

UDC 341.233(4): 342.7(477)
DOI: 10.63341/naia-chasopis/3.2025.45

European integration – driving force behind the development of Ukraine’s legal culture and the modernisation of its legal system

Andriy Tsvytkov*

PhD in Law

Academician F.H. Burchak Scientific and Research Institute of Private Law and Entrepreneurship of the National Academy of Legal Sciences of Ukraine
03150, 11 Kazymyr Malevych Str., Kyiv, Ukraine
<https://orcid.org/0000-0002-3239-322X>

Abstract

The aim of this study was to analyse the development of Ukraine’s legal culture under the influence of the strategic course towards European integration, and its impact on the modernisation of the national legal system. The research employed interdisciplinary and terminological approaches, along with dialectical, hermeneutic, historical-legal, comparative-legal, and systems-functional methods, as well as legal modelling. The study clarified the concepts of “legal system” and “legal culture” and provides their characteristics. Its core was an analysis of the role of European integration – both within the Council of Europe and the European Union – in modernising Ukraine’s legal system and reforming its structural elements, particularly legal culture. The paper substantiated the importance of adapting Ukraine’s legal system to the legal order of the European Union, which entails not only approximating Ukrainian legislation to the EU *acquis communautaire*, but also embracing the system of legal values and principles, procedures and practices on which EU law is based, and reorienting towards European standards in legal scholarship and legal education. The study analysed national normative legal acts and acts of the European Union largely related to meeting the legal criterion for EU membership. Overall, the results may be useful for a more thorough examination of the evolution of Ukraine’s legal system under the influence of European integration – both within the Council of Europe and the European Union – and for the potential development of a draft Concept for Enhancing the Legal Culture of Ukrainian Society, as well as measures aimed at raising the level of legal culture among civil servants and their awareness of EU law

Keywords:

legal integration; legislative adaptation; values; rule of law; legal consciousness; legal education

Introduction

The relevance of this study is determined by the profound transformations taking place in Ukraine’s legal system on its path towards integration with the legal order of the European Union (EU). To ensure coherence

between national legislation and European legal standards, and to raise the level of legal culture in Ukraine, a comprehensive process of legal-system modernisation is under way. This process envisages entrenching a

Article’s History:

Received: 17.04.2025

Revised: 04.09.2025

Accepted: 29.09.2025

Suggest Citation:

Tsvytkov, A. (2025). European integration – driving force behind the development of Ukraine’s legal culture and the modernisation of its legal system. *Law Journal of the National Academy of Internal Affairs*, 15(3), 45-58. doi: 10.63341/naia-chasopis/3.2025.45.

*Corresponding author



Copyright © The Author(s). This is an open access article distributed under the terms of the Creative Commons Attribution License 4.0 (<https://creativecommons.org/licenses/by/4.0/>)

system of universal European values, which necessitates increasing the level of legal consciousness among civil servants and the public at large, as well as forming new foundations of legal culture. This applies above all to young people (aged 14-35), making research into legal culture essential for a deeper understanding of the content and vectors of the evolution of Ukraine's legal system under martial law and European integration. The topic is directly linked to the need to improve Ukraine's legal system in order to accelerate alignment with the EU's legal standards. In the absence of such theorisation, it is perhaps unsurprising that, although several versions of the Strategy for the Development of the Justice System and Constitutional Proceedings up to 2029 were submitted to the President of Ukraine for consideration, the final version of this document, as of mid-2025, remains unapproved.

One avenue for improving the legal system, as noted in the literature, is to raise overall legal culture (LC). T. Herklotz (2023) devotes an overview study – rooted in the tradition of legal realism – to the conceptual issues of legal culture, delineating the boundaries of understandings and perspectives that view legal culture as a social practice embedded within a country's institutional framework. The author distinguishes several types of LC – pragmatic, formalistic, and values-oriented – which differently shape the interpretation and application of legal norms. The core problem explored is how different types of legal culture affect the effectiveness and development of the legal system within its institutional environment. The author finds that legal outcomes depend on which type of LC prevails in society and the extent to which it is institutionalised. Considering this in the Ukrainian context, it is noteworthy that society's legal culture comprises a mix of all types, but, as of 2025, it remains in transition, still reflecting residues of Soviet legal formalism.

Y. Chernykh (2023), in turn, analyses Ukrainian LC, emphasising its restructuring under the influence of decommunisation and European legal integration. The author examines how Ukraine's legal system has developed after breaking with the Soviet legal legacy and during the process of approximating Ukrainian legislation to that of the EU. Y. Chernykh (2023) notes that, despite significant progress in modernising the legal system to align with EU standards and in reforming institutions, challenges persist, notably a shortage of professional judges – an issue growing in importance even as positive law remains the dominant channel for norm creation.

Of particular interest is the work of O. Bandurka *et al.* (2023), which examines the evolution of judicial reform in Ukraine and identifies key problems such as corruption, the need to increase the efficiency

of justice, and excessive political influence over the judiciary. The article analyses the outcomes of major legislative reforms implemented after the events of the Euromaidan, highlighting positive results such as improved legislation, reorganisation of judicial institutions, and the implementation of anti-corruption measures. At the same time, the researchers conclude that the reforms have not significantly increased public trust in the judiciary and judges – an important element of legal culture that reflects citizens' confidence in the fairness and effectiveness of Ukraine's legal system. According to the President of the Supreme Court of Ukraine, S. Kravchenko (2025), the public's largely negative attitude towards Ukrainian courts is, regrettably, substantially influenced by media coverage, which tends to focus on doubtful decisions, corruption cases, and high-profile scandals. The study underscores the need to ensure judicial independence from political influence and to secure support from international institutions (the Council of Europe, the EU, the United Nations, USAID, the International Development Law Organization (IDLO), and others). It should be noted that a number of judicial officials oppose involving international experts in reforming the judiciary, arguing that such practice would undermine judicial independence (The participation of international..., 2020).

In the study by Y. Kryvytskyi *et al.* (2024), emphasis is placed on the idea that legal reforms are not merely technical processes but public endeavours requiring broad support and a renewal of national values. The authors analyse the course of reform of Ukraine's legal system in the context of EU legal integration and hybrid threats from Russia. The article identifies and explains four sequential stages in adapting national legislation to the EU *acquis communautaire*¹. To enhance reform in the context of Ukraine's EU integration under hybrid threats, the authors recommend developing a single EU-level strategy to counter such threats. Creating a shared legal space that takes Ukraine's experience into account is also important in light of A. Piszcz & H. Sierocka (2020), who argue that legal culture is not only professional command of the language of law but also the ability to perceive and interpret it in accordance with the cultural context of a specific jurisdiction. This perspective is highly relevant for Ukraine as it advances through stages of European legal integration, since successful implementation of European legal norms requires not only formal translation but also alignment with the culture-legal metaphors and principles characteristic of Ukraine's legal system.

Despite a substantial body of literature on specific aspects of legal culture and the legal system, studies conceptualising their intersectionality remain scarce. In view of this, the hypothesis of the present research

¹ Association Agreement between the European Union and its Member States, of the One Part, and Ukraine, of the Other Part. (2014, May). Retrieved from https://publications.europa.eu/resource/cellar/4589a50c-e6e3-11e3-8cd4-01aa75ed71a1.0006.03/DOC_1

is that European integration intensifies the interdependence between legal culture and the legal system. Accordingly, the article attempts to integrate legal positivist approaches (analysing the legal system as a set of norms and institutions) with legal realist approaches (studying how legal culture affects law enforcement and application).

Materials and Methods

The systematic approach was crucial for the comprehensive study of terminology, as it allowed individual legal terms to be considered as components of a single, interconnected system of legal concepts and terms. Instead of studying terms in isolation, this approach focuses on analysing their interrelationships and interdependencies, not only within the national terminology system, but also in the context of the integration of the Ukrainian legal system into the legal order of the European Union. In interpreting and analysing normative legal acts, a terminological approach was used to enhance understanding of the terms and concepts denoting the phenomena examined in the article, to trace their origins, and to reveal terminological differences between Ukrainian and foreign (primarily Western European) legal traditions. The hermeneutic method helped to disclose and compare the meanings of such terms as legal culture, legal values, legal system, legal order, and legal integration in the legal traditions of Ukraine, European states, and the European Union.

An important place was given to historical-legal and comparative-legal methods, which were used mainly to compare approaches to defining the content of “legal culture” and “legal system” in Ukrainian studies (Chuvakov, 2023) and in international studies (Friedman, 1969; Michaels, 2011). These methods were particularly helpful in comparing approaches to interpreting legal culture and legal consciousness that developed in Ukraine and in Southern European countries (North Macedonia and Croatia) on the eve of their accession to the EU. The study’s normative-legal base comprises the provisions of the Constitution of Ukraine¹, Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part², Law of Ukraine No. 1629-IV “On the State Programme for Adaptation of Ukrainian Legislation to the Legislation of the European Union”³, Consolidated versions of the Treaty on European Union⁴, and a number of subordinate normative legal acts of Ukraine.

Results

The concept and core features of legal culture. Legal culture is a component of the broader national culture and, at the same time, of the legal system. It entails the formation within society of shared legal values, principles, traditions, procedures, and practices (Mamasharifovna, 2021; Lu & Wang, 2021). The systems of legal values and principles that develop within legal culture must correspond to the level of legal progress achieved by society at each stage of its state–legal development (Lomaka, 2022). The development of legal culture also depends on the state of other forms of culture – economic, political, and informational – which together shape the social order. This interplay among cultural forms determines societal and state attitudes towards law and towards human rights and freedoms (Luki-anets-Shakhova *et al.*, 2024).

A common view is that legal culture rests on two distinct notions – “law” and “culture” – with the boundary between them being rather blurred. “Law” is a system of generally binding, formally defined rules of conduct, whereas “culture” encompasses shared values and principles and a normative model of behaviour that significantly influences how legal rules are perceived and complied with in society. This interconnection complicates attempts to separate legal norms from the social context in which they operate. R. Michaels (2011) defines legal culture as the cultural context of law that is necessary for law’s formation and meaning – covering the place of law in society, the functions of legal sources, and the powers of public authorities and institutions. By contrast, J.Ø. Sunde (2010) understands legal culture as a set of expectations and ideas in the realm of legal relations which are realised through institutional mechanisms (such as judicial procedure, law-enforcement activity, and so forth). Law-making is thus dynamic and dependent on the cultural and social environment that shapes it.

A broader definition is proposed by N. Atamano-va & O. Diachenko (2022): legal culture is the aggregate of legal values entrenched in society, arising and developing as the result of socio-legal activity. At the same time, legal culture reflects the social significance of law, expressed in such factors as: the effectiveness and fairness of the legal framework; the state of legality and public order; and the quality of legal consciousness among civil servants and the population as a whole. Legal culture therefore functions as a social regulator,

¹ Constitution of Ukraine. (1996, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/254к/96-вр#Text>.

² Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part. (2014, May). Retrieved from https://publications.europa.eu/resource/cellar/4589a50c-e6e3-11e3-8cd4-01aa75ed71a1.0006.03/DOC_1.

³ Law of Ukraine No. 1629-IV “On the State Programme for 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>.

⁴ Consolidated Versions of the Treaty on European Union and the Treaty on the Functioning of the European Union Consolidated Version of the Treaty on European Union Consolidated version of the Treaty on the Functioning of the European Union Protocols Annexes to the Treaty on the Functioning of the European Union Declarations Annexed to the Final Act of the Intergovernmental Conference which Adopted the Treaty of Lisbon, Signed on 13 December 2007 Tables of equivalences. (2016, June). Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=oj:JOC_2016_202_R_0001.

safeguarding legal order through conscious adherence to legal norms and encouraging citizens to participate in legal processes. It unites legal ideas, knowledge, and practice – from legislation to accepted social behaviour. Most importantly, legal culture directly mirrors the qualitative state of the legal system as a whole: the effectiveness of that system and the degree to which the ideas of democracy, the rule of law, and respect for human and civil rights are embraced at national level depend on society's attitude towards legality and public order.

The content of legal culture is revealed more fully by identifying its distinctive features. Analysis of prior research supports distinguishing the following key characteristics of legal culture:

- it is one of the key elements of the legal system and influences all its components, with the national legal system viewed as the formal embodiment of legal culture;

- knowledge of and respect for law, awareness of its value, understanding of its principles and operating mechanisms, the ability to determine the aims and tasks of legal regulation, and the scope of normative acts;

- the formation in individuals of an orientation towards lawful behaviour and a habit of acting in accordance with legal requirements in everyday life;

- the creation and continuous improvement of the legislative framework and of the mechanisms ensuring its implementation;

- the legislative entrenchment and guarantee of fundamental human and civil rights;

- a high level of legal consciousness among civil servants and society at large – preconditions for individuals' awareness of their rights and freedoms and their readiness to use lawful mechanisms for protection; this implies improvements to the system of legal education;

- ongoing dialogue with other national legal cultures, leading to mutual influence and permeation and enabling legal integration (Petryshyn, 2015).

The level of legal culture in society is uneven and should therefore be differentiated according to its bearers. The broadest by subject is the legal culture of society, commonly linked to a system of legal values, customs, and established views shared by a state's population. This form presupposes a high level of legal awareness among the general public; the legal sophistication and effectiveness of domestic legal and legislative systems; an efficient judiciary; widespread compliance with legal norms; and public trust in state and local authorities. This type of legal culture significantly influences the creation, interpretation, and application of legal norms at the national level (Del Mar & Giudice, 2010).

Y. Kryvytskyi (2023) notes that, within a society's legal culture, there may exist: first, legal subcultures which, while differing from it in certain values, elements, or stances, broadly align with the overarching culture; and, second, a legal counter-culture comprising values, views, theories, orientations, and activities

of social groups that openly oppose the prevailing legal culture and are thus in a state of antagonistic contradiction – or even open confrontation – with it (Petryshyn, 2015). Until recently, the legal counter-culture of criminal communities and extremist groups was considered the most dangerous. Under conditions of Russian aggression against Ukraine, however, the counter-culture associated with collaborationism has become the primary threat to the state and its legal system (Rubashchenko *et al.*, 2024).

Legal culture of specific social groups develops within particular communities and professional or social strata. It does not conflict with society's legal culture, though it may display minor specificities. Of particular importance is the legal culture of lawyers (which can itself be differentiated into the cultures of judges, prosecutors, advocates, etc.). It is generally characterised by a theoretical level of legal consciousness and by skills used in law-making, law-application, and legal interpretation. This form is crucial for the development of the legal system as a whole and for its integration into the legal orders of integration associations, notably the European Union (Herklotz, 2023).

The legal culture of the individual is linked to an individual's body of legal knowledge, convictions, attitudes, and behaviour. It presupposes awareness of one's rights and freedoms, as well as of legal duties. Its formation is substantially influenced by legal upbringing, legal education, legal communication, legal information, and personal life experience (Drapushko & Gorinov, 2021). Accordingly, legal culture is of exceptional significance for the development of the national legal system (Čehulić, 2021). It ensures that legislation aligns with social values and moral norms, which in turn positively affects levels of law-abiding behaviour. A developed legal culture is a prerequisite for the successful functioning of a democratic, social, law-governed state and, consequently, for the stable development of society.

The essence and key elements of the legal system. According to Y. Kryvytskyi (2023), the legal system is a fundamental legal concept denoting the totality of interrelated legal phenomena and processes that form society's legal sphere as an integrated whole. It is a complex, multi-level structure consisting of diverse yet related components with shared objectives and the capacity for autonomous development and self-organisation. Y. Kryvytskyi (2023) stresses that the legal system is not static; it is in constant motion, changing and improving over time under the influence of objective social laws and of the challenges facing society at particular stages of state-legal development (for example, the inability of European governments to perform state functions effectively on their own prompted the launch of integration processes culminating in the European Union, founded on an autonomous legal order distinct from both international law and the laws of the Member States).

L.M. Friedman (1969), for his part, defines the legal system as a single, comprehensive structure that is not limited to a set of normative acts. He argues that legal systems comprise: the normative apparatus (laws) created by state actors at all levels; the constellation of state institutions that implement and enforce legal norms in society (judges, lawyers, law-enforcement bodies, etc.); and the mechanisms that connect these institutions to one another in their interaction with society.

Thus, a legal system is a systematised legal structure combining the normative component with the presence of legal institutions and mechanisms that regulate compliance with legal rules. Although each state operates on the basis of an autonomous national legal system, the purpose of such systems is shared across countries: to provide the preconditions for the effective functioning and development of a society grounded in legality, justice, public order, and democracy (Burgin & Mestdagh, 2020).

As a rule, any legal system can function effectively where members of society behave lawfully; conflicts are resolved through legal mechanisms and procedures; offences are prevented; and legal education, upbringing, and scholarship are developed. This does not exclude the possibility or necessity of coercive enforcement when certain actors evade compliance or engage in unlawful behaviour. The complexity of any legal system is indicated by the presence of certain structural levels. Normative level: the body of legal norms that make up the system of law, in which ideal conceptions of justice are objectified and the needs of legal regulation and a society's mentality are reflected. Here, norms are grouped into structured blocks according to legal tradition (for Ukraine, belonging to the Romano-Germanic family, these are institutions, sub-branches, and branches of law). This level also includes the system of legislation – an ordered set of all normative acts in force regulating social relations. Institutional level: the unified system of state-legal institutions (principally supreme state bodies, courts, law-enforcement agencies, and other actors) involved in developing, adopting, interpreting, applying, and ensuring compliance with the law. The configuration of these bodies has national specificities. Ideological level: the complex of legal ideas, concepts, principles, and values underpinning the legal system and defining its specificity, including affiliation with a legal family and the potential for legal integration within inter-state unions. At this level, society's attitude towards law and other elements of the legal system takes shape, as does recognition of the need for reform or modernisation. Functional level: the mechanisms for creating, interpreting, and applying legal norms, as well as the study of violations and the imposition of corresponding sanctions. It is at this level that the effectiveness of the national legal system is

determined – its capacity for development and improvement, the maintenance of legality and public order, the protection of rights and freedoms, and the promotion of social progress (Bogachova & Magda, 2021).

The elements of the legal system play a vital role in creating a coherent framework for regulating social relations; through their interaction they make the legal system a flexible and effective instrument of society – typically allowing timely reform in a changing environment. The specificity of a legal system can also be revealed through several basic features. Systemicity (structuredness) is provided primarily by the system of law, whose norms are differentiated by subject-matter and method of regulation into branches and institutions. The structure of the system of law, in turn, serves as a guide for the structure of the system of legislation, although the two do not fully coincide. Legal scholarship and legal education are likewise largely oriented towards the structure of the system of law. Integrity is ensured by the orientation of all structural elements to a single aim: establishing a stable public order and a regime of legality. Dynamism means the legal system is in a process of constant development and self-improvement, interacting with other national legal systems and with international law – and, for European states, with EU law as the legal order of an integration association that Ukraine seeks to join.

Legal culture as an integral component of Ukraine's legal system. Given the ideological dimension of the legal system, legal culture is one of the decisive factors in its development. The significance of legal culture for the proper functioning and evolution of the legal system lies in its capacity to influence the effectiveness of legal norms and the operation of legal institutions. Where a mature legal culture has formed in society – one grounded in a system of values and principles – individuals are more inclined to comply conscientiously and voluntarily with established norms, and state institutions enjoy greater legitimacy and public trust. Conversely, where legal culture is immature, poor legal awareness, disregard for and distrust of the law, as well as of legal procedures and mechanisms, tend to be more prevalent. This, in turn, erodes the legal system and its elements, with the result that the state's ability to maintain public order and the rule of law is significantly reduced.

An indicator of a society's mature legal culture is its attitude to the principle of the rule of law, enshrined in Article 8 Constitution of Ukraine¹. The domestic legislator defines this principle as follows: the Constitution has the highest legal force, and therefore other normative legal acts are adopted on its basis and must conform to it; the norms of the Constitution, as the Basic Law, are norms of direct effect, which guarantees individuals the right to apply directly to a court for the protection

¹ Constitution of Ukraine. (1996, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/254к/96-вр#Text>.

of their constitutional rights and freedoms. In view of Ukraine's integration into the European Union – whose legal order is likewise based on the principle of the supremacy of EU law (Komarova & Lazovski, 2024) – Article 9 of the Constitution of Ukraine acquires particular importance for the national legal culture and for the development of Ukraine's legal system: it stipulates that international treaties in force, consent to the binding nature of which has been given by Parliament, form an integral part of Ukrainian legislation.

Consolidated versions of the Treaty on European Union¹ underlined that it draws inspiration from Europe's cultural, religious, and humanist heritage, from which have developed the universal values of the inviolable and inalienable rights of the person, freedom, democracy, equality, and the rule of law. Ukraine's legal culture – having spent much of the twentieth century within the Soviet Union – differs significantly from the broader European legal heritage; this has complicated its political and legal integration into the EU. Aware of this problem, the Ukrainian authorities initiated a process of decommunisation (freeing public life from the consequences of communist ideology, deconstructing the Soviet mythology of the Second World War and gradually forming in its place a Ukrainian perspective on the war (Honcharenko, 2025)), which proceeded slowly after the collapse of the Union of Soviet Socialist Republics (USSR) and covered primarily the spheres of education and upbringing. The decommunisation process gained spontaneous momentum in 2014 during the Revolution of Dignity (Kasianov, 2024). Its legal foundations developed gradually. Decree of the President of Ukraine No. 432/2009², a general dismantling of monuments and memorials dedicated to persons involved in organising and carrying out the Holodomors and political repressions during the Soviet period was initiated. This process was effectively slowed during President V. Yanukovich's tenure. The Revolution of Dignity gave fresh impetus to decommunisation,

symbolised by the “Lenin-fall” (leninopad) organised by civil society groups (similar processes once took place in the countries of Eastern Europe) (Grytsenko, 2019). In January 2015, civic initiatives received the approval of the Ministry of Culture, after which the organised dismantling of monuments linked to communist figures began. On 9 April 2015, the Verkhovna Rada adopted a package of four laws – Law of Ukraine No. 314-VIII³, Law of Ukraine No. 315-VIII⁴, Law of Ukraine No. 316-VIII⁵, Law of Ukraine No. 317-VIII⁶, which spurred the renaming of administrative units.

These processes met with some resistance, primarily among those citizens whose political and legal consciousness had been formed under the influence of Soviet ideology and the glorification of events and figures of the Soviet era. Thus, On Behalf of Ukraine Decision of the Constitutional Court of Ukraine No. v009p710-19 “In the Case on the Constitutional Petition of 46 People's Deputies of Ukraine on the Compliance with the Constitution of Ukraine (Constitutionality) of the Law of Ukraine “On the Condemnation of Communist and National Socialist (Nazi) Totalitarian Regimes in Ukraine and the Prohibition of the Propaganda of Their Symbols”⁷ was challenged before the Constitutional Court by a group of MPs. However, on 16 July 2019 the Constitutional Court of Ukraine – demonstrating the maturity of the legal culture of its members – upheld the constitutionality of the Law.

A logical continuation of decommunisation was the course towards “de-Russification”, which gained particular urgency and public support after the start of Russian aggression in February 2022. On 21 March 2023, Parliament adopted Law of Ukraine No. 3005-IX “On the Condemnation and Prohibition of the Propaganda of Russian Imperial Policy in Ukraine and the Decolonization of Toponymy”⁸, which brought decolonisation processes within a legal framework. By this Law, the Verkhovna Rada recognised Russian imperial policy as criminal and condemned it, prohibited its

¹ Consolidated Versions of the Treaty on European Union and the Treaty on the Functioning of the European Union Consolidated Version of the Treaty on European Union Consolidated Version of the Treaty on the Functioning of the European Union Protocols Annexes to the Treaty on the Functioning of the European Union Declarations Annexed to the Final Act of the Intergovernmental Conference which Adopted the Treaty of Lisbon, Signed on 13 December 2007 Tables of Equivalences. (2016, June). Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=oj:JOC_2016_202_R_0001

² Decree of the President of Ukraine No. 432/2009 “On Additional Measures to Commemorate the Victims of the Holodomor of 1932-1933 in Ukraine”. (2009, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/432/2009#Text>.

³ Law of Ukraine No. 314-VIII “On the Legal Status and Commemoration of the Fighters for the Independence of Ukraine in the 20th Century”. (2015, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/314-19#Text>.

⁴ Law of Ukraine No. 315-VIII “On the Perpetuation of the Victory over Nazism in the Second World War of 1939-1945”. (2015, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/315-19#Text>.

⁵ Law of Ukraine No. 316-VIII “On Access to Archives of Repressive Bodies of the Communist Totalitarian Regime of 1917-1991”. (2015, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/316-19#Text>.

⁶ Law of Ukraine No. 317-VIII “On the Condemnation of Communist and National Socialist (Nazi) Totalitarian Regimes in Ukraine and the Prohibition of the Propaganda of their Symbols”. (2015, April). Retrieved from <https://zakon.rada.gov.ua/laws/show/317-19#Text>.

⁷ On Behalf of Ukraine Decision of the Constitutional Court of Ukraine No. v009p710-19 “In the Case on the Constitutional Petition of 46 People's Deputies of Ukraine on the Compliance with the Constitution of Ukraine (Constitutionality) of the Law of Ukraine “On the Condemnation of Communist and National Socialist (Nazi) Totalitarian Regimes in Ukraine and the Prohibition of the Propaganda of Their Symbols”. (2019, July). Retrieved from <https://zakon.rada.gov.ua/laws/show/v009p710-19#Text>.

⁸ Law of Ukraine No. 3005-IX “On the Condemnation and Prohibition of the Propaganda of Russian Imperial Policy in Ukraine and the Decolonization of Toponymy”. (2023, March). Retrieved from <https://zakon.rada.gov.ua/laws/show/3005-20#Text>.

propaganda and symbols, and defined mechanisms for implementation.

Despite these measures, it must be acknowledged that the Ukrainian authorities were late in adopting them. This conclusion is borne out, above all, by the phenomenon of collaborationism, which manifested itself from 2014 and became widespread after the Russian aggression of 2022. The prevalence of this phenomenon – particularly in the spheres of education, training, and culture – testified to the deformation of the legal consciousness of many Ukrainian citizens, whom the aggressor country regarded as targets of its ideological influence (Dobrobog *et al.*, 2023; Chuvakov, 2023; Zhytnyi, 2024). This situation prompted the Verkhovna Rada to refine criminal liability for offences against the foundations of national security involving such conduct (Rubashchenko & Movchan, 2023). Under present conditions and for the post-war period, it is envisaged that educational and outreach activities aimed at instilling the European system of values among Ukrainian citizens will be intensified (Todorov, 2020; Kalinicheva & Bulvinska, 2023; Komarova, 2024). It is evident that criminal-law measures alone cannot remedy the deformation of legal consciousness or the formation of counter-culture in Ukrainian society.

Membership of the Council of Europe as a factor in democratising Ukraine's legal culture and legal system. The history of Ukraine's legal integration into the legal order of a united Europe dates back to its very independence: Resolution of the Supreme Council of the Ukrainian SSR No. 581-XII "On the Implementation of the Declaration on the State Sovereignty of Ukraine in the Sphere of Foreign Relations"¹ instructed the Council of Ministers to direct efforts towards ensuring our state's direct participation in the pan-European process and European structures.

Co-operation with the Council of Europe has been of great importance for the development of the national legal culture and the modernisation of the legal system. It began in 1992², when Ukraine started working with the Council's advisory body on constitutional law – the European Commission for Democracy through Law (the Venice Commission). Ukraine became a full member of the Venice Commission in December 1996 after the entry into force of Law of Ukraine No. 547/96-vr "On Ukraine's Accession to the Partial Agreement on the European Commission "For Democracy through Law"³. The Commission's work is crucial for

post-socialist countries seeking to align their legislative and law-enforcement practices with European standards in democracy, human rights, and the rule of law. Focusing its interpretive legal activity on three areas (democratic institutions and fundamental rights; constitutional justice; elections, referendums, and political parties), the Venice Commission exerts both direct and indirect influence on the development of Ukraine's legal system and legal culture (its opinions have been taken into account by the European Court of Human Rights in cases against Ukraine). As noted on the official website of the Council of Europe Office in Ukraine, the Commission's opinions and other documents have repeatedly been cited not only in Ukrainian legal scholarship but have also served as a theoretical basis for addressing current problems in legislative work, and are used as persuasive arguments when forming the legal positions of the Constitutional Court and other judicial bodies. Overall, the Commission's assessments of constitutional and legislative acts are perceived as important indicators of whether Ukraine's legal system is developing and functioning in accordance with European standards and values (Council of Europe Office in Ukraine, n.d.).

Ukraine acceded to the Council of Europe in November 1995 pursuant to Law of Ukraine No. 398/95-VR "On Ukraine's Accession to the Statute of the Council of Europe"⁴ Accession entailed commitments to implement seventy measures aimed at completing the reform of the judicial and penitentiary systems; combating corruption and money-laundering; creating conditions for the enforcement of European Court of Human Rights judgments; and ensuring Ukraine's participation in Council of Europe treaties, among others. The first major results in fulfilling these commitments included adoption of the Constitution of Ukraine⁵ and of basic constitutional laws; new editions of civil, criminal, civil-procedure, and criminal-procedure legislation; Law of Ukraine No. 5076-VI "On the Bar and Legal Practice"⁶, and a revision of the role and functions of the Prosecutor General's Office (State Tax Service of Ukraine, n.d.). Monitoring and oversight of the implementation of Ukraine's obligations began immediately through the State Interdepartmental Commission for Implementing the Norms and Standards of the Council of Europe in Ukrainian Legislation, established by Order of the President of Ukraine No. 48-96-rp "On the Establishment of the State Interdepartmental Commission on the

¹ Resolution of the Supreme Council of the Ukrainian SSR No. 581-XII "On the Implementation of the Declaration on the State Sovereignty of Ukraine in the Sphere of Foreign Relations". (1990, December). Retrieved from <https://zakon.rada.gov.ua/laws/show/581-12#Text>.

² Committee of Ministers Resolution No. (92)29 "On Ukraine". (1992, September). Retrieved from [https://search.coe.int/cm/#{%22CoEIdentifier%22:\[%2209000016804f7beb%22\],%22sort%22:\[%22CoEValidationDate%20Descending%22\]}](https://search.coe.int/cm/#{%22CoEIdentifier%22:[%2209000016804f7beb%22],%22sort%22:[%22CoEValidationDate%20Descending%22]}).

³ Law of Ukraine No. 547/96-vr "On Ukraine's Accession to the Partial Agreement on the European Commission "For Democracy through Law". (1996, November). Retrieved from <https://zakon.rada.gov.ua/laws/show/547/96-%D0%92%D0%A0#Text>.

⁴ Law of Ukraine No. 398/95-VR "On Ukraine's Accession to the Statute of the Council of Europe". (1995, October). Retrieved from <https://zakon.rada.gov.ua/laws/show/398/95-%D0%92%D0%A0#Text>.

⁵ Constitution of Ukraine. (1996, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/254%96-%D0%92%D0%A0#Text>.

⁶ Law of Ukraine No. 5076-VI "On the Bar and Legal Practice". (2012, July). Retrieved from <https://zakon.rada.gov.ua/laws/show/5076-17>.

Implementation of the Norms and Standards of the Council of Europe into the Legislation of Ukraine”¹.

Significant for embedding pan-European legal values within legal culture was Ukraine’s accession to the European Convention on Human Rights². Ratification of the Convention on 17 July 1997 meant that Ukraine undertook to bring its national legislation into line with the international standards enshrined in the Convention (as is well known, the Council of Europe’s human-rights acquis – conventions, agreements, protocols and other legal acts – comprises 173 instruments). Initially, the Verkhovna Rada proceeded rather slowly with amending its human-rights legislation in accordance with these obligations. This prompted a debate in the Parliamentary Assembly on 27 January 1999. The Assembly concluded that, during the transition from totalitarian to democratic statehood, Ukraine had failed to achieve a clear separation between the judicial, legislative and executive branches; progress on legislation to reform the judicial system and the prosecution service was limited; and adherence to the constitutional principle of the rule of law was undermined by non-enforcement of court decisions and rising corruption and crime. These and other shortcomings led the Parliamentary Assembly, Resolution No. 1179 “Honouring of Obligations and Commitments by Ukraine”³ to state that unless substantial progress in meeting its obligations was achieved by the start of the June 1999 session, the Assembly would be compelled to annul the credentials of the Ukrainian parliamentary delegation until full compliance; and to recommend that the Committee of Ministers begin suspending Ukraine’s right of representation pursuant to Article 8 Statute of the Council of Europe⁴.

A change in Ukraine’s approach to fulfilling its obligations to the Council of Europe occurred after the Verkhovna Rada adopted, on 23 February 2006, Law of Ukraine No. 3477-IV⁵. The preamble emphasised that its adoption was linked to the need to enforce judgments of the European Court of Human Rights in cases against Ukraine; to eliminate the causes of Ukraine’s violations of the European Convention on

Human Rights⁶ and its Protocols; to introduce European human-rights standards into Ukrainian judicial and administrative practice; and to create preconditions for reducing the number of applications lodged with the European Court of Human Rights (ECtHR) against Ukraine. According to the official website of the Permanent Representation of Ukraine to the Council of Europe, as at 31 December 2020 Ukraine ranked third among member states by number of cases (10,400 applications against Ukraine, accounting for 16.8% of the total) pending before the ECtHR (Permanent Representation of Ukraine to the Council of Europe, 2020). In the view of the Ukrainian judge of the ECtHR, M. Hnatovskyi, this situation stems primarily from unresolved structural problems in the functioning of Ukraine’s legal system (including conditions of detention in remand centres and penal colonies; the length of criminal and civil proceedings; and insufficient grounds for remand in custody when choosing preventive measures), which, regrettably, have gone unresolved for more than twenty years. Cases against Ukraine are, in fact, repetitive; the ECtHR has long had mechanisms for handling such situations, yet they remain substantively unaddressed domestically. The number of ECtHR cases against Ukraine could, in the judge’s opinion, be reduced through the use of the constitutional complaint mechanism, thereby enabling the Constitutional Court to address human-rights issues in Ukraine (The European Court of..., 2023).

Pursuant to Article 15 European Convention on Human Rights⁷ a High Contracting Party may, in time of war, take measures derogating from its obligations under the Convention. In 2022, Ukraine availed itself of this right and informed the Secretary General of the Council of Europe that, for the period of martial law, it might introduce emergency measures in accordance with its own legislation (Article 8 Law of Ukraine No. 389-VIII⁸), namely the possibility of restricting constitutional rights and freedoms provided for in Articles 30-34, 38, 39, 41-44 and 53 of the Constitution of Ukraine⁹, as well as temporarily restricting rights and legitimate interests provided for in Articles 4(3), 8, 9, 10, 11, 13, 14

¹ Order of the President of Ukraine No. 48-96-rp “On the Establishment of the State Interdepartmental Commission on the Implementation of the Norms and Standards of the Council of Europe into the Legislation of Ukraine”. (1996, March). Retrieved from <http://zakon2.rada.gov.ua/laws/show/48/96-pr>.

² European Convention on Human Rights. (1950, November). Retrieved from <https://www.echr.coe.int/european-convention-on-human-rights>.

³ Resolution No. 1179 “Honouring of Obligations and Commitments by Ukraine”. (1999, January). Retrieved from <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=16671&lang=en>.

⁴ Statute of the Council of Europe. (1949, May). Retrieved from <https://rm.coe.int/1680306052>.

⁵ Law of Ukraine No. 3477-IV “On the Execution of Judgments and Application of the Case Law of the European Court of Human Rights”. (2006, February). Retrieved from <https://zakon.rada.gov.ua/laws/show/en/3477-15>.

⁶ European Convention on Human Rights. (1950, November). Retrieved from <https://www.echr.coe.int/european-convention-on-human-rights>.

⁷ European Convention on Human Rights. (1950, November). Retrieved from <https://www.echr.coe.int/european-convention-on-human-rights>.

⁸ Law of Ukraine No. 389-VIII “On the Legal Regime of Martial Law”. (2015, May). Retrieved from <https://zakon.rada.gov.ua/laws/show/389-19#Text>.

⁹ Constitution of Ukraine. (1996, June). Retrieved from <https://zakon.rada.gov.ua/laws/show/254к/96-вп#Text>.

and 16 of the European Convention on Human Rights, Articles 1, 2 and 3 of the Additional Protocol to the Convention, and Article 2 of Protocol No. 4 to the Convention. In 2024, Ukraine reviewed its notification and removed reservations concerning the restriction of a certain set of rights (in particular, references to certain points of Article 8 Law of Ukraine No. 389-VIII¹ were deleted as they did not concern derogation from the Convention, and the list of articles potentially subject to derogation was reduced). It should be stressed that derogation from obligations must not be interpreted as an admission that the state will be unable to guarantee the rights enshrined in the European Convention on Human Rights (see the explanatory notes to Article 15 of the Convention). In notifying a derogation, Ukraine – like other states in similar circumstances – indicated that the measures it might take may involve derogation from its obligations under the Convention (Ministry of Justice of Ukraine, 2024).

Thus, in 2006, Ukraine changed its approach to fulfilling its obligations to the Council of Europe, focusing on implementing the decisions of the European Court of Human Rights, preventing repeated violations of the Convention, and reducing the number of appeals to the Court. Despite these efforts, as of 2020, Ukraine ranked third in terms of the number of cases considered by the ECHR. The main reason for this is deep systemic problems in the country's legal system, which have remained unresolved for over 20 years. The introduction of a constitutional complaint mechanism could help reduce the number of such cases.

Adaptation of Ukrainian legislation to the EU *acquis communautaire* as a condition for Ukraine's successful legal integration into the European Union. In parallel with Ukraine's entry into the Council of Europe, its foreign-policy course towards European integration proceeded through co-operation with the European Union, initiated by the Partnership and Cooperation Agreement between the European Communities and their Member States, and Ukraine (signed in 1994, in force since 1998)². The preamble to the Agreement emphasised the importance of ensuring the rule of law, and Article 59 provided for multifaceted co-operation in the field of education, creating conditions for the mutual penetration of the legal cultures of the European Union and Ukraine – something that positively influenced the development and modernisation of Ukraine's legal culture. The current state of Ukraine's legal integration is defined by the

Association Agreement between the European Union and its Member States, of the One Part, and Ukraine, of the Other Part³. The Agreement refers to more than 400 EU legislative acts across over 30 different areas to which Ukrainian legislation must be approximated. Such legislation must, in full and as precisely as possible, be aligned with the relevant EU law, taking account of changes therein and incorporating them into the approximated legislation. The state must also ensure the most effective possible application of such legislation, reforming the relevant public authorities where necessary. The leading role in the approximation process rests with the Verkhovna Rada of Ukraine. It should also be noted that Ukrainian courts may apply provisions of the Association Agreement directly where a specific provision contains a clearly formulated obligation whose implementation does not depend on special measures by domestic authorities – that is, where it has “direct effect”.

The main strand of Ukraine's legal integration with the European Union has been the adaptation of national legislation to the EU *acquis communautaire*, which has, to some extent, touched virtually every element of the national legal system. A matter of great, though underestimated, importance is the Europeanisation of legal scholarship and legal education, since these elements of the legal system shape the legal consciousness of public officials – particularly future lawyers – and provide doctrinal justification for the directions of Ukraine's state-legal development. In this connection, higher-education institutions and legal research institutes must free themselves from outdated doctrines, theories and concepts, especially those borrowed from Soviet and contemporary Russian legal traditions. Instead, curricula for legal bachelor's, master's and doctoral programmes should include components that help learners to embrace European legal values and to understand EU law, taking account of its complex structure and distinctive system of sources.

It should be noted that a current shortcoming of legal scholarship is a significant imbalance in the training of Doctors of Juridical Science and PhDs in international law, as well as in the representation of international-law specialists among the membership of the National Academy of Legal Sciences of Ukraine. This problem reflects the Soviet disdain for the discipline of international law – a legacy not yet overcome in Ukraine. As of 2025, in the Department of Public Law and International Law of the National Academy of Legal Sciences of

¹ Law of Ukraine No. 389-VIII “On the Legal Regime of Martial Law”. (2015, May). Retrieved from <https://zakon.rada.gov.ua/laws/show/389-19#Text>.

² Partnership and Cooperation Agreement between the European Communities and their Member States, and Ukraine – Protocol on Mutual Assistance Between Authorities in Customs Matters – Final Act – Joint Declarations – Exchange of Letters in Relation to the Establishment of Companies – Declaration of the French Government. (1998, February). Retrieved from https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=oj:JOL_1998_049_R_0003_002.

³ Association Agreement between the European Union and its Member States, of the one Part, and Ukraine, of the Other Part. (2014, May). Retrieved from https://publications.europa.eu/resource/cellar/4589a50c-e6e3-11e3-8cd4-01aa75ed71a1.0006.03/DOC_1.

Ukraine, international law is represented by only one corresponding member, namely M.V. Buromenskyi (National Academy of Legal Sciences of Ukraine, n.d.).

A positive practice introduced in the early 2000s is the involvement by the Ministry of Justice and other central executive bodies of scholars to conduct comprehensive comparative-law studies of the conformity of Ukrainian legislation with the EU *acquis communautaire*. Today, the Ministry's website provides around forty comparative-law studies on various aspects of the conformity of Ukrainian law with the *acquis communautaire* (Central Interregional Directorate of the Ministry of Justice, n.d.).

Updated legal scholarship and education are intended to streamline domestic legal terminology and gradually align it with pan-European legal terminology – without which the integration of Ukrainian law into EU law, uniform understanding and interpretation, and correct application of legal norms would be problematic (Moroz, 2020). An especially acute issue remains the translation into Ukrainian of the vast body of EU law. Although back in 2005 Ministry of Justice of Ukraine Order No. z0921-09 “On Approval of the Procedure for the Translation of Acquis Communautaire Acts into the Ukrainian Language”¹ was adopted, Ukraine is still far from completing this task. The legislative, executive and judicial authorities, as well as law-enforcement bodies, must have a sufficiently high level of awareness and understanding of the basic principles (Dudyk *et al.*, 2024), procedures and institutions of the European legal order; accordingly, the professional development of public officials – especially those engaged in law-drafting – on EU law and its application remains a priority driven by the adaptation process.

Discussion

Updating legal culture – one of the most important conditions for modernising Ukraine's legal system – has become particularly urgent and practically significant given the acceleration of the state's course towards integration into the European Union. Ukraine's acquisition of candidate status has provided additional incentives to embed EU legal standards within the domestic legal system and to complete reforms aimed at the consistent acceptance and implementation, at all levels of the legal system, of the principles of the rule of law, the independence and effectiveness of the judiciary, and the guarantee of the full spectrum of human rights and freedoms (Lomaka *et al.*, 2025). The success of this process depends directly on the extent to which, above all among public officials, academics and educators, the system of values of a united Europe and the principles, legal procedures and practices of EU law are embraced – thereby aligning Ukraine's

legislative, law-enforcement and interpretive activities with pan-European legal standards.

Russian aggression against Ukraine has tested the resilience of its legal system, demonstrating its capacity to adapt to challenges in emergency conditions. Today, the interaction of two factors – European integration and martial law – creates an environment in which the legal culture of society, of particular social groups and of individuals is a crucial driver of the national legal system's development. Thus, J. Bengoetxea (2022) analysed the institutional theory of law, focusing on its three components – norms, order and institutions – in order to create a conceptual basis for comparative studies of legal culture. The author established a link between law, as an institutional normative order, and its ability to adapt to the historical and cultural features of a legal system's functioning. In particular, he stressed the importance of distinguishing branches of law for comparative analysis, which enables the formation of objective indicators for comparing legal cultures. J. Bengoetxea (2022) also examined the role of conflicts and their resolution within the national legal order, and raised questions about fairness and equity in the application of legal norms and mechanisms.

Both this study and J. Bengoetxea's (2022) work examine legal culture through the lens of institutional and normative aspects that are integral to any legal system. The distinctive feature of the present study is its focus on the relationship between Ukraine's legal culture and legal system, especially in the context of European integration. By contrast, J. Bengoetxea's (2022) research is more general and concerns the use of institutional theory to compare different legal cultures. Overall, both studies emphasise the need to employ clear institutional criteria that take account of the complexity and uniqueness of legal systems and cultures.

For her part, M. Králiková (2022) focused on Ukraine's borrowing of EU legal norms, procedures and practices to improve domestic anti-corruption mechanisms. She analysed the effectiveness of applying EU standards and tools in combating bribery, concluding that, despite active EU support, Ukraine's reform of its anti-corruption system faces difficulties linked to resistance within certain social groups. In author's view, despite some progress in tackling corruption, the problem of ensuring the effectiveness of these reforms remains unresolved.

Both M. Králiková's (2022) research and the present study address the obstacles arising from societal resistance to reforms. Such resistance is undoubtedly linked to low levels of legal culture among certain individuals and social groups. This study devotes greater attention to a comprehensive examination of the phenomenon of national legal culture and its development under the

¹ Ministry of Justice of Ukraine Order No. z0921-09 “On Approval of the Procedure for the Translation of Acquis Communautaire Acts into the Ukrainian Language”. (2009, September). Retrieved from <https://zakon.rada.gov.ua/laws/show/z0921-09#Text>.

influence of external geopolitical factors – issues not at the heart of M. Králiková's (2022) work. Importantly, both studies conclude that, while EU-driven reforms have improved institutional systems in Ukraine, significant barriers remain in the form of corruption.

K. Wolczuk (2021) likewise drew attention to European integration as a factor in the development of the legal system, focusing particularly on the post-Euromaidan period (from November 2013 to February 2014). She notes that the Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part¹, was designed not only to ensure economic and political partnership between the Parties, but also to drive deep institutional reforms in Ukraine. K. Wolczuk (2021) emphasises that, after 2014, European integration became an effective instrument for modernising both state and legal institutions in Ukraine, supported by the EU, and that the assistance provided by the EU to Ukraine has been exceptional compared with that given to other candidate countries (e.g., Georgia, Moldova).

Comparing K. Wolczuk's (2021) study and the present one, both highlight the transformational role of European integration in developing Ukraine's legal system and system of governance. However, while K. Wolczuk (2021) focuses primarily on reforms to improve state institutions in meeting the political criteria for EU membership, this study is devoted specifically to legal culture as a driver of Ukraine's legal system. It also pays attention to the transformation of societal legal consciousness and to the role of socio-political factors in that process. In general, both K. Wolczuk (2021) and the authors of this study offer similar assessments of the impact of European integration on state-legal reforms in Ukraine.

F. Besimi (2025) analysed North Macedonia's integration into the EU, focusing on obstacles such as blockades by neighbouring states on the one hand and domestic political instability on the other. He underscored the country's commitment to EU accession despite the difficulties, arguing for membership as a means to meet obligations to the European community and to resolve disputes with neighbouring states, particularly Bulgaria. Overall, the article examined internal and external factors slowing the state's integration process.

Compared with F. Besimi's (2025) study, the present research likewise treats European integration as a factor influencing the development of Ukraine's legal and political systems, but differs in its regional focus and its emphasis on the interdependence of legal culture and the legal system. In general, both studies agree on the importance of EU integration for Ukraine and North Macedonia, though they differ in context and subject matter.

Analysis of the above publications allows us to conclude that there is a consensus among foreign and domestic researchers recognising European integration as a driver of reforms to national legal cultures and systems in EU candidate countries. Legal integration objectively promotes the entrenchment of the value of the rule of law within national legal cultures. The studies reviewed highlight the need to raise the qualitative level of legal culture, especially among public officials and within Ukrainian society as a whole; to foster civic engagement; and to combat manifestations of collaborationism. An important factor in democratising the legal system and all its elements is the reform of legal education and the overcoming of outdated legal traditions that hinder the process of adapting Ukrainian legislation to the EU *acquis communautaire*. Overall, the authors concur that, notwithstanding visible progress driven by European integration, further development of Ukraine's legal system and its elements – including legal culture – continues to be constrained by a range of internal and external challenges.

Conclusions

Legal culture is a driving force in the construction and modernisation of Ukraine's legal system, of which it is a constituent part. The evolution of legal culture is linked to Ukraine's state-legal development, the formation of national identity, and the articulation of a national idea. The trajectory, sophistication and effectiveness of the national legal system thus depend significantly on the qualitative state of legal culture. This article has shown that European integration stimulates not only legislative approximation but also the transformation of legal notions and values that shape legal culture. Legal culture is not merely an object but also a factor in reforming the legal system – particularly at its ideological and functional levels. The effectiveness of law-enforcement and adjudication depends on the legal consciousness of public officials and citizens, directly linking the cultural component with legal practice. The impact of legal culture is evident in judicial reform, where – even with updated legislation – problems of public trust in the courts persist, indicating cultural barriers to the realisation of norms. The legal system cannot be modernised without a profound conceptual re-thinking and embedding of European legal values – that is, the institutionalisation of elements of a new legal culture – confirming an intersectional analytical approach in which legal culture and the legal system are viewed not in isolation but in dynamic interaction.

Since Ukraine chose the strategic course of joining the Council of Europe and the European Union, European integration has acted as a catalyst for the development of legal culture and the reform of the legal

¹ Association Agreement between the European Union and its Member States, of the One Part, and Ukraine, of the Other part. (2014, May). Retrieved from https://publications.europa.eu/resource/cellar/4589a50c-e6e3-11e3-8cd4-01aa75ed71a1.0006.03/DOC_1.

system. Through the adaptation of Ukrainian legislation to the legal standards of the Council of Europe and the EU, significant progress has been achieved in democratising legislative, law-enforcement and interpretive practice and in entrenching the principles of the rule of law. Changes in legal scholarship and legal education are of critical importance in modernising the legal system. This entails rejecting outdated doctrines, theories, concepts, procedures and practices borrowed from the legal traditions of the former Soviet Union and contemporary Russia, and embracing conceptual approaches based on Europe's system of legal values and principles. In this connection, the introduction of a normative ban on the use of Russian-origin information sources in scholarly work should be viewed positively.

A promising avenue for further research is to assess the impact of Russian aggression on the development of Ukraine's legal system and legal culture, and to conduct comparative-law studies of the influence of European integration on reforms to national legal systems in the countries of Eastern and Southern Europe.

Acknowledgements

None.

Funding

The study was not funded.

Conflict of Interest

None.

References

- [1] Atamanova, N., & Diachenko, O. (2022). Legal culture and its role in shaping the rule of law of the modern Ukrainian state. *New Ukrainian Law*, 1, 82-87. doi: [10.51989/nul.2022.1.12](https://doi.org/10.51989/nul.2022.1.12).
- [2] Bandurka, O., Teremetskyi, V., Boiko, V., Zubov, O., & Patlachuk, V. (2023). [Current situation of judicial reform in Ukraine: Problems and ways of their solution](#). *Lex Humana*, 15(4), 55-72.
- [3] Bengoetxea, J. (2022). Legal institutions as comparators of legal cultures. *Oñati Socio-Legal Series*, 12(6), 1647-1673. doi: [10.35295/osls.iisl/0000-0000-0000-1361](https://doi.org/10.35295/osls.iisl/0000-0000-0000-1361).
- [4] Besimi, F. (2025). The path of North Macedonia to the European Union is the only way forward. In A. Stojkov & T. Warin (Eds.), *Western Balkans and the future of Europe: Between an enlargement and a commitment fatigue* (pp. 165-178). Cham: Springer. doi: [10.1007/978-3-031-86465-0_8](https://doi.org/10.1007/978-3-031-86465-0_8).
- [5] Bogachova, L.L., & Magda, E.V. (2021). Legal system of Ukraine: Current state and development trends. *Legal Scientific Electronic Journal*, 4, 28-30. doi: [10.32782/2524-0374/2021-4/4](https://doi.org/10.32782/2524-0374/2021-4/4).
- [6] Burgin, M., & Mestdagh, K.D.V. (2020). Complexity of legal processes and systems. *Proceedings*, 47(1), article number 17. doi: [10.3390/proceedings2020047017](https://doi.org/10.3390/proceedings2020047017).
- [7] Čehulić, M. (2021). Perspectives of legal culture: A systematic literature review. *Journal of Sociology*, 51(2), 257-282. doi: [10.5613/rzs.51.2.4](https://doi.org/10.5613/rzs.51.2.4).
- [8] Central Interregional Directorate of the Ministry of Justice. (n.d.). *Comparative legal studies*. Retrieved from https://centraljust.gov.ua/ndd/european_integration/law_network/comperative_legal_researches.
- [9] Chernykh, Y. (2023). An introduction to Ukrainian legal culture. In S. Koch & M.M. Kjølstad (Eds.), *Handbook on legal cultures: A selection of the world's legal cultures* (pp. 1145-1170). Cham: Springer. doi: [10.1007/978-3-031-27745-0_26](https://doi.org/10.1007/978-3-031-27745-0_26).
- [10] Chuvakov, O. (2023). Current issues of the improvement of the criminal law protection of the basics of national security of Ukraine. *Odesa National University Herald. Jurisprudence*, 25(2), 36-40. doi: [10.32782/2304-1587/2023-25-2\(37\)-7](https://doi.org/10.32782/2304-1587/2023-25-2(37)-7).
- [11] Council of Europe Office in Ukraine. (n.d.). *Supporting constitutional and legal reforms in Ukraine (Phase 4)*. Retrieved from <https://www.coe.int/en/web/kyiv/supporting-constitutional-and-legal-reforms-in-ukraine-phase-4>.
- [12] Del Mar, M., & Giudice, M. (2010). *Legal theory and the social sciences*. London: Routledge.
- [13] Dobrobog, L.M., Bereznyak, V.S., Makashov, A.V., & Tkach, Y.O. (2023). [Collaborative activity as a criminal phenomenon: An analytical review](#). Dnipro: Dnipropetrovsk State University of Internal Affairs.
- [14] Drapushko, R.G., & Gorinov, P.V. (2021). Current challenges and threats of the legal culture of youth. *Analytical and Comparative Jurisprudence*, 4, 18-22. doi: [10.24144/2788-6018.2021.04.3](https://doi.org/10.24144/2788-6018.2021.04.3).
- [15] Dudyk, I., Rezvorovych, K., Melnyk, V., Gayevaya, O., & Tumulavičius, V. (2024). Strategies for Ukraine's legal integration into the EU: Learning from the experience of Central and Eastern Europe. *European Political and Law Discourse*, 11(6), 13-21. doi: [10.46340/eppd.2024.11.6.2](https://doi.org/10.46340/eppd.2024.11.6.2).
- [16] Friedman, L.M. (1969). Legal culture and social development. *Law & Society Review*, 4(1), 29-44. doi: [10.2307/3052760](https://doi.org/10.2307/3052760).
- [17] Grytsenko, O. (2019). [Decommunization in Ukraine as a Public Policy and as a Cultural Phenomenon](#). Kyiv: Institute of Political and Ethno-National Studies named after I.F. Kuras, NAS of Ukraine; Institute of Culturology, NAS of Ukraine.
- [18] Herklotz, T. (2023). *Legal cultures*. Oxford: Oxford University Press.

- [19] Honcharenko, N. (2025). Transformation of the historical narratives of the Second World War and the decommunisation of memory policy in Ukraine. *Australian Journal of Politics & History*, 71(2), 297-311. doi: [10.1111/ajph.13040](https://doi.org/10.1111/ajph.13040).
- [20] Kalinicheva, H., & Bulvinska, O. (2023). The role of higher education in the development of United European values during the post-war reconstruction of Ukraine. *Problems of Education*, 2(99), 24-43. doi: [10.52256/2710-3986.2-99.2023.02](https://doi.org/10.52256/2710-3986.2-99.2023.02).
- [21] Kasianov, G. (2024). In search of lost time? Decommunization in Ukraine, 2014-2020. *Problems of Post-Communism*, 71(4), 326-340. doi: [10.1080/10758216.2023.2198135](https://doi.org/10.1080/10758216.2023.2198135).
- [22] Komarova, T., & Lazovski, A. (2024). *Case law of the Court of Justice of the EU on the rule of law and its significance for Ukraine*. Kyiv: Pravo-Justice.
- [23] Komarova, T.V. (2024). [EU values as a guide for Ukrainian legal system](#). *Problems of Legality*, 2024, 61-82.
- [24] Králiková, M. (2022). Importing EU norms: The case of anti-corruption reform in Ukraine. *Journal of European Integration*, 44(2), 245-260. doi: [10.1080/07036337.2021.1872559](https://doi.org/10.1080/07036337.2021.1872559).
- [25] Kravchenko, S. (2025). *Trust in the court: Important considerations based on facts*. Retrieved from <https://supreme.court.gov.ua/supreme/pres-centr/zmi/1775192/>.
- [26] Kryvytskyi, Y. (2023). The influence of legal culture on the effectiveness of the implementation of legal reform. *Law Review of Kyiv University of Law*, 2, 22-27. doi: [10.36695/2219-521.2.2023.03](https://doi.org/10.36695/2219-521.2.2023.03).
- [27] Kryvytskyi, Y., Kuznetsova, L., Chekaliuk, V., Maidaniuk, I., & Khriapynskyi, A. (2024). The legal system reform of Ukraine in the context of EU integration and hybrid threats. *Sapienza: International Journal of Interdisciplinary Studies*, 5(4), article number e24077. doi: [10.51798/sijis.v5i4.879](https://doi.org/10.51798/sijis.v5i4.879).
- [28] Lomaka, V. (2022). Legal culture of society in the context of European integration. *Problems of Legality*, 159, 105-128. doi: [10.21564/2414-990X.159.268418](https://doi.org/10.21564/2414-990X.159.268418).
- [29] Lomaka, V., Novikov, Y., Yakoviyk, I., Tragniuk, O., & Sych, M. (2025). The role of European integration in the development of legal awareness of the Ukrainian society. *Portugalense Legal Journal*, 37, 501-523. doi: [10.34625/issn.2183-2705\(37\)2025.ic-24](https://doi.org/10.34625/issn.2183-2705(37)2025.ic-24).
- [30] Lu, J., & Wang, J. (2021). Corporate governance, law, culture, environmental performance and CSR disclosure: A global perspective. *Journal of International Financial Markets, Institutions and Money*, 70, article number 101264. doi: [10.1016/j.intfin.2020.101264](https://doi.org/10.1016/j.intfin.2020.101264).
- [31] Lukianets-Shakhova, V., Pysarchuk, V., Sokh, K., Malatsai, I., & Tkachenko, V. (2024). Ukraine's journey towards European integration: Successes and future outlook. *Multidisciplinary Reviews*, 8, article number 2024spe077. doi: [10.31893/multirev.2024spe077](https://doi.org/10.31893/multirev.2024spe077).
- [32] Mamasharifovna, N.F. (2021). [Legal culture and the main factors of its formation](#). *EPRA International Journal of Multidisciplinary Research*, 7(5), 187-190.
- [33] Michaels, R. (2011). [Legal culture](#). In H. Basedow, K.J. Hopt & R. Zimmermann (Eds.), *Oxford handbook of European private law*. Oxford: Oxford University Press.
- [34] Ministry of Justice of Ukraine. (2024). [Regarding the derogation from obligations under the Convention for the Protection of Human Rights and Fundamental Freedoms](#). Retrieved from <https://www.kmu.gov.ua/news/shchodo-vidstupu-vid-zoboviazan-za-konventsiiu-pro-zakhyst-prav-liudyny-i-osnovopolozhnykh-svobod>.
- [35] Moroz, O. (2020). Problems of adapting Ukrainian legislation to the legislation of the European Union. *Almanac of International Law*, 23, 21-28. doi: [10.32841/ILA.2020.23.03](https://doi.org/10.32841/ILA.2020.23.03).
- [36] National Academy of Legal Sciences of Ukraine. (n.d.). [Corresponding members of the National Academy of Legal Sciences of Ukraine](#). Retrieved from https://nals.com.ua/correspondent_members/.
- [37] Permanent Representation of Ukraine to the Council of Europe. (2020). *Ukraine and the European Court of Human Rights*. Retrieved from <https://coe.mfa.gov.ua/en/partnership/ukraine-and-court>.
- [38] Petryshyn, O.V. (2015). [Theory of state and law: A guide for preparing for state exams](#). Kharkiv: Pravo.
- [39] Piszcz, A., & Sierocka, H. (2020). The role of culture in legal languages, legal interpretation and legal translation. *International Journal for the Semiotics of Law*, 33(3), 533-542. doi: [10.1007/s11196-020-09760-3](https://doi.org/10.1007/s11196-020-09760-3).
- [40] Rubashchenko, M., & Movchan, R. (2023). Criminal offenses against state security in the draft of the new Criminal code of Ukraine. *Analytical and Comparative Jurisprudence*, 3, 328-341. doi: [10.24144/2788-6018.2023.03.60](https://doi.org/10.24144/2788-6018.2023.03.60).
- [41] Rubashchenko, M.A., Yakoviyk, I.V., Shulzhenko, N.V., Zaitsev, O.V., & Kharytono, S.O. (2024). [Collaborationism as a historical, social and legal phenomenon](#). In *Collaborationism in temporarily occupied territories: Problems of legal assessment, guaranteeing human rights and freedoms and reintegration of territories* (pp. 14-190). Kharkiv: Pravo.
- [42] State Tax Service of Ukraine. (n.d.). [Fulfillment of Ukraine's obligations to the Council of Europe](#). Retrieved from <https://tax.gov.ua/diyalnist-/mijnarodne-/arhiv/integratsiya-ukraini-do-es/spivrobotnytstvo-z-radou-es/chlenstvo-v-radi-evropy/vukonania-zoboviazan>.

- [43] Sunde, J.Ø. (2010). [Champagne at the funeral: An introduction to legal culture](#). In J.Ø. Sunde & K.E. Skodvin (Eds.), *Rendezvous of European legal cultures* (pp. 11-28). Bergen: Fagbokforlaget.
- [44] The European Court of Human Rights already has many lawsuits related to the Russian Federation's war in Ukraine – ECHR judge representing Ukraine. (2023). Retrieved from <https://court.gov.ua/press/interview/1510856/>.
- [45] The participation of international experts in the formation of the HQCJ contradicts the independence of the judiciary – Volodymyr Matsko. (2020). Retrieved from <https://surl.li/qhrefh>.
- [46] Todorov, I. (2020). The integrative role of Jean Monnet educational programs in the formation of European community values: Ukrainian content. *International Scientific Bulletin*, 1(21), 139-150. doi: 10.24144/2218-5348.2020.1(21).139-150.
- [47] Wolczuk, K. (2021). State building and European integration in Ukraine. In A. Tyushka & T. Schumacher (Eds.), *The European Union and its eastern neighbourhood: Whither "Eastern Partnership"?*. London: Routledge. doi: 10.4324/9781003083634.
- [48] Zhytnyi, O. (2024). [Immunity of the combatant: Criminal and legal aspects](#). *Law & Society*, 9, 54-58.

Європейська інтеграція – рушійна сила розвитку правової культури України, модернізації її правової системи

Андрій Цвєтков

Кандидат юридичних наук

Науково-дослідний інститут приватного права і підприємництва імені академіка Ф.Г. Бурчака Національної академії правових наук України
03150, вул. Казимира Малевича, 11, м. Київ, Україна
<https://orcid.org/0000-0002-3239-322X>

Анотація

У дослідженні проаналізовано розвиток правової культури України під впливом реалізації стратегічного курсу на європейську інтеграцію, її роль у модернізації національної правової системи. У процесі дослідження застосовано міждисциплінарний і термінологічний підходи, діалектичний, герменевтичний, історико-правовий, порівняльно-правовий, системно-функціональний методи, а також метод правового моделювання. Розкрито зміст понять «правова система» та «правова культура», наведено їхню характеристику. Центральним елементом дослідження став аналіз ролі європейської інтеграції (у межах Ради Європи та Європейського Союзу) у процесі модернізації правової системи України, а також реформування її структурних елементів, зокрема правової культури. Обґрунтовано важливість адаптації правової системи України до правопорядку Європейського Союзу, що передбачає не лише наближення законодавства України до *acquis communautaire* ЄС, а й сприйняття системи правових цінностей і принципів, процедур і практик, на яких ґрунтується право ЄС. Приділено увагу переорієнтації на європейські стандарти правової науки та юридичної освіти. Під час дослідження проаналізовано національні нормативно-правові акти та акти Європейського Союзу, що здебільшого стосуються виконання правового критерію набуття членства в Європейському Союзі. Результати дослідження можуть бути корисні для ґрунтовнішого дослідження еволюції правової системи України під впливом процесів європейської інтеграції у межах Ради Європи і Європейського Союзу, а також для можливого розроблення проекту Концепції підвищення правової культури українського суспільства, а також заходів, спрямованих на підвищення рівня правової культури державних службовців, їх обізнаності в праві Європейського Союзу

Ключові слова:

правова інтеграція; адаптація законодавства; цінності; верховенство права; правова свідомість; правове виховання