The use of the dialectical method as a theory for understanding social change in the philosophy of global constitutionalism.

This article is devoted to the conceptual analysis of the dialectical method for understanding social change in the philosophy of global constitutionalism. The purpose of the research: from the position of socio-philosophical methods of cognition of social reality and ideas reflecting it, to analyze the dialectic model in the doctrine of social changes in the philosophy of global constitutionalism. An analysis of the dialectical method as a theory for understanding social change in the philosophical concept of global constitutionalism has shown that: in the process of its formation, the Hegelian concept of dialectical development and the dialectical materialism of the Marxist-Leninist type, including its basic laws; it is aimed at developing a system of arguments to justify the natural evolutionary nature of the origin of the world capitalist system; the process of removing the qualitatively heterogeneous opposites accumulated in the process of social development is also subordinate to the general logic of the development of the world capitalist system.

Keywords: Dialectical model. Social change. Dialectical materialism. Hegel social concept. Social development. 

RESUMO
Este artigo se dedica à análise conceitual do método dialético para a compreensão da mudança social na filosofia do constitucionalismo global. O objetivo da pesquisa: a partir da posição dos métodos socio-filosóficos de cognição da realidade social e das ideias que a refletem, analisar o modelo dialético na doutrina das mudanças sociais na filosofia do constitucionalismo global. Uma análise do método dialético como teoria para a compreensão da mudança social no conceito filosófico de constitucionalismo global mostrou que: no processo de sua formação, o conceito hegeliano de desenvolvimento dialético e o materialismo dialético de tipo marxista-leninista, incluindo o seu leis básicas; visa desenvolver um sistema de argumentos para justificar a natureza evolutiva natural da origem do sistema capitalista mundial; o processo de remoção dos opostos qualitativamente heterogêneos acumulados no processo de desenvolvimento social também está subordinado à lógica geral de desenvolvimento do sistema capitalista mundial.

RESUMEN
El artículo explora diferentes puntos de vista sobre la dialéctica del desarrollo sociopolítico e histórico del constitucionalismo global y su relación con los cambios en el sistema sociopolítico y estatal-legal a escala planetaria (como parte históricamente integral en el desarrollo de sociedad en cualquier etapa de la era histórica, frente a las tendencias autárquicas; como fenómeno inherente a la sociedad moderna). En este sentido, el documento concluye que las transformaciones sociopolíticas e históricas del constitucionalismo global como concepto social en el futuro cercano determinarán en gran medida las principales direcciones del desarrollo sociopolítico y estatal-legal de los estados-nación. El propósito de la investigación: desde el punto de vista de los métodos socio-filosóficos de cognición de la realidad social y las ideas que la reflejan, analizar las transformaciones sociopolíticas e históricas del constitucionalismo global en el mundo moderno. Objetivo de investigación: el fenómeno de la globalización del desarrollo sociopolítico, estatal-jurídico y financier-o-económico de las sociedades y estados nacionales como fenómeno de la realidad social, resaltado en el concepto social del constitucionalismo global.
This article is devoted to the conceptual analysis of the dialectical method for understanding social change in the philosophy of global constitutionalism. The purpose of the research: from the position of socio-philosophical methods of cognition of social reality and ideas reflecting it, to analyze the dialectic model in the doctrine of social changes in the philosophy of global constitutionalism. Object of research: the phenomenon of globalization of socio-political, state-legal and financial-economic development of national societies and states as a phenomenon of social reality, highlighted in the social concept of global constitutionalism.

The use of the dialectical method as a theory for understanding social change in the philosophy of modern interpretations of social reality in the context of globalization is widely studied in the works of Allan T.R.S. (1998, 388-391), Bell D. (1986), Brzezinski Z. (1998), Wallerstein I. (2003), Kauffman F. (1997), Nelson R.R. (2002), Popper K.R. (1983), Rothbard M. (2003), Stiglitz J. (2002), Toynbee A. (2003), Forsthoef E. (1934), Fukuyma F. (1990, 134-148), Hayek F.A. (1989; 2006; 2011), Spengler O. (1918), Baybaryn A., (2020, p.6805-6811), Krotov A., (Krotov et al. 2020, p.3521-3526), Moros E., (Moros et al. 2020, p.114-128), Kamalieva I., (Kamalieva et al. 2020, p.222-229), Zaprutin D., (Zaprutin et al. 2020, p.404-418), Plaskova N., (Plaskova et al. 2020, p.3507-3512), and several other authors. These works provide the basis for formulating the main features of the dialectical method for understanding social change in the philosophy of global constitutionalism. However, the proportion of researches that sanctifies the development and substantiation of the system of directions of evolutionary socio-economic transformations within the framework of the basic socio-philosophical approaches to ensure the comprehensive development of national societies and states, provided that a balance is achieved between international (global) and national (state) interests in all their vital spheres of activity, in connection with the planned expansion of Western interpretations of the social structure is extremely small. In this regard, the main objective of this research is the analysis of the dialectical model in the doctrine of social changes in the philosophy of global constitutionalism from the perspective of socio-philosophical methods of cognition of social reality and the ideas reflecting it, and the subject of the study is the theoretical content of the above dialectic model in relation to its social essence.

This article in the process of cognition of state-legal phenomena were used: a) General scientific methods (formal-logical, systemic, structural-functional, concrete-historical); b) General logical methods of theoretical analysis (analysis, synthesis, generalization, comparison, abstraction, analogy, modeling, etc.); c) private scientific methods (technical and legal analysis, specification, interpretation, etc.) (ZALESNY; GONCHAROV 2019b, p.5161; ZALESNY; GONCHAROV 2020, p.1-6; GONCHAROV et al 2021a, p.362-366; GONCHAROV et al 2021b, p.367-373; GONCHAROV et al 2021c, p.374-382; GONCHAROV; CHIMITOVA 2020, p.86-95).

The dialectical model in the doctrine of social changes in global constitutionalism is based on the accumulation and development of the experience of social concepts of the past (in particular, neoliberal and neoconservative teachings) in terms of their attitude to using the dialectic approach to the analysis of the nature and direction of social development. (ZALESNY; GONCHAROV, 2019a, p.129-142; GONCHAROV et al 2020a, p.78-90; GONCHAROV et al 2020b, p.93-106; GONCHAROV et al 2020d, p.383-389; GONCHAROV et al 2021a, p.410-416; GONCHAROV et al 2020f, p.401-409) The concept of global constitutionalism, that emerges from employing a dialectical model, as a set of argumentation methods, forms and methods of reflective theoretical thinking, to explore the contradictions found in the conceivable content of this thinking, comes from a number of trends in the development of neoliberal and neoconservative social concepts that prevail in Western society, and that are used by the global managerial class in the process of determining the directions of socio-political, state legal, financial and economic development at the international and national level. We will examine the three main tenets of this approach below.

Firstly, Hegel's concept of dialectical development and his famous triad "thesis-antithesis-synthesis" are criticized and rethought. In particular, the neoliberal philosophers, political scientists and lawyers, who positively assess the Hegelian interpretation of social development for its continuous evolution, believe that its highest point is modern capitalist society with the spread of the market principles of monetarism to all aspects of social life with their gradual evolutionary improvement. At the same time, the authors of a number of neoliberal
In addition, the slowdown in the development of the Western economy, the growth of public debt, the mass impoverishment of the population, have led capitalism, which is entering a new evolutionary stage of its development, according to a number of authors, to stunning metamorphoses: "The foundations of the global liberal order are shaken by more and more tangible shocks. Within the US Democratic Party, H. Clinton's liberalism oriented toward racial and sexual minorities was a serious competitor to the 'democratic socialist' B. Sanders, who appealed primarily to American white workers calling for a revolution against the 1% dictatorship - Wall Street businessmen. The Labor Party of Great Britain, instead of the noble bureaucrats, was headed by the Sanders, who appealed to the fight against economic inequality, more creative and socially attractive, and he denies the possibility of increasing the GDP and economy in the world. People's Republic of China (PRC) is in existence - a socialist state with a ruling Communist Party, with the largest socialist revolutions, starting in 1917, is considered as a thesis, and the experience of the 70-year existence of the USSR and the countries of the socialist camp is presented as an antithesis, which naturally ended with the restoration of capitalism to Russia, carried out after 1991, is considered by neoliberal philosophers, requires the synthesizing of liberal and social principles into a single system, as the logical result of the objective requirements of the evolutionary process. At the same time, a number of philosophers and lawyers (for example, E. Forsthoft (1934), L.S. Mamut (2001, 5-144)) note that by their nature there is a difference between a social and a legal state, as a society of justice and equality. The Russian legal researchers B.A. Strashun and A.A. Mishin generally believe that, "between the constitutional demand for the protection of personal freedom and the demand for a socialist state there exists ... an unremovable and principled state of tension,... that is, a known contradiction" (2001, 240). They try to remove this contradiction in modern neoliberal Western society by designating the preferences provided to socially unprotected layers of the population as not their rights to social protection, but as benefits, advantages due to their qualities as socially inferior subjects of society.

The restoration of capitalism to Russia, carried out after 1991, is considered by neoliberal and neoconservative philosophical schools using the dialectic method in the context of political analysis as proof of the viability and evolutionary value of the modern world capitalist system. In particular, the capitalist system before a series of socialist revolutions, starting in 1917, is considered as a thesis, and the experience of the 70-year existence of the USSR and the countries of the socialist camp is presented as an antithesis, which naturally ended with the restoration of capitalism, and its widespread penetration in the process of the globalization of the socio-political state-legal and financial-economic structure of national states and societies (synthesis). It seems that this point of view is a clearly politically biased attempt at wishful thinking by the global governing elite. For one thing, the People's Republic of China (PRC) is in existence - a socialist state with a ruling Communist Party, with the largest GDP and economy in the world.
globalization is formed under the auspices of world capital and leads, in particular, to a growing gap in incomes, levels of consumption, health, education in the ‘golden billion’ and the ‘third world’, the dominance of the ideology of neoliberalism with the aim of increasing capital expansion around the world, the formation of non-participating countries ‘golden billion’ raw appendages, so-called ‘developed countries’ and so on" (ANTIGLOBALISM, 2019). Thus, anti-globalists note the main feature of the dialectics of global constitutionalism, which consists of a rationalistic pragmatic attitude towards social development as a process that has been subordinated to the logic of development of the world capitalist system in the interests of the global governing class, concentrated mainly in the countries of the ‘golden billion’. Some modern Marxist authors note:

Marx believed that it was in the bowels of the already existing economic system that its antipode should arise, not only as the opposite, but also as the maximum realization and resolution of those potentials and contradictions that were originally laid in its foundation. Therefore ... and the modern commodity-money economy should pave the way for something new. It’s important to understand ... the neoliberal project has not yet been completed, that it must exhaust itself and create (already create) the ground for something new (UGOLNIKOV, 2020).

Moreover, the author of the neo-Marxist world-system concept, I. Wallerstein, when assessing the future of world social development, prefers the indeterministic term ‘bifurcation’: "The end of capitalism, therefore, from the point of view of world-system analysis, is still ahead, in the 21st century. What exactly will replace him is definitely impossible to predict. We don’t know what type of historical system will replace the existing one" (2003, 104). Philosophers and political scientists who are advocates of alternative globalization concepts, in turn, note that there are projects for the redistributive (planned) globalization of socio-political, state-legal and financial-economic life of national states that are regulated in the interests of the general public. So, J. Stiglitz notes: “Globalization can take new forms. And when this happens, when it begins to develop correctly and fairly, so that all interested countries can participate in making decisions related to them, then a new global economy will emerge, providing not only more sustainable growth, but also a more equitable distribution of its results” (2002, 22). Secondly, the postulates of dialectical materialism, formulated in the writings of the authors of the Marxist-Leninist that include: the negation of negation; the mutual transition of quantitative and qualitative changes; unity and struggle of opposites, have been criticized. In particular, the work of neoliberal philosophers, political scientists and lawyers propose alternative dialectical models of social development. As noted by E. Nesterenko, when exploring the neoliberal doctrines of social change:

F.A. Hayek not only analyzes the socio-economic order, but also reveals the meaning of a dichotomy, the bifurcation between a constructivist order and an evolutionary order. ... It seems possible to highlight some distinctive features of the spontaneous order: abstraction; complexity; stability; expediency; utility; lack of an agreed hierarchy of goals; information sufficiency; adaptive ability; coordination sufficiency; regularity of interactions (2013, 54).

Thus, the dialectic of social development in the eyes of neoliberals appears, on the one hand, as its natural evolutionary development, and on the other hand, it is possible to construct social reality by manipulating society at the level of the state and at the international level. The neoliberal and neoconservative proponents of the concept of global constitutionalism are linked in many respects by their rejection of dialectical materialism. So, for criticism of dialectical materialism, they turn to K.R. Popper, who believes that the, ‘vagueness of the basic concepts of dialectics (‘contradiction’, ‘struggle’, ‘denial’) leads to the transformation of dialectical materialism into sophistry, which makes any criticism meaningless under the pretext of ‘misunderstanding’ by the critics of the dialectic method, which further serves as a prerequisite for the development of ‘dialectical’ dogmatism and the cessation of any development of philosophical thought” (1983, 246). However, the arguments that Popper has put forward regarding dialectical materialism have been met by a number of serious counterarguments. So, even V.I. Lenin responded to attacks on social democracy regarding the manipulation of the triads ‘thesis-antithesis-synthesis’, in particular following the example of the dialectical process with grain: "... it would seem that one comparison of these examples with such clear and categorical statements by Engels (and Marx ...) that there can be no question of proving anything by triads, or of slipping into the image of a real process the ‘conditional members’ of these triads, is quite enough to understand the absurdity of accusing Marxism of Hegelian dialectics” (1969, 175).

Thus, such attacks are speculative in nature due to the fact that Marxism exclusively explores the real contradictions that exist, for example, in society, without being tied to various speculative terms and
interpretations (such as ‘contradiction’, ‘struggle’, etc.).

Thirdly, the theory of social change, proposed by the conceptual framework of dialectical materialism, according to which social evolution is explained as a successive changes in the socio-economic formations characterized by a certain stage of development of the productive forces of society and the corresponding historical type of economic production relations, which depend on it and are determined by it, is refuted. It seems that criticism of a dialectical materialistic understanding of social evolution, and the development of all kinds of civilizational concepts of the neoconservative (O. Spengler, 1918), neoliberal (A. Toynbee 2003), theories of post-industrial society (Bell 1986), etc. wish to evade consideration of the issues of class struggle, and researching the existing and emerging new contradictions of capitalist society (labor and capital, the states of the core of the world capitalist system and countries of its periphery, etc.). So, O. Spengler, who considering social development as a change in civilizations, writes:

What is civilization, understood as an organic and logical consequence, as the completion and outcome of culture? ... Civilization is the fate of culture ... Civilization is the extreme and small artificial conditions that a higher type of people is capable of. ... They follow becoming as it has become, after life as death, after development like torpor, behind a village and sincere childhood witnessed by Doric and Gothic, like mental old age and a stone, petrifying world city. They are the end, without the right to appeal, but they, by virtue of internal necessity, have always been a reality (1918). According to F. Fukuyama: “From the point of view of the idealist, human society can be built on any arbitrarily chosen principles, regardless of whether these principles are consistent with the material world” (1990, 51-52).

In this regard, the modern concept of the social development of the philosophy of global constitutionalism considers the theory of social change from ideal positions, ignoring the primacy and importance of the material laws of development of the modern world. Within the framework of Russian philosophical thought, it is also suggested that: 'Socialism and capitalism are two forms of an industrial society, and the latter will sooner or later grow into a 'post-industrial' society, in which it will be all the more dangerous to squeeze new types and forms of human activity into "framework of traditional industrial economic parameters" (GLINCHIKOVA, 2001: 51-52). This is an attempt to camouflage reality in modern Russian, which consists of the restoration of capitalism in the territory of the post-Soviet space. Moreover, the restoration was essentially carried out in the most barbaric form of non-colonial capitalism, in which the power elites, firstly, are largely deprived of the opportunity to determine the direction of social development independently, and instead coordinate them with the global governing elites, and, secondly, they depend on them financially, so how financial assets and even families of representatives of the Russian elite are located abroad in the core countries of the world capitalist system.

In this regard, F.P. Kositsyna rightly notes: “Discovering and mostly correctly assessing the tendency of 'squeezing capitalism into a new social system', some of our researchers come to doubtful, in our opinion, conclusions of a methodological order. Some, already since the 80s, centuries have begun to argue that at high levels of development of society there is a 'change of determination' of social development and economic relations, material production ceases to be the primary basis, basis, and the main determinant (2011, 35-43). (Leonid Abalkin believe that a paradigm shift in historical development is taking place: “the formation paradigm was supposedly effective only for describing the stages passed by mankind and simply exhausted itself and became outdated in relation to modern times” (2003, 64). Still others proclaim that the category, "socio-economic formation" is no longer just a category, "removed" by history, but is generally erroneous and should be excluded from the conceptual apparatus of social science" (INOZEMTSEV, 1998b). These dubious conclusions pursue a purely rational pragmatic goal of justifying the restoration of capitalism in Russia, and transferring national property into the private property of a narrow group of representatives of the ruling elite, albeit at the cost of a partial loss by the country of state sovereignty in domestic and foreign policy. At the same time, within the conceptual framework of global constitutionalism, the global governing elites pursue the goals of hiding problems from the general public and the masses of the population:

1. The presence of irreconcilable class contradictions generated by the costs and contradictions of capitalism, that have been growing throughout its imperialist stage.

2. So a number of authors, for example, F.A. Hayek denies the very fact of the existence of class contradictions in modern society: “I do not believe that the widely circulated concept of ‘social justice’ describes a possible situation or even makes sense at all... individualized property... is the core of the moral norms of any developed civilization...exploitation of the proletariat under
capitalism...the purest invention of the socialists” (1992, 19, 54, 224). He is echoed by home-grown Russian neoliberals, in particular V.L. Inozemtsev: “The theory of post-economic society ... is built around the study of how and in what forms the development of personality determines modern social progress, taking it beyond the framework of human relations with both nature and the world transformed by him” (1998a, 21).

3. According to both neoliberal and neoconservative philosophers, socio-economic inequality at the level of the household, national societies and states is no more a natural condition and a consequence of evolutionary social development.

4. The impossibility of resolving these contradictions in an evolutionary way, using all sorts of mythical neoliberal and neocorporate models of the 'social state' (German - Sozialstaat) (ROIC, 2012), 'welfare state' (Kauffman 1997: 21); and the 'socialization of the economy'. Thus, a number of authors believe that the concept of 'socializing capitalism' reflects the real evolution of modern capitalism towards a society that delivers social justice (KOSITSYNA, 2011, 35-41). That is why the West is increasingly understanding the feasibility of, "considering economic processes through the magnifying glass of evolutionary theory" (NELSON, 2002). At the same time, the authors of these models try to deny the existence of ruling classes in the world capitalist society (represented by the capitalists, represented by a complex mix of the bourgeoisie, the top officials, the army and special services, the old European aristocracy, etc.).

Thus, D. Bel, having created the theory of the development of society from pre-industrial to post-industrial, based on intellectual technologies, the transition from the production of goods to the provision of services and the growth of the number of knowledge carriers, represents a mythical society of the future that comprises of three social classes: "the creative elite of scientists and the highest professional administration"; the "middle class" of engineers, scientists and, finally, the "proletariat of intellectual work" - technicians, assistants, junior employees, laboratory assistants (1986, 330-342). Where the numerous class of the bourgeoisie, capitalists, aristocracy, clergy, etc., went without the implementation of the socialist revolution, it is not clear.

5. The possibilies for resolving the above-mentioned contradictions in the development of the world capitalist system (both in its economic basis and the socio-political superstructure) are exclusively revolutionary through the removal of the global governing elite in the person of the global governing class from all the power levers of the state mechanism, as well as depriving them of their property.

Trying to obscure the irreconcilable contradictions in the development of modern capitalist society within the framework of the concepts prevailing in Western society leads a delay in resolving them, and so destroys society, by depriving it of the possibility of development and improvement. So, still V.I. Lenin noted: "When the objective prerequisites for a revolutionary coup have ripened, and the revolutionary creator of the coup may not have enough strength to carry it out, then society decays, and this decay sometimes drags on for decades" (1968, 367). However, numerous neoliberals deny the very fact of the positive nature of revolutionary transformations as a direction and means of resolving the irreconcilable contradictions and costs in the development of the world capitalist system (its economic basis and socio-political superstructure), by trying to discredit and attribute to the driving forces of the revolution (revolutionary classes) base selfish the motives (for the seizure and retention of power and property) inherent in just the bourgeoisie and the global governing elite that are behind it. In particular, Y.T. Gaidar wrote:

With the fall of the estate barriers, the idea of universal equality takes hold of the masses and becomes a material force - the power of a ram. It dominates not so much over the proletarians as over the "squabblers" - young ambitious outcasts who do not see the opportunity for themselves to occupy their high position due to them, peacefully climbing up the public ladder. There remains another thing - to throw this ladder in the ground and kick it. The whole world of violence we will destroy to the ground, and then we ours, we will build a new world, who was nothing, that will become everything. Really, I don’t know what is proletarian! The frank anthem of young ambitious people (1995, 31).

Thus, in the conceptual framework of global constitutionalism, the dialectical model in the doctrine of social change acts as a system of argumentation methods for substantiating the natural evolutionary nature of the origin of the world capitalist system (its economic basis and socio-political superstructure), the need to preserve
and develop it in the interests of all mankind. At the same time, capitalist society in the spirit of the Hegelian system is considered the concept of global constitutionalism as the highest point of social development in the doctrine of social change. Within the framework of neoliberal and non-conservative currents, which form the basis of the concept of global constitutionalism, various paths of evolutionary socio-economic transformations are proposed, associated with the possible dialectic-synthesized path of development of Western society, that take into account the socio-economic needs of the majority of the population, but subject to:

- firstly, the preservation and development of capitalism as the socio-economic basis of modern society;
- secondly, the preservation of global governing elites in the person of the global governing class as guarantors of the evolutionary progressive development of society;
- thirdly, the subordination of socio-economic transformations at the level of national states to the general logic and democratic values of the development of the world capitalist system through the functioning of the unified managing centers for regulation and control through the expansion of Western state-legal, socio-political institutions, principles, relations, relations, ideas to protect and promote the financial and economic interests and needs of the West.

Moreover, the process of removing the qualitatively heterogeneous opposites accumulated in the process of social development within the framework of the philosophical concept of global constitutionalism is also subject to the general logic of the development of the world capitalist system, that is, is aimed at its qualitative more perfect development.

**CONCLUSIONS AND FURTHER RESEARCH**

The dialectical model as a framework for the social concept of global constitutionalism is a system of evolutionary socio-economic transformations associated with the possible dialectically-synthesized path of development of Western society within the framework of the world capitalist system, which is justified as the highest point of social development that meets the interests of all mankind. An analysis of the dialectical method as a theory for understanding social change in the philosophical concept of global constitutionalism has shown that:

a) in the process of its formation, the Hegelian concept of dialectical development and the dialectical materialism of the Marxist-Leninist type, including its basic laws, are criticized and rethought, and the understanding of how social change occurs, proposed by the conceptual framework of dialectical materialism, is refuted;

b) it is aimed at developing a system of arguments to justify the natural evolutionary nature of the origin of the world capitalist system, its preservation and development, offering various directions for the evolution of social change, provided that the main goal of global constitutionalism is realized, which is to maintain power and property in the hands of the global governing elite in the form of a global governing class;

c) the process of removing the qualitatively heterogeneous opposites accumulated in the process of social development is also subordinate to the general logic of the development of the world capitalist system.

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