticism, the search for an "ideal prototype of culture" through the artificial creation of pseudocultural values. [Paylor, 2015: 154-172]

A number of scientists note that we can observe the evolution of the ontological principles of the "culture of death", the continuity of the Gnostic ideology before and after the Third Reich: "The aggregate West has always had and has its own esoteric nucleus of the "civilization of death" based on ultra-diagnostic ontology. And it is within the framework and with the help of these ultra-diagnostic kernels of the West that its semantic dialogue takes place with the "kindred" East. Including the infiltration into the West of the death virus described by my colleagues" [Bialyi, 2002].

In the context of global constitutionalism, these principles are updated through the withdrawal of society from traditional Christian values, on the one hand, and through the creation and implementation of artificial value orientations (for example, "the rights of people with non-traditional sexual orientation" in the public world view, morality).

From the fascist social concept (or rather, the practice of its implementation in fascist Italy) in terms of the ontological perception of the worldview by global constitutionalism, the following principles were adopted: the rejection of equality for all; the inhumane nature of the practice of democracy for the elect towards all; corporatism, in which real democracy as the power of the majority is replaced by imitation structures and processes of determining public opinion; introduction to the ontological essence of elements of non-classical anthropology.

In the context of global constitutionalism, these principles are updated, for example, through: a) an understanding of equality as providing equal starting opportunities, but not as providing social guarantees; b) the possibility of differentiating the provision of access to democratic goods, depending on the individual belonging to a particular socio-political group of the population; c) imitation of democratic procedures and its replacement with political technologies; d) substantiation of the nonlinearity of human development with the possibility of its collapse into archaic with significant exemptions from non-elite sections of society of various rights and freedoms.

Influence of other social concepts

The evolution of ontological principles in global constitutionalism at the present stage of its development as a social concept is seriously influenced by the content of ontological principles of alternative social concepts that justify globalization from the “left” (alter globalization), as well as opponents of globalization of socio-political, state-legal, financial and economic life societies and nation-states as “right” — anti-globalists (isolationists, pacifists, anarchists, neo-narxists, “greens”, for animal defenders, human rights activists, hippies, nationalists, etc.), and “on the left” — modern marxists, proletarian internationalists.

Thus, the presence of alternative globalization options “on the left” in the person of alternative globalists, taking into account the rights, freedoms and legitimate interests of the majority of the population, the so-called “multitude”, characterized by “radical differences of its constituent individuals that cannot be synthesized into a single identity” [Hardt & Negri, 2004], opposed to the elites, forces the authors the concept of global constitutionalism transform its essence in a number of ways:

Firstly, to use democratic rhetoric in substantiating the views, ideas, values that the West extends to countries of peripheral capitalism, declaring a formal commitment to global constitutionalism to the interests of the majority of the population of nation-states, thereby forming a single world space based on universals of progress that is equally accessible to all.

The real practice of globalization processes, according to Alexander Panarin is completely different and is represented by two levels. The first level consists in the predominance of the esoteric globalism of the ruling elites, behind the back of the people conspiring among themselves. The second level is globalism, based on the traditional process of transforming one power (in this case, the USA), with all its national and local limitations, into a monopolistic carrier of world power — a unipolar global system [Panarin, 2008: 48].

Secondly, to substantiate the position that the presence of a free market on a planetary scale entails an improvement in the standard of living of the population, equalizing it by country and continent. However, in practice, according to a number of prominent world economists, the neoliberal version of globalization, imposed on the world by transnational corporations, is aimed at maximizing profits and widening the gap between developed and developing countries [Bricmont, 2006; Matthew, 2009: 483-498].

Thirdly, to substantiate the thesis that the export of capitalist costs to the countries of the periphery of the world capitalist system from Western countries is due to the compelled need to maintain the stability of the system as a whole, since its collapse will entail a significant decrease in living standards and a civilization crisis everywhere. At the same time, a number of Russian authors note that in reality globalization has two essences: on the one hand, it is an extremely crisis-generating system, disorganizing economies (economies of national states), a disintegrating society, and de-sovereignizing national states; and on the other hand, it is a force cementing national elites around the world into a single system of “global nomads” [Yakunin, 2019].

Active opposition to the processes of globalization of socio-political, state-legal and financial-economic life in national states “on the left” (modern marxists, proletarian internationalists) forces us to transform the ontological principles of global constitutionalism in terms of appealing to the feelings of the owners, by introducing the institution of property as a key condition of freedom. So, Friedrich Hayek notes that proponents of global constitutionalism expose a market economy as not only a guarantee of economic freedom, but also a necessary condition for everyone’s personal freedom [Hayek, 2005].

At the same time, criticism of the processes of globalization “on the right” (isolationists, pacifists, anarchists, “greens”, animal advocates, human rights activists, hippies, nationalists, etc.) forces the authors of the socio-philosophical concept of global constitutionalism to change its ontological essence in terms of revising the role of the state in the overall picture of the post-globalization world, using the mechanisms proposed by the neoconservatives to strengthen the role of the repressive-militaristic state apparatus in controlling society and states of the periphery of the capitalist world [Kristol, 2005: 5-11].

Conclusions

The institutionalization of the ontological principles of global constitutionalism was due to several processes: 1) the convergence of social concepts of neoliberalism and neoconservatism with the washout in them philosophical core, his emasculation and the replacement of political technologies, justifying the practice meet the interest of the political class and population groups; 2) the formation within the world capitalist system a single global Manager class, headed by a single system of elites; 3) the creation of a single economic and financial basis for the further globalization of socio-political and state-legal development in national states; 4) a unified formulation of the general goals of the global manager class that has a purely practical (rational) nature — the preservation and development of the world capitalist system, which gives him “the status quo” and the elitist position in society.

The modern system of ontological principles of global constitutionalism is based on borrowed ontological constructs from other social concepts.

So, from neoconservatism were borrowed: 1) the perception of social being developed at the turn of the 19th and 20th centuries as a kind of reality independent of man, formed and established from above; 2) formed a commitment to the supernatural origin of the highest state power; 3) giving democratic values, which form the basis of socio-political, state-legal and financial-economic organization of national societies and states, of a sacred nature; 4) giving the West as a civilizational project a messianic character by virtue of its activity as a conductor of democratic values; 5) the traditionalist nature of the ontological essence of this socio-philosophical concept.

From neoliberalism were used: 1) substantiation of the role and importance of law as one of the basic ontological foundations of the globalization processes of the socio-political, state-legal and financial-economic life of society; 2) the formal justification of the personality as the peak and end in itself of globalization processes through the prism of the concept of law; 3) the justification of justice as the highest democratic value; 4) the representation of social progress as a process of the comprehensive development of individuals; 5) rationalism as a conceptual essence of social development at its present historical stage; 6) giving the market the status of an ontological basic structure that has independent value.

From Nazism were borrowed: 1) the idea of globalization of the world through the efforts of one state or group of allied states; 2) the idealization of the right nations and races with the spread of elements of democratic socialism on them (in relation to all the rest, widespread measures of discrimination are possible); 3) anti-marxism, anti-communism, anti-parliamentarism of the real type; 4) the mystical non-logical substantiation of the primacy and perfection of the West, the Western way of life and Western values over others; 5) the dehumanization of society, its demoralization and deculturalization.

The following principles were adopted and objectified from the fascist social concept: a) understanding of equality as providing equal starting opportunities, but not as providing social guarantees; b) the possibility of differentiating the provision of access to democratic goods, depending on the individual's belonging to a particular socio-political group of the population; c) imitation of democratic procedures and its replacement with political technologies; d) substantiation of the non-linearity of human development with the possibility of its collapse into archaic with significant exemptions from non-elite sections of society of various rights and freedoms.

The presence in the modern world of alternative models of globalization (of antinomianism, islamic fundamentalism, marxism) and anti-globalization (anti-globalism of) dictates the need for inclusion in the system of ontological principles of global constitutionalism pseudo-democratic rhetoric in the justification: 1) the contradictions of the real goals of this concept is formally declared commitment to global constitutionalism the interests of the majority of nation-states; 2) the positive nature of the formation of the global market; 3) temporary nature of export costs in the capitalist countries on the periphery of the world capitalist system of states in the West, due to forced necessity of maintaining the stability of the system as a whole, since its collapse will lead to a significant decline in living standards and the crisis of civilization everywhere.

Thus, the ontological perception of the picture of the world within the framework of the social concept of global constitutionalism is built on neoliberalism and neoconservatism prevailing in the Western world, using ontological constructs of a number of other social concepts, which allows us to consider this social concept as the most rational systemic updating of ontological principles.

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