



Legal values as the basis of the legal culture of society

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Abstract. The purpose of the study was to analyse how legal values affect the establishment and development of legal culture and their application in Ukrainian legislation during the European integration process was the aim of the study. The research methodology was based on a comparative study of the legal systems of Ukraine and the EU, as well as a retrospective examination of the phases of Ukrainian legislation's historical adaptation to the European one, particularly through the adoption of institutional and legal reforms. In the context of aligning Ukrainian law with EU legal norms, the study examined the function and importance of legal values as the cornerstone of society's legal culture. The main results of the study showed that despite the long process of integration, there is still a certain discrepancy between Ukrainian and European legal values, in particular, on the issues of guaranteeing freedoms and human rights, independence of the judiciary, ensuring the rule of law, etc. In particular, it was noted that although Ukraine has already implemented many European standards at the level of national legislation, primarily in the field of ensuring human rights, there are some problems with the implementation of these norms in practice, which is conditioned by both socio-political and economic problems, primarily the introduction of martial law due to Russian aggression. The results of the study indicate the need to further strengthen democracy, in particular, the independence of the judicial system, increase the degree of transparency in political decision-making, improve anti-corruption policies, improve social protection under martial law, and raise citizens' legal awareness. The paper also provided specific recommendations for improving national legislation to achieve better compliance with EU legal values

Keywords: democracy; rule of law; European integration; adaptation of legislation; European Union

Introduction

One of the most important aspects of the legal development of modern democratic states is the integration of national legal systems into the European legal space. The significance of this procedure is particularly pronounced in the context of Ukraine, a country which aspires to accede to the EU. The procedure fosters the development of legal culture in general and guarantees that national laws comply with international legal norms. The fundamental principles of the national political and legal systems are grounded in the legal values that constitute the legal culture of each respective community. This factor is particularly important in the context of Ukraine's European integration. This provides a significant practical and theoretical

significance to the research into how these principles affect Ukraine's legal system's modernisation process as a result of national laws being adapted to EU laws.

The need for research is conditioned by several factors. Firstly, full correspondence between Ukrainian and pan-European legal values has not been achieved, which affects the perfection of the legal system as a whole and its individual elements. Secondly, despite Ukraine's noteworthy advancements in legal integration, certain issues pertaining to the cultivation of the legal culture within society, notably that of civil servants, persist as unresolved concerns. These issues have given rise to expressions of dissatisfaction from representatives of civil society, institutions of the European Union, and

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the Council of Europe. It is imperative that a more profound examination be conducted into the correlation between Ukrainian legal values and their alignment with European standards, alongside the formulation of recommendations aimed at enhancing national legislation to ensure its congruence with EU legal norms.

The inherent multidimensionality of this research domain is a salient factor. A proportion of researchers concentrate on the analysis of legal values and their influence on the operation of the legal system. Thus, V. Lomaka *et al.* (2023) focused on studying the Europeanisation process through the prism of analysing changes in the legal systems of EU candidate countries that occur under the influence of the adaptation of Ukrainian legislation to EU legislation. S.G. Melnichenko (2024), in turn, analysed the nature of the impact of European integration on the legal system of Ukraine. Special attention was paid to the legal and institutional changes caused by the need to comply with the Copenhagen membership criteria, in particular, the legal criterion. I.M. Dyachyshyn (2021) examined how globalisation and European integration affected the state of legal culture of Ukrainian society; how the process of adapting Ukrainian law to EU law was facilitated by shifts in citizens' legal consciousness, precipitated by their perception of pan-European legal values. Concurrently, other scholars concentrated on particular facets of the legal system's evolution, such as protecting freedoms and human rights, upholding the rule of law, the court's independence, ideological plurality, etc. For instance, I.P. Andrusiak (2023) examined the challenges faced by the state in implementing European standards to prevent domestic violence, with a particular focus on safeguarding children's rights. Similarly, I.M. Muzychka & O. Rudkovska (2024) highlighted the need to strengthen national mechanisms for protecting human rights in Ukraine, in order to comply with the Copenhagen criteria (a political criterion) of EU membership. In addition, the steps that Ukrainian lawmakers should take to guarantee that national laws more closely adhere to European legal standards in the area of human rights and freedoms were examined. T. Drakokhryst's (2023) research focused on the issues surrounding the legal regulation of Ukraine's executive authorities' operations in light of European integration. In order to enhance the efficacy of governance, the necessity of aligning Ukraine's state authorities' organisational structure and administrative procedures with European legal norms was emphasised. It is worth pointing out a new area of research related to the impact of martial law imposed through Russian aggression on the state of the legal culture of society and the legal system as a whole, and the forecast of possible areas for the transformation of the legal field of Ukraine in the post-war period, for example, the study by N. Goncharuk & A. Cherednychenko (2022).

In order to evaluate the areas of growth of Ukrainian society's legal culture and its conformity to pan-European

culture, it is also required to highlight the small number of studies that concentrate on the methodical comparison of the legal systems of Ukraine and the EU. To ensure the effective functioning of the state in the context of European integration, it is imperative to investigate this issue and identify strategies to expedite the integration of Ukrainian law with EU law. As posited by I.P. Andrusiak (2023) and I. Lisna (2023), there exist certain challenges within Ukrainian society, with particular relevance to civil officials, in comprehending pan-European legal concepts. This has a detrimental effect on the efficiency of law enforcement. According to Ukrainian individuals and European institutions, the primary barriers to European integration are, in particular, a relatively high degree of corruption and a lack of transparency in the approval of certain political and legal decisions. However, other studies highlighted examples of successful implementation of certain European legal standards, in particular, in the field of human rights and the introduction of democratic procedures, which gives hope for further improvement of the situation (Udovyka & Gunya, 2023).

The purpose of this study was to analyse how Ukrainian legal values relate to the values of a united Europe, and to identify problems that hinder the process of modernisation of the Ukrainian legal system, increasing the level of legal culture of society. Within the framework of this goal, the following tasks were defined: to describe the key legal values of a united Europe and determine their impact on legal processes within the EU; to assess how much Ukrainian legislation complies with EU legal standards; to identify problems and prospects for implementing these standards; to develop proposals for improving the legal system of Ukraine and steps to accelerate the legal integration of Ukraine.

Materials and methods

The stages of the study included: collecting theoretical materials covering issues related to the definition of the concept of legal values and analysing their impact on the development of the legal culture of society; conducting a comparative analysis of Ukrainian and pan-European legal values and investigating the stages of adaptation of Ukrainian legislation to EU legislation; identifying gaps in the current legislation and formulating recommendations for their elimination; The Association Agreement between the European Union and its Member States, of the One Part, and Ukraine, of the Other Part (2014), which provides the legal foundation for converting Ukrainian laws to EU laws, and the Charter of Fundamental Rights of the European Union (2012), whose provisions uphold the fundamental rights of EU citizens, were specifically examined in order to gain a deeper understanding of the issue; European Convention on Human Rights (1950), which defines human rights and freedoms and democratic standards to be implemented in the national legislation of the state's

parties to the Convention; a number of legislative acts, in particular, the Law of Ukraine No. 2866-IV (2005), Law of Ukraine No. 1700-VII (2014), which were aimed at the perception of European legal values; issues related to the implementation of judicial reform, the creation of anti-corruption bodies, ensuring minority rights, gender equality, environmental standards and freedom of speech were considered separately. Particular attention was paid to legal reforms that need to be implemented to bring Ukrainian legal values in line with European values.

Throughout the study, Ukraine's legal values were taken into account in the framework of European legal integration; more specifically, they were contrasted with those of the EU. This was accomplished in two main ways. Firstly, a retrospective examination of the historical stages of Ukrainian legislation's adaptation to EU legislation was conducted. Secondly, the legal systems of Ukraine and individual EU member states were compared using a comparative legal method. The research process began with the investigation of the theory of legal values as the core of the pan-European legal culture formed in the process of integration. For this purpose, documents adopted within the EU were used, in particular the constituent treaties of the EU (Treaty on the..., 1957; Maastricht Treaty, 1992; Treaty of Lisbon, 2007), Charter of Fundamental Rights of the European Union (2012), and European Convention on Human Rights (1950). To this end, a comparative analysis of Ukrainian and pan-European legal ideals was conducted in order to identify issues with modernising Ukraine's legal system and its component legal culture.

The analysis of national legislation was also carried out (for example, Constitution of Ukraine (1996), Law of Ukraine No. 2866-IV (2005), Law of Ukraine No. 1700-VII (2014) for their compliance with international treaties devoted to the legal regulation of human rights. The next stage was a retrospective study of the stages of adaptation of Ukrainian legislation to European standards, in particular, the study of changes in Ukrainian laws after the signing of the Association Agreement between the European Union and its Member States, of the One Part, and Ukraine, of the Other Part (2014) (for example, new editions of Law of Ukraine No. 776/97-VR (1998), which brings the activities of the ombudsman of Ukraine in line with EU standards, and Law of Ukraine No. 2866-IV (2005). The study also examined the influence of EU law on the development of Ukrainian legislation, with a particular focus on the comparison between the main laws that guarantee fundamental freedoms and human rights, democracy and social justice in Ukraine and those in EU Member States. In the course of the study, open sources were used, in particular, research papers, official legal documents, and reports of the European Commission (European Commission Report..., 2024) and United Nations bodies (Periodic Report on..., 2024). The study

covered the period from 2014 (the year of signing the Association Agreement) to 2024, focusing on modern reforms introduced in Ukraine to coordinate with European legal standards.

Results

General characteristics of legal values and their significance for the legal culture of society

The fundamental nature of legal culture is determined by the prevailing legal principles, which establish the moral and ethical standards for the rule of law and the legal relations within the state. These legal principles guarantee the growth and stability of the legal system, as well as the maintenance of harmonious relations between citizens and state entities (Wouters, 2020). As articulated in legal documents and international legal instruments, principles such as equality before the law, the rule of law, the inviolability of human rights and freedoms, support for democracy, and social justice possess both theoretical and practical significance (Rossi, 2020). Legal culture is formed through the influence of legal values on legal awareness – knowledge, ideas and beliefs of citizens about the law, which stimulate respect for the law and contribute to effective compliance with legal norms (Ashiagbor *et al.*, 2022). As noted by A. Kwiatkowska & A. Kwiatkowski (2022), societies with a high level of legal consciousness have a higher level of legal culture, which increases confidence in the legal institutions of the state.

The capacity of prevailing legislation to incorporate legal values is conducive to its modification to meet societal demands, as illustrated by the example of the principle of equality. The inviolability of human rights and freedoms must be recognised at the international legal and constitutional levels for this principle to be implemented. The practical application of the standards of the rule of law, as discussed by R. Wacks (2023), is then responsible for implementing fairness and predictability in legal relations. Legal principles define the moral and ethical underpinnings of the state's legal system and serve as the foundation of a social compact, as stated by B. Rothstein (2021) and F. Pirie (2023). The efficacy of legal mechanisms, stability, and the democratic evolution of society are thus dependent upon the interdependence and interrelatedness of legal ideals, legal culture, legal consciousness, and the state's legal system. The construction of a fair legal system and the advancement of the state are heavily reliant on the incorporation of legal ideals into the public consciousness, particularly among civil officials involved in rule-making.

It is evident that the legal principles upon which the EU is based and functions are upheld by three key articles of the European Union's legal framework. These articles include Article 2 of the Maastricht Treaty (1992), the Treaty on the Functioning of the European Union (1957), and the Charter of Fundamental Rights of the European Union (2012). The aforementioned

articles uphold the principles of respect for human dignity, freedom, democracy, equality, the rule of law, inalienability, and respect for human rights, particularly those of members of minorities. The establishment of a legal framework for the harmonisation of national legal standards by EU member states within the framework of the EU rule of law is facilitated by the normative consolidation and application of values shared by all EU member states in a society dominated by pluralism, non-discrimination, tolerance, justice, solidarity, and equality of women and men (Article 3 of the Maastricht Treaty). Notably, pan-European legal values play an important role in the development and implementation of EU foreign policy (in its relations with the world, the union maintains and distributes its values (Article 3 of the Maastricht Treaty); the Union develops special relations with neighbouring countries to create a space of prosperity and good neighbourliness based on the Union's values (Article 8 of the Maastricht Treaty), defining the content of diplomatic strategies and partnership agreements (Hypiak *et al.*, 2022; Coman, 2024).

The rule of law, which guarantees predictability, stability and fairness in legal relations, is the foundation of the legal order in the EU. The European Commission and the EU Court of Justice actively support the same understanding and application of legal norms in all member states, which contributes to the maintenance of stability and integration of legal systems (Silveira *et al.*, 2024). The democratic nature of the organisation and exercise of power in the EU implies the participation of citizens in decision-making, transparency of the activities of its institutions and bodies, and the responsibility of the EU authorities to their citizens (Maastricht Treaty, 1992). EU values also influence the Europeanisation of the national legal systems of EU member states, candidate countries, and neighbouring states. This involves harmonising the national legislation of EU member states in many areas of legal regulation, especially in the areas of human rights, labour relations and combating discrimination, and adapting the legislation of candidate countries and neighbouring states to EU legislation. For instance, the EU's constituent treaties, directives and regulations, which guarantee the right to equality and non-discrimination, form the basis for the creation of pertinent legislation and policies in member states (Coman, 2024). The Court of Justice of the EU, instrumental in the introduction of the principles of the rule of law and the direct application of EU law in 1960-1970, ensures that Member States fulfil their responsibilities to provide effective remedies in areas covered by EU law (Silveira *et al.*, 2024). Despite significant progress, the harmonisation of legal standards is hindered by the constant expansion of the membership of the United Europe at the expense of new states that belong to different legal families, adhere to different legal traditions stemming from national legal cultures, and have a certain lack of democracy. As noted by M. Hypiak *et*

al. (2022) and R. Müller *et al.* (2021), these differences require dialogue and compromise to achieve harmony between national and European norms.

Thus, legal values and principles that define the legal culture of a society are key to the stability and development of the legal system. They contribute to the formation of legal awareness of citizens, which, in turn, increases trust in legal institutions and ensures effective compliance with legal norms. The legal ideals enshrined in international and national documents become the basis of the social contract on which a democratic society is built. In the context of European integration, the harmonisation of legal norms among EU member states is an important step towards ensuring stability and the development of the rule of law in Europe, despite the existing differences in legal systems and traditions.

Adaptation of Ukrainian legislation to EU legislation

The adaptation of Ukrainian legislation to EU legislation is a complex multidimensional process that involves not only formal changes in regulatory acts, but also deep structural and socio-economic transformations. This process is part of a broader strategy for Ukraine's European integration, which includes not only legal, but also political, economic, and social components. In this context, it is important to note that the adaptation of legislation is not limited only to the adoption of new laws or regulations, but also provides for changes in law enforcement and interpretation and legal activities, and therefore in the minds of civil servants working in the relevant authorities.

In the field of legal analysis, a predominant methodological approach to the examination of the adaptation process is the comparison of national legal systems with the EU legal order, as asserted by P. De Cruz (2024). This approach facilitates the identification of substantial distinctions between Ukrainian and pan-European law, in addition to the consideration of adaptation issues when analysing the experiences of other EU candidate nations. For instance, Ukraine is actively implementing European standards, particularly in the areas of human rights and the rule of law, in contrast to several Western Balkan nations where the adaptation process is considerably slower. However, Ukraine still needs to complete the reform of the judicial system, because EU legal standards require guarantees of independence and impartiality of courts and ensuring the effectiveness of justice. This is conditioned by the fact that, as noted by T. Komarova & A. Lazowski (2024), the EU's legislative powers in matters of ensuring the rule of law are very limited, and therefore, member states must function in such a way that it complies with the principles of EU law. This, according to the EU Court of Justice, requires member states to guarantee the true independence of national judicial systems.

To assess the effectiveness of the process of adaptation of Ukrainian legislation to the EU *acquis*, it is appropriate to use the comparative legal method, which allows identifying the steps that need to be taken to accelerate the process of adaptation of legislation. Although the signing of the Association Agreement between the European Union and its Member States, of the One Part, and Ukraine, of the Other Part (2014) was an important milestone in the process of Europeanisation of the legal system of Ukraine, some progress in reforming Ukrainian legislation was achieved during the previous and subsequent stages of Ukraine's integration. For example, the following important legislative acts were adopted: Law of Ukraine No. 2680-VIII (2019); Law of Ukraine No. 2510-IX (2022); Law of Ukraine No. 2866-IV (2005); Law of Ukraine No. 1629-IV (2004); Law of Ukraine No. 2494-XII (1992), etc. Ukraine's ratification of the European Charter for Regional or Minority Languages (1992) in 2003 should also be positively assessed.

The progress in the process of approximation of Ukrainian legislation to the EU *acquis* is assessed by the European Commission, which, after Ukraine acquires candidate status, publishes an annual analytical report to the Communication from the Commission to the

European Parliament, the European Council and the Council and the Opinion of the European Commission on Ukraine's application for membership in the EU. These documents assess the situation in Ukraine as of the relevant date, and also define, firstly, recommendations to the Ukrainian government on working on EU-defined clusters in the economic, political and social spheres in order to coordinate them with the EU *acquis*, and, secondly, the range of issues that the government needs to work on as a priority, so that they do not become an obstacle to the successful coordination of national legislation with the EU *acquis*.

As the experience of Eastern European countries shows, progress towards integration into a united Europe directly depends on the perception by the national parliament, courts and the system of law enforcement bodies, and society as a whole in the system of legal values on which the EU legal order is built, and compliance with which is required by the Copenhagen criteria for EU membership (political and legal). In order to ascertain the efficiency with which Ukraine's national legislation is being adapted to the *acquis*, it is necessary to understand the relationship between the Ukrainian and pan-European systems of legal values (Table 1).

Table 1. EU core values and Ukrainian legislative values in comparison

Legal values	Ukraine	EU
Inviolability of human rights and freedoms	Specified in numerous legislative acts and regulations, in addition to the Ukrainian Constitution, the major international agreements pertaining to freedoms and human rights have been ratified by Ukraine. Nevertheless, certain issues have been identified with regard to the application of these agreements, particularly in instances where martial law is in effect	The Charter of Fundamental Rights of the European Union, prevailing legislation, and EU constituent treaties collectively delineate the fundamental rights and freedoms of individuals. Since the 1960s, the EU Court of Justice has consistently emphasised the imperative for safeguarding human rights, both in the context of unwritten law, grounded in member state legal principles, and within the framework of constituent treaties
Rule of law	The principle of the rule of law is stipulated in the Constitution of Ukraine	A fundamental principle of the EU is the rule of law, which is upheld by autonomous court systems and efficient enforcement procedures
Democracy	Notwithstanding its status as a multi-party parliamentary-presidential republic, Ukraine is confronted with challenges pertaining to political stability and the pre-eminence of oligarchic systems	The EU is founded on democratic ideals, particularly through the European Parliament, which is chosen by the people, and procedures for public participation in decision-making.
Freedom	The Ukrainian Constitution guarantees a number of fundamental liberties, including freedom of expression, freedom of assembly and freedom of movement. However, it should be noted that there are limitations and specific instances in which these rights may be violated	The EU provides broad freedoms, including freedom of movement, freedom of enterprise, and freedom of information
Solidarity	In the context of international organisations such as the Organisation for Security and Co-operation in Europe and the United Nations, Ukraine aspires to unity. Nevertheless, the presence of social and political divisions has the potential to compromise internal solidarity.	The EU's fundamental values include a strong emphasis on solidarity. This is exemplified by the adoption of shared policies and the implementation of financial assistance programmes and crisis management measures for member states.

Source: developed by the author based on O.M. Sakhan & N.V. Shevchuk (2018), I.P. Andrusiak (2023), T. Drakokhryst (2023)

An analysis of the relationship between Ukrainian legal principles and EU core values reveals both similarities and contrasts. Numerous values that are

reflected in the pan-European legal values system have been entrenched at the legislative level in Ukraine. Consequently, the fundamental provisions of the

Constitution of Ukraine (1996) underscore the democratic and legal character of the Ukrainian state, as outlined in Article 3, which stipulates that the sanctity of human life and health, honor and dignity, and inviolability are recognized as the highest social values. Additionally, the document underscores the inalienability and inviolability of human rights, freedoms (Articles 21, 22); the judicial protection of each individual's rights and freedoms (Articles 8, 22, and other articles of Section II of the Constitution); Ukraine adheres to the principle of the rule of law (Article 8, 129); it stipulates that existing international treaties, which the Verkhovna Rada of Ukraine consented to be bound by, are included in the national legislation of Ukraine (Article 9); it guarantees the independence and inviolability of judges (Article 126, 130); and it stipulates that a judge, while administering justice, is independent and guided by the rule of law (Article 129). The ratification of fundamental international legal treaties in the area of human rights protection, particularly the European Convention on Human Rights (1950), by Ukraine was a crucial precondition for the alignment of the national system of values with the legal values of the EU. Should Ukraine wish to join the EU, it will be necessary for its constitution to be amended and supplemented. This process will entail the alignment of the clause stipulating the highest legal force of the Constitution with the EU's principle of the rule of law. Additionally, it will ensure the legal solidification of the transfer of specific sovereign rights and powers to the pan-European level.

The process of adapting Ukrainian legislation to EU norms is multifaceted and complex. Comparative analysis helps to clearly identify gaps and ways to eliminate them, and outline the areas of further reforms. Notwithstanding the noteworthy advancements witnessed, the process remains intricate due to the necessity for further legal, political and economic reforms. In accordance with European standards, Ukraine is obligated not only to promulgate legislation but also to implement it effectively, a task that poses the greatest challenge in the realm of substantive reforms. Significant headway has been made in defending individual rights, judicial reform, and combating corruption as a result of Ukraine's modernisation of its laws following the signing of the Association Agreement with the EU in 2014. However, as S. Pernicka & G. Hefler (2022) point out, the process of Europeanisation is not a linear one and is contingent upon the political will of governments.

One of the most significant components of the process of converting Ukrainian law to EU law is judicial reform. According to A. Paskar (2023), one of the most crucial requirements for Ukraine's successful EU entry is the reform of its judicial system. The experience of Eastern European nations entering the United Europe demonstrates that the EU has to establish genuinely independent courts whose operations are shielded from meddling by the executive branch and other

political and commercial institutions. Ukraine has taken important steps towards judicial reform: established two judicial management bodies – the High Council of Justice and the High Qualification Commission of Judges, which are responsible for implementing judicial reform; adopted the Law of Ukraine No. 3277-IX (2023), Law of Ukraine No. 3304-IX (2023), Law of Ukraine No. 3378-IX (2023) and Law of Ukraine No. 3511-IX (2023); introduced the practice of attracting foreigners to the preliminary selection of candidates for the position of Judge of the Constitutional Court, forming the composition of the High Council of Justice and the High Qualification Commission of Judges (however, some researchers consider this a disadvantage, since it is not provided for by the Constitution and the current legislation of Ukraine). These steps are in line with the EU's recommendations in the Ukraine Progress Report on the 2023 EU Enlargement Package.

However, the following problems remain unresolved: imperfect legislation; the need to restore the efficiency of the High Council of Justice and the High Qualification Commission of Judges; the creation of the High Administrative Court to consider cases concerning higher state authorities with both instances; the completion of the qualification assessment (verification) of acting judges by the High Qualification Commission of Judges; overcoming corruption; improving access to justice; overcoming the shortage of personnel and court overload; resolving the issue of consolidating the network of local courts in accordance with the new administrative structure; optimising the procedures for selecting candidates for judicial positions; the need to increase the level of legal culture of court personnel, and their level of awareness of EU law; preventing indirect control over processes in the justice system (This year, the..., 2023); resolving the issue of judicial law-making; introducing the institution of justices of the peace (Decree of the..., 2021); digitalisation of the judicial system, increasing the level of trust in the court, etc.

The sociological study "Corruption in Ukraine 2024: understanding, perception, prevalence" (Ukrainians have become...), commissioned by the National Agency for the Prevention of Corruption in 2024, found that, according to 79.4% of citizens and 76% of business representatives, corruption is the second most important issue facing Ukraine after Russian armed aggression. Ukraine's efforts to combat corruption have seen modest success. The establishment of the High Anti-Corruption Court of Ukraine, the National Agency for the Prevention of Corruption, the National Anti-Corruption Bureau, the Anti-Corruption Prosecutor's Office, and the National Agency for the Detection, Tracing, and Management of Assets Derived from Corruption and Other Crimes has resulted in the establishment of the institutional framework necessary to effectively combat corruption.

The United Nations Convention Against Corruption (2004) and the Criminal Law Convention on

Corruption (1999) are the two most important international legal treaties on combating corruption that Ukraine has adopted. This served as a legal basis for strengthening the relevant legislative framework by adopting Law of Ukraine No. 3207-VI (2011), Law of Ukraine No. 221-VII (2013), Law of Ukraine No. 224-VII (2013), Law of Ukraine No. 1700-VII (2014) and the adoption of Anti-Corruption Strategy for 2021-2025 (2020) and State Anti-Corruption Programme 2023-2025 (2023). The strengthening of inspections of judges' integrity declarations should be positively assessed and helps to overcome corruption risks in the judicial system.

The practice of improving the skills of employees of state authorities and local self-government bodies, who are responsible for organising work on preventing and countering corruption, developing explanations of the National Agency for the Prevention of Corruption on the application of certain provisions of the current anti-corruption legislation, in particular, on financial control measures, mechanisms for encouraging and forming a culture of reporting possible facts of corruption offences, preventing and resolving conflicts of interest, compliance with restrictions on the prevention of corruption (List of regulatory..., n.d.).

However, Ukraine still needs to take a number of steps to strengthen the effectiveness of the anti-corruption policy and bring it to the requirements of the EU, namely: improving the anti-corruption legislation, in particular, the criminal and criminal procedure codes of Ukraine to ensure a greater ability of anti-corruption bodies to effectively perform their functions (in particular, eliminating gaps in the law on investigation, criminal prosecution, and court decisions in cases of corruption with the participation of high-ranking officials); ensuring a step-by-step and systematic approach to improving the effectiveness of the anti-corruption policy of the state; improving the procedures for selecting the head and officials of anti-corruption bodies; solving problems related to the increase in the number of employees of anti-corruption structures; strengthening cross-border cooperation and contributes to the fight against international crime; implementation of digital transformation of public administration processes;

increasing the level of material and technical support for anti-corruption bodies, etc.

The analysis shows that the process of adaptation of Ukrainian legislation to the European one is complex and multifaceted, which requires an integrated approach and constant attention of competent public authorities, experts from among experts in EU law involved in the implementation of legal reforms. Coordination of the actions of competent state bodies with EU institutions, and civil society institutions, experts in EU law from among scientific and scientific-pedagogical personnel is critical for the success of the process of adaptation of legislation. When adapting the legislation, Ukraine also has to consider the socio-economic conditions in which it finds itself. As noted by P. Müller *et al.* (2021), the socio-economic context significantly affects the effectiveness of adaptation. The introduction of martial law in Ukraine due to Russian aggression in a certain way complicates the perception of European legal standards and their implementation in legislative and law enforcement activities.

The process of approximation of Ukrainian legislation to European standards is complex and multifaceted, requiring not only legislative changes but also significant socio-economic, political and cultural efforts. Progress in reforming the judiciary, fighting corruption and protecting human rights are important steps, but to achieve full compliance with EU requirements, Ukraine needs to continue to improve its legislation, ensure its effective enforcement and take into account the specific conditions created by external threats and internal challenges. Promoting the effective adaptation of European values in Ukraine requires close cooperation between state authorities, civil society and EU experts, as well as due consideration of the current socio-economic context.

Proposals for updating the system of legal values of Ukraine

A crucial first step towards integration and maintaining legal stability is the process of harmonising Ukraine's legal values with those of the EU. Proposals for updating and supplementing Ukraine's system of legal values in line with European norms need to be developed in order to achieve effective adaptation (Table 2).

Table 2. Proposals for updating the system of legal values of Ukraine

Legal values	Recommendations
Inviolability and inviolability of freedoms and human rights	Enhance systems for safeguarding human rights both during martial law and throughout the reconstruction phase following the war
Rule of law	Create revisions and additions to the Ukrainian Constitution that would include provisions allowing the transfer of specific sovereign rights and powers of the EU, and deal with concerns regarding the Constitution's supremacy over the EU's rule of law principle
Independent and effective court	Enhancing the judiciary's independence, guaranteeing judges' actual independence from political influence, and giving them more authority
Democracy	Creation of a revised version of Law of Ukraine No. 474-XIV (1999), and Law of Ukraine No. 4061-VI (2012), that would take into account the effects of martial law as well as voter migration, both domestically and abroad

Table 2. Continued

Legal values	Recommendations
Freedom	Strengthening protections for the exercise of freedom of speech and information during martial law, thwarting Russian information aggression, maintaining media independence, and guaranteeing citizens' access to trustworthy information
Equality	Enhancing the legal protections for minority rights and establishing the framework for all social groupings to operate equally and fully
Solidarity	Enhancement of laws pertaining to social protection of the populace, particularly socially vulnerable groups and segments; guaranteeing equitable development of all state regions; and minimising socioeconomic disparities in the growth of various regions

Source: developed by the author

The implementation of these and other proposals in the context of the process of adaptation of Ukrainian legislation to EU legislation is impossible without improving the level of legal culture of society and, in particular, civil servants involved in the development of legal norms, their interpretation and application. This, in turn, implies amendments to bachelor's and master's educational programmes in institutions of higher education of legal profile, which provide for an in-depth and comprehensive study of EU law (the entire spectrum of its branches), and the practice of its application.

Since 2022, Ukraine has been under martial law, which makes it extremely difficult to apply European norms to the country's legal system. In addition to having serious socioeconomic repercussions, Russian aggression directly affects the judicial system, specifically: (a) violations of human rights and freedoms, including systematic mass and egregious violations of the 1st-4th Geneva Conventions by Russia, concerning the treatment of military and naval personnel, the treatment of prisoners of war, the rights of civilians, and the treatment of injured and ill members of the armed forces, as well as challenges in upholding a specific set of rights and freedoms in the area under the jurisdiction of the Ukrainian governments; (b) problems with access to justice: under martial law, the judicial system's ability to function properly is severely hindered, and access to justice is nonexistent in the temporarily occupied areas; (c) the security situation and the large-scale internal and external migration of Ukrainians make it difficult to hold elections for president, people's representatives, and local self-government (both in the temporarily occupied and frontline areas and throughout Ukraine); (d) there are issues with ensuring the transparency of the electoral process and the elections themselves; and (d) the implementation of democratic mechanisms for monitoring the actions of government bodies. Implementing European legal norms is made more difficult by these and other issues (such as the war's prolongation and Moscow's ultimatum demands). Even in the face of martial law, Ukraine's democracy should be preserved and developed. The state's involvement of civil society in the legal integration process is crucial to the success of the transformation of Ukrainian law into EU

law. Platforms for communication, exchange of ideas and initiative between state authorities and public organisations need to be established in order to improve Ukraine's legal culture under difficult circumstances.

Discussion

Given the background of the study's earlier findings, it can be said that Ukraine has made great strides in aligning its laws with those of the EU, particularly in areas like judicial reform, human rights, the rule of law, and anti-corruption efforts. However, there are still issues to be addressed, such as ensuring the effective independence of the courts, staffing courts and anti-corruption bodies, changing legal education, raising the level of legal culture among government officials, etc. Attention also should be paid to the study by P. Akaliyski & T. Reeskens (2024), who analysed the Ukrainian system of values in the context of the influence of the Slavic-Orthodox heritage and pan-European values on it. Using the index of European values, which included gender equality, individual freedom and liberal democracy, to compare Ukrainian values with Russian and Western European ones, the researchers concluded that although Ukrainian values are closer to Russian than to any EU country, there are noticeable differences, especially among younger age groups. This indicates a gradual reorientation of Ukrainian society to European values.

Similar findings were made by C. Ballieu & R. Schwok (2023), who examined Ukraine's integration process in relation to Belarus and Moldova, contrasting its experience with that of the Western Balkans in the context of European integration. The researchers stress the importance of taking into account the EU's policies in the process of integrating other nations into its structure. In order to adapt laws and restore justice in the temporarily occupied territories, C. Ballieu and R. Schwok underline the importance of strengthening cooperation between Ukraine and the EU. One example would be the establishment of mobile courts and online platforms for filing claims. It was also mentioned that, in addition to Ukraine's efforts to achieve full legal integration, Member States and the EU should continue to support Ukraine on its path towards unification.

The study by E. Jones *et al.* (2022) analysed how various initiatives help countries seeking EU membership, in particular Ukraine. The study assessed the situation in Eastern European countries, including the reform of state institutions, electoral systems, and the fight against corruption. The researchers stated that without the support of member states for democratic processes and the reform of state institutions in candidate countries, the implementation of the Copenhagen criteria (political and legal) would be an extremely problematic task. F. Fabbrini (2022) analysed how the COVID-19 pandemic and Russian aggression against Ukraine have affected the EU's economic and monetary integration from a legal and political standpoint. The researcher concluded that initiatives such as the establishment of the NextGeneration EU Recovery Fund played an important positive role in the process of European integration with profound implications for the constitutional architecture of the EU economic governance and provided significant assistance to Ukraine as a candidate country for EU membership.

The researcher also pointed out the reverse influence of candidate countries on the European integration process. S. Gstöhl & C. Frommelt (2023) pointed this out, stressing the importance of the involvement of candidate countries in various forms of EU cooperation. These researchers suggested going beyond the conventional method of "downloading" (transferring EU legislation to the national level) and emphasised the importance of taking into account the national context and circumstances of Ukraine (martial law) when assessing the effectiveness and quality of Ukrainian legislation adaptation to EU legislation. The EU's involvement in crisis situations, including the pandemic and the war in Ukraine, was also examined by V. Anghel & E. Jones (2023). They underlined how international crises can affect not only the EU's internal operations, but also its ability to modify its policies in order to support countries competing for membership, such as Ukraine. This further illustrates the importance of European support in maintaining stability and growth in Ukraine as it moves towards integration.

Conclusions

The study identified important areas for the modernisation of the national legal system and examined the question of updating Ukraine's legal values in the light of EU membership. It was found that Ukraine has made great strides in bringing its laws into line with EU standards, particularly in the areas of implementation of democratic norms and protection of human rights and freedoms. However, there are still certain issues that require immediate attention, such as the incompleteness of the process of updating the legislation in

force, shortcomings in the implementation of the rule of law, the incompleteness of the reform of the judiciary, the ineffectiveness of anti-corruption bodies, the lack of confidence in certain state bodies, etc.

The study identified important areas for the modernisation of the national legal system and examined the question of updating Ukraine's legal values in the light of EU membership. It was found that Ukraine has made great strides in bringing its laws into line with EU standards, particularly in the areas of implementation of democratic norms and protection of human rights and freedoms. However, there are still certain issues that require immediate attention, such as the incompleteness of the process of updating the legislation in force, shortcomings in the implementation of the rule of law, the incompleteness of the reform of the judiciary, the ineffectiveness of anti-corruption bodies, the lack of confidence in certain state bodies, etc. The results obtained confirmed that the system of legal values stipulated in the EU constituent treaties has a positive impact on the modernisation of the legal system of Ukraine, particularly in increasing the level of legal culture of society, civil servants, and scientific and pedagogical workers. These positive shifts include a growing understanding of democratic processes, greater respect for human rights, and more robust legal safeguards for citizens' freedoms. However, challenges remain in ensuring full legal harmonisation, particularly concerning the incorporation of EU directives into national legislation and the adaptation of Ukrainian legal practices to meet EU standards. There is also a notable gap in the effective enforcement of laws, which undermines the broader goals of legal reform.

The results obtained confirmed that the system of legal values stipulated in the EU constituent treaties has a positive impact on the modernisation of the legal system of Ukraine, in particular, increasing the level of legal culture of society, civil servants, and scientific and pedagogical workers. Further research should focus on the analysis of the problems of adaptation of various branches of Ukrainian legislation to EU legislation; identification of areas for reforming legal education to train personnel who specialise in mastering knowledge about the relevant branches of EU legislation and are aware of the practice of its application; development of mechanisms for raising awareness of civil servants, public figures, and ordinary citizens of Ukraine about EU law and the system of legal values on which it is based.

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Conflict of interest

None.

References

- [1] Akaliyski, P., & Reeskens, T. (2024). Ukrainian values: Between the Slavic-Orthodox legacy and Europe's allure. *European Societies*, 26(2), 522-551. doi: 10.1080/14616696.2023.2206901.
- [2] Andrusiak, I.P. (2023). Children as victims of domestic violence: Analysis of adaptation of European standards. *Kherson State University Herald. Series "Legal Sciences"*, 5, 5-9. doi: 10.32999/ksu2307-8049/2023-5-1.
- [3] Anghel, V., & Jones, E. (2023). Is Europe really forged through crisis? Pandemic EU and the Russia-Ukraine war. *Journal of European Public Policy*, 30(4), 766-786. doi: 10.1080/13501763.2022.2140820.
- [4] Anti-Corruption Strategy for 2021-2025. (2020). Retrieved from <https://nazk.gov.ua/wp-content/uploads/2022/08/Antykoruptsijna-strategiya-na-2021-2025-rr.pdf>.
- [5] Ashiagbor, D., et al. (2022). *Understanding EU legal integration/disintegration: In search of new paradigms*. Retrieved from https://www.strath.ac.uk/media/1newwebsite/departmentsubject/law/CLS_WP_2022_XX_Understanding_EU_legal_integration_disintegration_v273_%28002%29.pdf.
- [6] Association Agreement between the European Union and its Member States, of the One Part, and Ukraine, of the Other Part. (2014, March). Retrieved from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A2014A0529%2801%29>.
- [7] Ballieu, C., & Schwok, R. (2023). *European integration in Belarus, Moldova and Ukraine: Assessing the role and strategies of the European Union in the Eastern Neighbours compared with the Western Balkans*. Retrieved from <https://www.unige.ch/gsi/files/2816/7655/2143/Ballieu.pdf>.
- [8] Charter of Fundamental Rights of the European Union. (2012, October). Retrieved from <https://surl.li/wxhuda>.
- [9] Coman, R. (2024). How does the EU seek to encourage change in national justice systems? A framework of coordinative and coercive Europeanization at work. *Comparative European Politics*, 23, 139-157. doi: 10.1057/s41295-024-00391-7.
- [10] Constitution of Ukraine. (1996, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/254%D0%BA/96-%D0%B2%D1%80#Text>.
- [11] Criminal Law Convention on Corruption. (1999, January). Retrieved from <https://rm.coe.int/168007f3f5>.
- [12] De Cruz, P. (2024). *Comparative law in a changing world*. London: Taylor & Francis.
- [13] Decree of the President of Ukraine No. 231/2021 "On the Strategy for the Development of the Justice System and Constitutional Justice for 2021-2023". (2021, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/231/2021#Text>.
- [14] Drakokhryst, T. (2023). Legal basis for the activities of executive authorities of Ukraine: European integration course. *Actual Problems of Jurisprudence*, 2, 222-227. doi: 10.35774/app2022.02.222.
- [15] Dyachyshyn, I.M. (2021). Features of adaptation of moral standards and Ukrainian legal culture to current conditions of European and international integration. *Scientific Bulletin of Public and Private Law*, 5(3), 93-98. doi: 10.32844/2618-1258.2021.5.3.15.
- [16] European Charter for Regional or Minority Languages. (1992, November). Retrieved from https://zakon.rada.gov.ua/laws/show/994_014#Text.
- [17] European Commission Report 2024: Assessment of Ukraine's progress in preventing and combating corruption. (2024). Retrieved from <https://nazk.gov.ua/en/european-commission-report-2024-assessment-of-ukraine-s-progress-in-preventing-and-combating-corruption/>.
- [18] European Convention on Human Rights. (1950, November). Retrieved from https://www.echr.coe.int/documents/d/echr/Convention_ENG.
- [19] Fabbri, F. (2022). *EU fiscal capacity: Legal integration after Covid-19 and the war in Ukraine*. Oxford: Oxford University Press. doi: 10.1093/oso/9780198874225.001.0001.
- [20] Goncharuk, N., & Cherednychenko, A. (2022). Modernization of public administration in Ukraine during the war and in the post-war period in the context of European Values. *Public Administration Aspects*, 10(6), 46-54. doi: 10.15421/152243.
- [21] Gstöhl, S., & Frommelt, C. (2023). Beyond downloading: Venues for associated neighbouring countries to influence EU law and policies. *Journal of Common Market Studies*, 61(6), 1512-1528. doi: 10.1111/jcms.13436.
- [22] Hypiak, M., Paul, J., Shuilzenko, N., Tabaszewski, R., & Kazić, E. (2022). *Current challenges of human rights, rule of law and democracy*. Retrieved from <https://repozytorium.kul.pl/items/fea90ced-190d-40b0-abd2-cc6aa6bc471a>.
- [23] Jones, E., Csaky, Z., Brudzińska, K., Mantoiu, E., Farinha, R., Johnson, C., & Leafstedt, E. (2022). *European democracy support annual review 2022*. Retrieved from https://carnegieendowment.org/files/EDH22_Annual_Review_v3_updated.pdf.

- [24] Komarova, T., & Lazowski, A. (2024). *Jurisprudence of the Court of Justice of the EU on the rule of law and its significance for Ukraine*. Retrieved from <https://www.pravojustice.eu/storage/app/uploads/public/66a/b96/268/66ab96268605b879785995.pdf>.
- [25] Kwiatkowska, A.M., & Kwiatkowski, A.M. (2022). Principles and values of the European Union as a legal basis for European integration. *Uneingeschränkter Zugang*, 6(1), 73-94. doi: 10.2478/eustu-2022-0029.
- [26] Law of Ukraine No. 1629-IV "On the National Programme of Adaptation of Ukrainian Legislation to the Legislation of the European Union". (2004, March). Retrieved from <https://zakon.rada.gov.ua/laws/show/1629-15#Text>.
- [27] Law of Ukraine No. 1700-VII "On Prevention of Corruption". (2014, October). Retrieved from <https://zakon.rada.gov.ua/laws/show/1700-18>.
- [28] Law of Ukraine No. 221-VII "On Amendments to Certain Legislative Acts of Ukraine on Bringing National Legislation in Line with the Standards of the Criminal Law Convention on Corruption". (2013, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/221-18#Text>.
- [29] Law of Ukraine No. 224-VII "On Amendments to Certain Legislative Acts of Ukraine on Bringing National Legislation in Line with the Standards of the Criminal Law Convention on Corruption". (2013). Retrieved from <https://zakon.rada.gov.ua/laws/show/224-18#Text>.
- [30] Law of Ukraine No. 2494-XII "On National Minorities in Ukraine". (1992, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/2494-12#Text>.
- [31] Law of Ukraine No. 2510-IX "On Amendments to the Customs Code of Ukraine and Other Laws of Ukraine on Certain Issues of Implementation of Chapter 5 of Title IV of the Association Agreement between Ukraine, on the One Hand, and the EU, the European Atomic Energy Community and their Member States, on the Other Hand". (2022, August). Retrieved from <https://zakon.rada.gov.ua/laws/show/2510-20#Text>.
- [32] Law of Ukraine No. 2680-VIII "On Amendments to the Constitution of Ukraine (Regarding the Strategic Course of the State Towards Ukraine's Full Membership in the European Union and the North Atlantic Treaty Organisation)". (2019, February). Retrieved from <https://zakon.rada.gov.ua/laws/show/2680-19#Text>.
- [33] Law of Ukraine No. 2866-IV "On Ensuring Equal Rights and Opportunities for Women and Men". (2005, September). Retrieved from <https://zakon.rada.gov.ua/laws/show/2866-15>.
- [34] Law of Ukraine No. 2866-IV "On Ensuring Equal Rights and Opportunities for Women and Men". (2005, September). Retrieved from <https://zakon.rada.gov.ua/laws/show/2866-15#Text>.
- [35] Law of Ukraine No. 3207-VI "On Amendments to Certain Legislative Acts of Ukraine on Liability for Corruption Offences". (2011, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/3207-17#Text>.
- [36] Law of Ukraine No. 3277-IX "On Amendments to Certain Legislative Acts of Ukraine on Clarification of Provisions on Competitive Selection of Candidates for the Position of a Judge of the Constitutional Court of Ukraine". (2023, July). Retrieved from <https://zakon.rada.gov.ua/laws/show/3277-20#Text>.
- [37] Law of Ukraine No. 3304-IX "On Amendments to Certain Laws of Ukraine on Immediate Resumption of Cases Concerning Disciplinary Liability of Judges". (2023, August). Retrieved from <https://zakon.rada.gov.ua/laws/show/3304-20#Text>.
- [38] Law of Ukraine No. 3378-IX "On Amendments to the Law of Ukraine "On the Judiciary and Status of Judges" and Certain Laws of Ukraine on Changing the Status and Procedure for Forming the Service of Disciplinary Inspectors of the High Council of Justice". (2023, September). Retrieved from <https://zakon.rada.gov.ua/laws/show/3378-20#Text>.
- [39] Law of Ukraine No. 3511-IX "On Amendments to the Law of Ukraine "On the Judiciary and Status of Judges" and Certain Legislative Acts of Ukraine on Improving the Procedures for Judicial Career". (2023, December). Retrieved from <https://zakon.rada.gov.ua/laws/show/3511-20#Text>.
- [40] Law of Ukraine No. 4061-VI "On Elections of People's Deputies of Ukraine". (2012, November). Retrieved from <https://zakon.rada.gov.ua/laws/show/4061-17#Text>.
- [41] Law of Ukraine No. 474-XIV "On the Election of the President of Ukraine". (1999, March). Retrieved from <https://zakon.rada.gov.ua/laws/show/474-14#Text>.
- [42] Law of Ukraine No. 776/97-VR "On the Ukrainian Parliament Commissioner for Human Rights". (1998, December). Retrieved from <https://zakon.rada.gov.ua/laws/show/776/97-%D0%B2%D1%80#Text>.
- [43] Lisna, I. (2023). European integration and the modern legal system of Ukraine: The path to stability and development. *Topical Issues of Law: Theory and Practice*, 46, 169-179. doi: 10.33216/2218-5461/2023-46-2-169-179.
- [44] List of regulatory documents governing the fight against and prevention of corruption. (n.d.). Retrieved from <https://dmsu.gov.ua/diyalnist/corruption/perelik-normativnix-dokumentiv-shho-reglamentuyut-protidiyu-ta-zapobigannya-korupczij.html>.

- [45] Lomaka, V., Yakoviyk, I., & Bilousov, Y. (2023). Europeanisation and its impact on candidate countries for EU Membership: A view from Ukraine. *Access to Justice in Eastern Europe*, 6(2), 59-81. doi: [10.33327/AJEE-18-6.2-a000221](https://doi.org/10.33327/AJEE-18-6.2-a000221).
- [46] Maastricht Treaty. (1992, February). Retrieved from <https://www.europarl.europa.eu/about-parliament/en/in-the-past/the-parliament-and-the-treaties/maastricht-treaty>.
- [47] Melnichenko, S.G. (2024). [Overview of the prospects for Ukraine's integration into the European Union](#). In O.V. Skydan (Ed.), *Proceedings of the II All-Ukrainian scientific and practical conference "Economy and entrepreneurship in the conditions of modern challenges"* (pp. 84-87). Zhytomyr: Polissia National University.
- [48] Müller, P., Pomorska, K., & Tonra, B. (2021). The domestic challenge to EU foreign policy-making: From Europeanisation to de-Europeanisation?. *Journal of European Integration*, 43(5), 519-534. doi: [10.1080/07036337.2021.1927015](https://doi.org/10.1080/07036337.2021.1927015).
- [49] Muzychka, I.M., & Rudkovska, O. (2024). *Improving the mechanisms of human rights protection in the process of negotiations on Ukraine's accession to the European Union*. Retrieved from <https://dspace.nau.edu.ua/handle/NAU/62741>.
- [50] Paskar, A. (2023). The role of administrative court in ensuring human rights protection under martial law. *Eastern Journal of European Studies*, 14(2), 162-177. doi: [10.47743/ejes-2023-0207](https://doi.org/10.47743/ejes-2023-0207).
- [51] Periodic Report on the Human Rights Situation in Ukraine: 1 September to 30 November 2024. (2024). Retrieved from <https://ukraine.ohchr.org/en/Periodic-Report-on-the-Human-Rights-Situation-in-Ukraine-1-September-to-30-November-2024>.
- [52] Pernicka, S., & Heffler, G. (2022). The Europeanization of economy and society. In S.M. Büttner, M. Eigmüller & S. Worschech (Eds.), *Sociology of Europeanization* (pp. 169-190). Boston: De Gruyter Oldenbourg. doi: [10.1515/9783110673630](https://doi.org/10.1515/9783110673630).
- [53] Pirie, F. (2023). Anthropology of law. In M. Sellers, S. Kirste (Eds.), *Encyclopedia of the philosophy of law and social philosophy* (pp. 103-110). Dordrecht: Springer. doi: [10.1007/978-94-007-6519-1_110](https://doi.org/10.1007/978-94-007-6519-1_110).
- [54] Rossi, L.S. (2020). Legal value of values. Article 2 TEU: Interplay with other EU provisions. doi: [10.2139/ssrn.3654069](https://doi.org/10.2139/ssrn.3654069).
- [55] Rothstein, B. (2021). *Controlling corruption: The social contract approach*. Oxford: Oxford University Press. doi: [10.1093/oso/9780192894908.001.0001](https://doi.org/10.1093/oso/9780192894908.001.0001).
- [56] Sakhan, O.M., & Shevchuk, N.V. (2018). The problem of implementation of European values in the Ukrainian space. *Bulletin of Yaroslav Mudryi National Law University Series Philosophy Philosophies of Law Political Science Sociology*, 39(4), 126-142. doi: [10.21564/2075-7190.39.151215](https://doi.org/10.21564/2075-7190.39.151215).
- [57] Silveira, A., Coelho, L., Cabral, T., & Costa, M. (2024). *The charter of fundamental rights of the European Union: A commentary*. Retrieved from <https://repositorium.sdum.uminho.pt/bitstream/1822/93188/1/The%20Charter%20of%20Fundamental%20Rights%20of%20the%20EU%20-%20A%20Commentary.pdf>.
- [58] State Anti-Corruption Programme 2023-2025. (2023). Retrieved from <https://nazk.gov.ua/uk/derzhavna-antykoruptsiyna-programa-3/>.
- [59] This year, the HCJ received 130 reports of interference in the work of judges. (2023). Retrieved from <https://www.ukrinform.ua/rubric-society/3772901-vrp-cogoric-otrimala-130-povidomlen-pro-vtruccanna-udialnist-suddiv.html>.
- [60] Treaty of Lisbon. (2007, December). Retrieved from <https://www.europarl.europa.eu/about-parliament/en/in-the-past/the-parliament-and-the-treaties/treaty-of-lisbon>.
- [61] Treaty on the Functioning of the European Union. (1957, March). Retrieved from <https://op.europa.eu/en/publication-detail/-/publication/a910a2db-467c-11ea-b81b-01aa75ed71a1/language-en>.
- [62] Udovyka, L.G., & Gunya, D. (2023). The influence of European values on Ukrainian law. In *VII International Scientific and Practical Conference "Ukraine in the Context of Legal System Reform: Current Realities and International Experience"* (pp. 142-144). Retrieved from <http://confuf.wunu.edu.ua/index.php/confuf/article/view/1139>.
- [63] Ukrainians have become more active in reporting corruption: NACP presents research "Corruption in Ukraine 2024: Understanding, Perception, Prevalence". (2025). Retrieved from <https://nazk.gov.ua/uk/novyny/ukraintsi-staly-aktyvnishe-povidomlyaty-pro-koruptsiyu-nazk-prezentuvalo-doslidzhennya-koruptsiya-v-ukraini-2024-rozuminnya-spryynyattya-poshyrenist/>.
- [64] United Nations Convention Against Corruption. (2004). Retrieved from https://www.unodc.org/documents/brussels/UN_Convention_Against_Corruption.pdf.
- [65] Wacks, R. (2023). *Law: A very short introduction*. Oxford: Oxford University Press. doi: [10.1093/actrade/9780192870506.001.0001](https://doi.org/10.1093/actrade/9780192870506.001.0001).
- [66] Wouters, J. (2020). *Revisiting article 2 of the TEU: A true union of values?*. Retrieved from <https://www.europeanpapers.eu/en/e-journal/revisiting-art-2-teu-a-true-union-of-values>.

Правові цінності як основа правової культури суспільства

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Анотація. Дослідження спрямоване на аналіз того, як правові цінності впливають на становлення та розвиток правової культури та їх впровадження в українське законодавство у процесі європейської інтеграції. Методологія дослідження ґрунтувалась на порівняльному аналізі правових систем України та ЄС, а також на ретроспективному аналізі історичних етапів адаптації законодавства України до законодавства ЄС, зокрема через впровадження юридичних та інституційних реформ. В роботі проаналізовано роль та значення правових цінностей як основи правової культури суспільства, зокрема в контексті адаптації законодавства України до правових стандартів ЄС. Основні результати дослідження свідчать, що попри тривалий процес інтеграції все ще існує певна невідповідність між українськими і європейськими правовими цінностями, зокрема з питань гарантування прав і свобод людини, забезпечення верховенства права, незалежності судової влади та ін. Зокрема, зазначено, що хоча Україна вже впровадила на рівні національного законодавства чимало європейських стандартів, насамперед у сфері забезпечення прав людини, існують окремі проблеми з реалізацією цих норм на практиці, що зумовлене як соціально-політичними, так і економічними проблемами, насамперед запровадженням воєнного стану через російську агресію. Результати дослідження свідчать про необхідність подальшого зміцнення демократії, зокрема незалежності судової системи, підвищення рівня прозорості прийняття політичних рішень, удосконалення антикорупційної політики, покращення соціального захисту в умовах воєнного стану, а також зростання правової обізнаності громадян з метою підвищення якісного стану правової культури суспільства як обов'язкової умови сприяння демократичним процесам в державі. Робота також містить конкретні рекомендації щодо вдосконалення національного законодавства з метою досягнення більш повної відповідності правовим цінностями ЄС.

Ключові слова: демократія; верховенство права; європейська інтеграція; адаптація законодавства; Європейський Союз