S. Kharchenko

THE LOGIC OF RECONSTRUCTION OF THE NEW WORLD ORDER AND THE LEGITIMISATION OF POST-TRUTH IN LEGAL DISCOURSE

Volodymyr Vynnychenko Central Ukrainian State University
e-mail: spharchenko_1@ukr.net; ORCID ID: 0000-0003-4778-4239

Abstract. *The problem of world order is considered as a very urgent one. It raises the issue of the development prospects of of the global social system, which is being reconstructed intensively due to the fact that its various segments are becoming less coordinated, balanced, sustainable. This study aims to conceptualize the mechanisms behind the construction of post-truth technology within the framework of restructuring the new world order, as well as to analyse the procedures that legitimize post-truth within legal discourse.*

Keywords: restructuring, new world order, legitimisation, post-truth, legal discourse.

Introduction

Today, the problem of world order is of utmost urgency, impacting the development and existence of mankind. It is intricately linked to choosing the direction of history. The global social system is being reconstructed quite intensively due to the fact that its various segments are becoming less and less coordinated, balanced and stable. This is evidenced by multiple conflicts, which are fundamental for the whole of humanity and are fluctuations that change the logic of the whole world order. Conflicts have always existed, but from time to time, they turn into basic bifurcation moments at which the system changes completely. The issue of restructuring the world has always been significant and will continue to be so across all eras. However, it is subject to interpretation and constant reassessment, varying with the historical epoch unfolding at any given moment in history.

At the same time, it should be noted that the reality of contemporary society shows signs of aggravation of the relict conflict, namely, the civilizational conflict between West and East, North and South. We are talking about the mismatch of viewpoints, value positions, and historical truths. We can even talk about the clash of Eastern "truth" and Western "post-truth".

On the one hand, the phenomena labeled by the terms "truth" and "post-truth" are of academic interest as units of philosophical postmodern discourse. On the other hand, they should be considered as latent factors generating contradictions in politics, economics, culture, and education.

Post-truth is artificially elevated to the level of "philosophical truth", where it is given the appearance of philosophical connotations. However, post-truth creates conditions in which objective facts are less important in shaping public opinion than emotions, affects, and subjective beliefs. Philosophy, by contrast, proceeds from facts, legitimises their role in the realm of fundamental 'exact' science and fixes them as the dominant condition under which science can exist.

The aim and tasks

The aim of this study is to conceptualise the mechanisms of constructing the technology of post-truth in the logic of restructuring the new world order, as well as to analyse the procedures of legitimising post-truth in legal discourse.

The key tasks of the research are 1) to substantiate the contradictory nature of the process of recognition by social actors of the social reality of post-truth as a whole and as a set of its individual manifestations and components; 2) to identify ways of explaining and justifying the technology of post-truth; 3) to analyze its cognitive and normative interpretation.

Research methods

The correlation of the philosophical-legal and hermeneutic approaches allows us to consider the technology of post-truth as a new legal realityy. Additionally, this perspective allows for its interpretation as a set of different, yet interacting, levels of propaganda, realized in terms of legitimization of the policy of domination. The philosophical-legal approach as a philosophical doctrine of law answers questions arising in the legal field by the method of philosophy. In this study, this approach is primarily aimed at identifying the meaning of post-truth as an element of quasi-legal reality, and at justifying an understanding of this meaning. This approach also allows us to focus on the reasons for the legitimization of post-truth technology.

The hermeneutic approach, as a field of philosophy and science, allows us to explore methods and principles of interpretation of texts modeled within the framework of post-truth technology, to analyze new symbols, attributes of art and other forms of communication. Hermeneutics seeks to understand how information and meaning are communicated, articulated and perceived in the context of post-truth and the interaction between the 'hidden' author and the audience. Hermeneutics also contributes to the philosophical understanding of the phenomenon of truth and post-truth and the reasons for their incompatibility.

Research results

The term "post-truth" is employed to signify the radically new "era of mass communications." Moreover, it finds relevance in the domain of latent politics, where truth lacks foundational status, and objective facts hold little significance in shaping public opinion. The frequency of use of this word was observed in English-language publications after the Brexit referendum and the US presidential election. Post-truth even became "word of the year" and was included in the Oxford Dictionary, as it was actively used for 10 years ("Fake News, N. Meanings, Etymology and More | Oxford English Dictionary" 2018). According to the rules of the

dictionary's compilers, the word should become topical in most social networks and other mass communication media.

The concept of "post-truth" has been established previously, albeit in different semantic variations. Ancient philosophers already recognized the contradiction between truth and falsehood, leading them to develop philosophy, rhetoric, logic, philosophy of language, science, and the language of science. These disciplines were created to prevent the deformation of truth and to avoid solipsism. S. Fuller, in the chapter "What Philosophy Teaches and Doesn't Teach Us: On the State of Post-truth" emphasizes that even philosophers, as seekers of truth, do not always find an unambiguous statement. In fact, philosophers are the best experts in the post-truth world. They see "truth" for what it is: a brand name, always in need of a product that everyone is forced to buy. This helps explain why philosophers appeal most confidently to "Truth" when they try to persuade non-philosophers, whether in courtrooms or classrooms (Fuller 2018, 207). S. Fuller argues that the condition of post-truth is not simply a product of our time, but an inherent reality in the history of Western thought as originally expressed in Plato's Dialogues. Moreover, post-truth is not a condition limited to politics; it extends to science as well. Indeed, the condition of post-truth allows us to see more clearly the complementarily of politics and science as spheres of thought and action. Each sphere is, in its own way, involved in a struggle for "modal power", namely, for control over what is possible (Fuller 2018, 207). The author explores the field of play common to politics and science through a combination of philosophical, political science, sociological, and cultural approaches.

The modern West has come to the era of post-truth not only because it has exhausted all the possibilities of truth, for which it has been advocating since ancient times and which allowed it to create a classical philosophy and methodology of science, but because of the immediate need to introduce the tools of politics into various spheres of social life.

Protagoras has a famous thesis "Man is the measure of all things", which had a sacred meaning, because in it lies the desire to find balance or truth. Otherwise, truths become too many, which generates conflicts, wars, and contradictions. Consequently, this thesis can be used as a technology of post-truth, when any statement is legitimized, everything becomes possible, even the impossible. Thus, propaganda and lies flourish.

A.-E. Hyvönen fairly begs the question: What is post-truth politics? Post-truth politics, she contends, ought to be understood as a predicament in which political speech is increasingly detached from the factual infrastructure. Consequently, our ability to react to political events and to engage in a democratic process of opinion-formation is compromised. This definition differs in particular from those that equate post-truth with the death of expertise. She also thinks we must be much more precise regarding the role of emotions in the production of post-truth. Defending truth might involve as much emotion as violating it. Most potent examples of post-truth politics as a style

available to individual politicians are instances in which outright lies about things that technically anyone could verify are used – albeit perhaps not always consciously – for various political purposes towards both adversaries and one's own supporters. This can mean, for instance, denying something obvious, trivial, or seemingly uncontroversial or making up an event that never happened (Hyvönen 2018, 1–5). Post-truth, as a technology, can neutralize the constructive value of information. Consequently, individuals can construct their personal information realities, particularly when their actions are legitimized by political necessity or expediency. Since post-truth can be interpreted as a new round of civilization development, right-wing norms, moral regulators, and rules of legitimating in this era lose their clear conceptual reference points.

Let us agree with the position of S. Ordenov, who confirmed that the postmodern era is characterized by uncertainty, insubstantiality, simulativeness, and rhizome. Therefore, the concept of human rights in this era loses clear conceptual guidelines. This erosion of clarity at the foundational level significantly hampers the realization of human rights, leading to diminished legal capacity for individuals. Postmodernity, set against the legal norms of modernity, increasingly appears as a manipulative form of power usurpation and a move towards totalitarianism. It is used to destroy social narratives of modernity and impose neoliberal postnarratives of modernity that are both antisocial and destructive. In the condition of unsecured rights of the first and second generations, the so-called synthetic rights of the third and fourth generations have become examples of manipulation and imposition of such "postnarratives". However, despite the existing contradictions in the content and form of generations of human rights, all of them are the result of the objective civilizational development of mankind and, at the same time, of political interaction between different societies. In particular, they act as a complex information and sign system in which individual, national, international and other components of the political language of communication interact with each other (Орденов 2023, 30–37). The virtual, game reality is therefore more important than the real one. The significance of the "form/content" opposition is not essential due to the dominance of "form" and the complete loss of "content". The effect is that everyone is right, so no one can be blamed.

L. Drotyanko emphasises that the concepts of Postmodern/Postmodernism were philosophical rather than actually scientific reflections on the essential features of the future society that replaces Modernity (Дротянко 2023, 5–10). Postmodernity gives birth to a new model of discussion – spectacular but contentless, but from the legal point of view, its presence in the space-time continuum, regardless of the content, testifies to the legitimisation of any information content.

Post-truth is created not by individual users who wish to live in a comfortable information world, but by political technologists because post-truth is more profitable in the form of an attractive narrative for the broad masses of people. Post-truth becomes a key tool of "post-politics". C. O'Callaghan noticed that a growing number of geographers have used frameworks of post-

politics to interrogate the foundations and dominance of neoliberal consensus politics. Theories of the post-political argue that the consensus around the combination of liberal democracy and neoliberal capitalism that has become hegemonic since the 1970s creates a stifling effect on the public sphere. These forms of politics disavow or foreclose the contentious nature of politics and replace it with the technocratic and consensus-based management of a pre-given situation. But post-politicization is never complete; there is always a gap for the political to return in moments of disruption to the intuitional order (O'Callaghan 2020, 339–345). In this article, the author examined theoretical understandings of post-politics in the context of geographical writings on the post-political and in terms of the concept of post-truth, where objective facts have lost their value in political and public debates.

Discussion

The world order is shaped by various factors such as economics, politics, geography, and culture. Communication and information also play a vital role in it. Furthermore, a person exists not only in the physical and spiritual dimensions but also in the virtual realm.

Post-truth as a technology is aimed at endless compilation and artificial restructuring of the world model. Post-truth political technology focuses on the external effect, eloquence and the consumer, creating an individualized message for a specific group of people. P. Surowiec underlined that the proliferation of digital media technologies has created new, often pathological, opportunities for advancing influence in international politics. The widespread usage of blogs, bots, and trolling mixed with "fake news" (Surowiec 2017, 21–27). At the same time, this author shows the subject field of digital media technologies rather narrowly, practically on a single example.

The term "fake news" has taken on a variety of meanings, including a description of any statement that is not liked or agreed with by the reader and instead recommended the terms "misinformation" and "disinformation." With those terms come "clear guidelines for companies, organizations and the Government to follow" linked with "a shared consistency of meaning across the platforms, which can be used as the basis of regulation and enforcement." In its response, the Government stated: In our work we have defined disinformation as the deliberate creation and sharing of false and/or manipulated information that is intended to deceive and mislead audiences, either for the purposes of causing harm, or for political, personal or financial gain. 'Misinformation' refers to the inadvertent sharing of false information (House of Commons Digital, Culture, Media and Sport Committee 2019, 5–109). Here we are talking about the British government and the large media holdings that manage global information flows. Information has become a common product of consumption in a consumer society. Information content is changing based on the interests of the engineers of the world order they have chosen as the basic model.

S. Flaxman noticed, "returning to our opening question – the effect of recent technological changes on ideological segregation – there are two competing theories. Some authors have argued that such changes would lead to "Filter Bubbles, Echo Chambers, and Online News bubbles," while others predicted that these technologies would increase exposure to diverse perspectives. We addressed the issue directly by conducting a large-scale study of online news consumption. We showed that articles found via social media or web-search engines are indeed associated with higher ideological segregation than those an individual reads by directly visiting news sites. However, we also found, somewhat counterintuitively, that these channels are associated with greater exposure to opposing perspectives. Finally, we showed that the vast majority of online news consumption mimicked traditional offline reading habits, with individuals directly visiting the home pages of their favorite, typically mainstream, news outlets. We thus uncovered evidence for both sides of the debate, while also finding that the magnitude of the effects is relatively modest" (Flaxman 2016, 298–320). Today's media are transmedia and polyversive. Post-truth, on the other hand, is transreal; it is broadcast not within the framework of a specific local show, but to the whole world, designed for the whole of humanity and the corresponding world order.

Post-truth also generates a special kind of populism – a hyper-theatrical show involving a rather large group of political players. E. Speed, R. Mannion say that the recent upsurge in support of populism is challenging the historical divide between the political left and right. A new cleavage is opening up between those clinging to conventional approaches to politics and those who are challenging establishment institutions with the lure of populist appeals. There are clear parallels with the events in Europe in the 1930s, with populist claims of putting the people first, while promoting division and turning people against one another. But there are also some key differences. Although populist leaders still use mass rallies and bombastic speeches, this new wave of discriminatory populism is underpinned by a post-truth politics which is using social media as a mouthpiece to peddle "fake news" and circulate "alternative facts" with the specific intention of shaping voter opinion and exciting emotions through inciting fear and hatred of the 'other. (Speed 2017; Mannion 2017, 249–251). Post-truth refers to itself; it does not need primary sources. It carries out self-legitimization in the transmedia environment.

In turn, D. Halikiopoulou sees populism as a broad and normative term in many ways, posing analytical and conceptual difficulties. The challenges posed by the electoral success of parties that focus on sovereignty and "the national preference" are not necessarily the product of populism per se but of the far-right dimension of this populism. When it comes to health policy and welfare provision more broadly, the electoral appeal of this national preference constitutes a paradox. While the electoral success of the far right has a series of negative consequences, it is precisely the platform of discriminatory health and welfare policies that wins these parties their votes. On the supply side, whether extreme or radical variants, far-

right parties put forward a rhetoric that focuses on social security and priority access to welfare and the collective goods of the state. On the demand side, voters have tended to trust parties that offer "nationalist" solutions. The voting base of these parties has increasingly included the insecure middle classes that punish the incumbent and mainstream for failing to deliver on the state's social contract obligations. Austerity has exacerbated this result (Halikiopoulou 2018, 195–198). In this way, the post-truth narrative is masked and uses emotions to influence the irrational stimuli of individuals, which can then lead to the destabilization of society. In all such cases, post-truth acts as a technology.

In the context of our study, the most comprehensive interpretation of post-truth is given by S. Salgado, who emphasizes that it would be a mistake to think that attempts to manipulate in politics using emotions and the dissemination of fake information to gain political advantages are new phenomena caused by online media. The newness of these phenomena is the easiness that the information is widely spread. We could see a feature of politics and society that has been exacerbated by technology. A broader context marked by relativism and a widespread mistrust of traditional institutions at all levels facilitated the acceptance of alternative, and often fake information. Post-truth politics and its causes and impact are understood best taking into account these different elements. The so-called post-truth era is not simply a by-product of populism and populism is not simply a consequence of distrust towards politicians and politics in general. The media also play an important role. However, the media and technology are not isolated from society: they shape society and politics and they are shaped by society and politics. Technology and the uses of technology are adjusted to the social and political settings in which they are integrated and operate. Different aspects of the media push forward post-truth politics and relativism. Without being exhaustive, for example, in content production: more content producers, but also news stories construction and interpretive journalism, new genres and new formats; in distribution: new channels without mediation, social media as networks, algorithms and other forms of curating the information; and in consumption: fragmentation, polarization, social media as main source of information for many people (Salgado 2018, 317–331). Consequently, post-truth is not art; there is no modeling of truth, as in cinema, but a deliberate construction of truth based on political strategy.

A. Galanopoulos, Y. Stavrakakis investigated the correlation between populism and post-truth and the polemical uses of the notion of 'post-truth' within mainstream political discourses in the West. Specific political forces, usually of an elitist and liberal background, claimed an epistemic superiority against their "irrational" opponents and the "ignorant" masses that support them. Yet, the issue is not of an epistemic order, because the rationality that is supposedly prioritized is often of an instrumental, political nature. The epistemic authority, the access to the one and only truth, is often understood as the foundation of political authority in our post-political era. This stance is not solely an epistemic issue but a deeply political matter. Trying to understand more thoroughly the relationship between the debates on post-truth and the ones on populism they moved towards crisis-ridden Greece. On the basis of an analysis of the Greek case, they examined how Greek mainstream anti-populist discourse employed the polemical notion of "post-truth". The Greek case helped them highlight the political claims and narratives involved in this debate. Finally, and on the basis of that case-specific analysis, they tried to challenge the very notion of truth at a broader level, in its rather simplistic, mythical renderings. They argue that we need to discuss the political implications that can be produced by the connection of populism and post-truth, but what is also needed at the same time is to dig even deeper and explore the political implications of our constant appeals to truth (Galanopoulos and Stavrakakis 2019, 1–15).

Conclusions

It can be concluded that despite being a powerful tool for influencing the psyche of a huge mass of people, the technology of post-truth does not achieve total dominance even under conditions of information control. However, it actively seeks out vulnerabilities for aggressive impact.

Political consequences of the introduction of post-truth technology are always fatal, because human consciousness is always looking for inconsistencies and contradictions. Through this process, a consensus on the nature and logic of the existing world order is eventually reached, whether sooner or later.

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С.П. Харченко

ЛОГІКА ПЕРЕБУДОВИ НОВОГО СВІТОУСТРОЮ ТА ЛЕГІТИМАЦІЯ ПОСТПРАВДИ У ПРАВОВОМУ ДИСКУРСІ

Вступ. Розглядається проблема світоустрою, порушується питання про перспективи розвитку глобальної соціальної системи, що перебудовується інтенсивно з огляду на те, що різні її сегменти стають менш узгодженими, збалансованими, стійкими. Результатом є множинні конфлікти, які стають флуктуаціями, що змінюють логіку цілого світоустрою. Конфлікти перетворюються на базові моменти біфуркації, за яких система повністю змінюється. З одного боку, явища, позначені термінами «правда» і «постправда», становлять академічний інтерес як одиниці філософського посмодерного дискурсу. З іншого боку, їх розглядають як латентні чинники, що породжують суперечності в політиці, економіці, культурі, освіті. **Метою дослідження** є концептуалізація механізмів конструювання технології постправди в логіці перебудови нового світоустрою, а також аналіз процедур легітимації постправди в правовому дискурсі. *Ключовим завданням дослідження* є: обґрунтування суперечливого характеру процесу визнання соціальними суб'єктами суспільної реальності постправди як цілого та як сукупності її окремих проявів і складових; виявлення способів пояснення та виправдання технології постправди; аналіз її когнітивної й нормативної інтерпретацій. **Методологія дослідження.** Співвідношення філософсько-правового та герменевтичного підходів дає змогу розглянути технологію постправди як нову правову дійсність, а також інтерпретувати її як сукупність різних рівнів пропаганди, що взаємодіють, але реалізуються в термінах легітимації політики домінування. Герменевтичний підхід дає змогу дослідити принципи і методи тлумачення текстів, що моделюються в рамках технології постправди, аналізувати нові символи, атрибути мистецтва та інші форми комунікації. **Результати дослідження.** Показано, що постправда, в якості технології, може нівелювати конструктивне значення інформації, тому кожен індивідуум будує власну інформаційну реальність, а його дії легітимізуються політичною доцільністю. **Обговорення.** Світопорядок розглянуть як економічний, політичний, географічний та культурний чинники, як сферу комунікації та інформації. Постправда як технологія спрямована на нескінченну компіляцію і штучну перебудову моделі світу. Політехнологія постправди акцентує увагу на зовнішньому ефекті, красномовстві та споживачеві. **Висновки.** Технологія постправди є інструментом впливу на психіку маси людей в умовах контролю за інформацією. Вона не перемагає тотально, хоча й шукає вразливі місця для агресивного впливу. Політичні наслідки впровадження технології постправди завжди є фатальними, тому що людська свідомість завжди шукає суперечності. У такий спосіб свідомість доходить до консенсусу на рівні розуміння сутності та логіки сформованого світопорядку.

Ключові слова: *перебудова, новий світопорядок, легітимація, постправда, правовий дискурс.*