

## ПРАКСЕОЛОГІЧНА ПАРАДИГМА ВПРОВАДЖЕННЯ ЄВРОПЕЙСЬКИХ ПРИНЦИПІВ ДЕМОКРАТИЧНОГО ВРЯДУВАННЯ, ПРАВОВЛАДДЯ ТА ЗАХИСТУ ФУНДАМЕНТАЛЬНИХ ПРАВ І СВОБОД У СУСПІЛЬНО-ПРАВОВУ СИСТЕМУ УКРАЇНИ

### PRAXEOLOGICAL PARADIGM OF IMPLEMENTING EUROPEAN PRINCIPLES OF DEMOCRATIC GOVERNANCE, RULE OF LAW, AND PROTECTION OF FUNDAMENTAL RIGHTS AND FREEDOMS IN THE SOCIO-LEGAL SYSTEM OF UKRAINE

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У статті здійснено комплексний теоретико-методологічний аналіз праксеологічної парадигми впровадження європейських принципів демократичного врядування, правовладдя та захисту фундаментальних прав і свобод у суспільно-правову систему України. Обґрунтовано, що праксеологічний підхід дозволяє розглядати імплементаційні процеси не лише як нормативно-юридичну адаптацію стандартів Європейський Союз, але і як багаторівневу практичну діяльність інституцій, суб'єктів публічної влади та громадянського суспільства, спрямовану на досягнення вимірюваних результатів у сфері демократизації та гарантування прав людини. Визначено, що праксеологічна парадигма інтегрує інструментальний, процедурний та результативний виміри реформ, орієнтуючи дослідження на ефективність правозастосування, інституційну спроможність та якість управлінських рішень. Розкрито зміст демократичного врядування та принципу верховенства права як функціонально взаємопов'язаних елементів трансформації правової системи, що реалізуються через механізми прозорості, підзвітності, участі, юридичної визначеності та недискримінації. Наголошено на значенні операціоналізації європейських правових стандартів через конкретні управлінські процедури, правові інструменти та практики правозастосування. Проаналізовано роль інституційних і процедурних механізмів у забезпеченні реального, а не декларативного характеру основних прав і свобод, а також у формуванні стійких моделей правомірної поведінки суб'єктів публічно-правових відносин. Доведено, що ефективність впровадження європейських принципів безпосередньо залежить від узгодженості нормативних змін із практиками їх реалізації, рівня професійної підготовки суб'єктів владних повноважень, цифровізації управлінських процесів та розвитку правової культури суспільства. Запропоновано розглядати праксеологічну парадигму як міждисциплінарну методологічну основу оцінювання результативності правових реформ і демократичних перетворень. Зроблено висновок про доцільність застосування праксеологічних критеріїв для моніторингу та коригування процесів імплементації європейських принципів у національній правовій системі.

**Ключові слова:** праксеологічна парадигма, демократичне врядування, верховенство права, фундаментальні права і свободи, імплементація стандартів, європейські принципи, правова система, інституційна ефективність, правозастосування, публічне управління.

The article provides a comprehensive theoretical and methodological analysis of the praxeological paradigm for implementing European principles of democratic governance, the rule of law, and the protection of fundamental rights and freedoms within the socio-legal system of Ukraine. It is substantiated that the praxeological approach makes it possible to interpret implementation processes not merely as formal legal harmonization with the standards of the European Union, but as a multi-level practical activity of institutions, public authorities, and civil society actors aimed at achieving measurable outcomes in democratization and human rights protection. The study demonstrates that the praxeological paradigm integrates instrumental, procedural, and result-oriented dimensions of reform, focusing scholarly analysis on the effectiveness of law enforcement, institutional capacity, and the quality of governance decisions. The conceptual content of democratic governance and the rule of law is revealed as functionally interconnected elements of legal system transformation, realized through mechanisms of transparency, accountability, participation, legal certainty, and non-discrimination. Particular attention is devoted to the operationalization of European legal standards through concrete administrative procedures, regulatory instruments, and enforcement practices. The role of institutional and procedural mechanisms in ensuring the substantive, rather than merely declarative, nature of fundamental rights and freedoms is emphasized, as well as their importance in shaping stable models of lawful conduct among public-law actors. It is argued that the effectiveness of implementing European principles directly depends on the coherence between normative reforms and their practical execution, the professional competence of public officials, the digitalization of governance processes, and the development of legal culture within society. The praxeological paradigm is proposed as an interdisciplinary methodological framework for assessing the performance and impact of legal reforms and democratic transformations. The article concludes that praxeological criteria should be applied to monitor and adjust the processes of integrating European principles into the national legal order.

**Key words:** praxeological paradigm; democratic governance; rule of law; fundamental rights and freedoms; implementation of standards; European principles; legal system; institutional effectiveness; law enforcement; public administration.

One of the key concepts – and, at the same time, a fundamental objective – of public policy may be regarded as the implementation of the idea of social justice, which belongs to the so-called “eternal” values. In the overwhelming majority of cases, it is enshrined in the constitutions of various states, where it possesses an interconnected philosophical, sociological, political, and legal character, since all these aspects play an important role in the system of law and in real constitutionalism» [1, c. 9–17; 2, p. 132–157]. For example, in the Constitution of Ukraine, the values associated with Ukrainian statehood (the rule-of-law and social state, sovereignty,

independence and democracy of the state, unitarism, territorial integrity of Ukraine, defense and protection of sovereignty, economic and information security) interact with the values relating to civil society, the individual and the citizen (popular sovereignty, recognition of the human being as the highest social value, and the development of civil society). The latter, in turn, are grounded in such values as the rule of law, justice and equality. Thus, in the specified context, the idea of social justice is important both as a theoretical construct and as a praxeological principle underlying the implementation of public policy.

With regard to the aspiration for social justice, among different peoples and in different historical periods it has always been of great importance. Due to its popularity in mass consciousness, the idea of justice has often been mythologized and has functioned as an ideal in which, through a comparison of the actual and the normative, perceptions of social equality, human rights and freedoms, different (or equal – author) opportunities and access to material and social goods, as well as their distribution in specific societies, are reflected [3]. From this perspective, the most well-known and widely discussed remains J. Rawls's concept of justice, in which he considers justice as fairness on the basis of the theory of a "well-ordered society" or a "just society" [4, c. 779–802].

In the conditions of the development and dissemination of democratic processes in a globalized world, the idea of social justice seeks new ways of implementation. In public policy, it operates as a principle upon which the political and economic spheres, laws, social institutions, international relations, beliefs, and people's decisions and actions rest. On the basis of the principle of justice, the distribution of resources is determined, rights and opportunities of access to the distribution of resources among citizens are regulated, and conditions for dignified and fair coexistence are created. Moreover, the principle of justice, directly "woven" into the mechanisms for implementing the rule of law and democratizing the rule-of-law state, serves as one of the important levers for ensuring it in the advancement of civil society.

I. Stadnik and T. Mikhaylina indicate that the concept of justice reflects the social realities of a particular society and the level of its cultural and legal maturity, describing justice as a specific indicator demonstrating the correspondence of the model of the social rule-of-law state to its actual condition in society [5, c. 137–148]. N. Shelever defines the role of justice in a similar vein, but limits its operation exclusively to the legal sphere, calling it a fundamental principle of law [6, c. 115–117]. We support those researchers who believe that the sphere of justice is significantly broader than the sphere of law, since it has a comprehensive character and, as a result, determines the multifaceted nature of social relations, where its various manifestations—for example, ideas of justice and injustice—closely intertwine and interact, thereby reinforcing such an aspect of it as the moral one. The researcher writes that this aspect is of great importance, for example, in the work of officials who, when making certain decisions, must take into account not only the letter of the law but also reflect on how far their decisions comply with the requirements of justice [7].

The main vocation of the social rule-of-law state is the observance of fundamental human rights and freedoms, social justice in society, and the provision and creation of conditions for equality, fairness and social support for all strata of society, including access to education, healthcare, housing, social protection, etc. [8, c. 101–109; 9, c. 8–13; 10, c. 300–311]. Particular emphasis should be placed on the necessity of implementing another important task related to the state's guarantee to every citizen of the right to full judicial protection, as well as ensuring human freedom and dignity as one of the tasks of the state based on the principles of the rule of law and the binding nature of the constitution for public authority [11, c. 72–77]. It should be emphasized that within the European Union, social rule-of-law states function, and the recognition of social rights as among the fundamental rights of citizens of the European community is documented at the supranational level. In particular, this concerns the right to decent work, social protection, and access to quality education and healthcare on the basis of equal opportunity policy. In the European Social Charter, as one of the key legal instruments of the European Union, the social rights of citizens are enshrined, the purpose of which is to ensure a high level of their social well-being.

Thus, it is methodologically justified to consider the social quality policy developed in the EU, implemented by social rule-

of-law states to ensure citizens' well-being, as a praxeological approach to the implementation of European experience in addressing social and economic issues in Ukraine.

The praxeological foundation for such adaptation may be the national resilience strategy, which reflects the ability of the state and society to effectively counter threats of any origin and nature, adapt to changes in the security environment, maintain sustainable functioning, and quickly restore a desired equilibrium after crisis situations [12]. Among the main priorities of Ukraine's national resilience, first of all, we include safeguarding independence and protecting state sovereignty and territorial integrity within the internationally recognized state borders of Ukraine. In addition, important tasks include protecting the rights, freedoms and legitimate interests of citizens of Ukraine, restoring human capital, and maintaining the course of European and Euro-Atlantic integration. In this context, it is important to emphasize that the guarantee of national resilience lies in the interaction and joint activity of the state, governmental institutions and society. If together they are able to consolidate efforts, anticipate risks, ensure sustainable activity and development of the main spheres of life, respond in a timely manner to threats and prevent the emergence and manifestation of crisis situations, and meet the criterion of reliability, then it is possible to speak of the further ability to withstand unexpected shocks, demonstrate adaptability—that is, transform negative results into positive ones—apply unconventional, innovative and inclusive solutions, as well as recover after the destructive consequences of threats and crises of any nature and origin to a defined equilibrium (at a previous or new level), provided that continuity of governance is preserved [13, c. 476–480].

Identity also plays an important role in shaping national resilience, since it influences the factors that form social and political unity and consolidate and unite (or, conversely, separate – author) certain social groups. Thus, a strong and stable identity is a guarantee of social and political resilience. If national identity is concerned, it may stimulate civic patriotism and a sense of responsibility for the well-being of one's nation. In this context, national and civic identity coincide. While national and civic identities are two complementary aspects of identity, in different contexts there are essential differences between them.

Although national and civic identities may "intertwine," they differ in their roots, spheres of application and modes of formation. Both are important components of the social structure, and their interaction may determine the stability and cohesion of society. If the identity of a nation feels threatened or becomes fragmented due to conflicts, discrimination or other reasons, this may lead to social disorder, political tension and even conflicts. In our view, in order to ensure national resilience it is important to maintain an inclusive national identity that takes into account the diversity and multidimensionality of the nation and promotes mutual understanding and cooperation among all its members.

Among the factors that should be highlighted in the context of the foundations for the functioning of a resilient Ukrainian society is the concept of social capital, which plays a significant role in ensuring it, as it includes a system of institutions, the connections between them, and the regulatory norms of social relations. Moreover, as a component of human capital, social capital may (or is capable of – author) generating income, since it includes resources created by people for the production of goods and services [14; 15, p. 55–68]. This idea regarding the resource potential of social capital is important for any society, especially in crisis or emergency situations, when an effective way out of adverse circumstances is the use of human potential, since social capital is first and foremost all people and their interpersonal and group interaction through relevant networks and relationships. The interdependence of national resilience and social capital is directly connected

with the sphere of public and state interests in the context of achieving common goals, in particular maintaining social stability under conditions of external or internal pressures. Together they form the foundation for deepening a sense of shared responsibility to society and fulfilling obligations to preserve social stability through social interaction, which is important for national resilience.

In the context of implementing European experience of social quality policy into Ukrainian reality, among domestic studies attention should be paid to constructive views of certain authors regarding the connection between trust and the governance functions of the state, describing trust as a key value of governance that “works” only when there is openness, respect, harmony and responsibility in society, which are included in the list of features of a new culture of public administration as components of successful partnership relations in society. It is rightly emphasized that in the era of “mosaic knowledge,” social development based on knowledge is impossible without trust, and in the absence of a culture of openness and transparency, latent conflict erupts. Even without sharing or approving the positions of others, it is necessary to understand the risks of the inability (or lack of capacity) to value and respect the views of others and to have the ability to “filter” valuable information and knowledge. Only on the basis of common values and their harmonious combination, the researcher notes, are transformational changes possible as evidence of balanced needs and deepened shared understanding of priorities [16, p. 478–497]. In our view, such an approach successfully emphasizes the role of trust as a socio-philosophical phenomenon and as a factor influencing current socio-political events in Ukraine and the world.

From a praxeological point of view, under conditions of democratization of the rule-of-law state, the role of social trust in the context of its positive influence on human resources increases. However, when considering this issue in practical terms, one cannot ignore the problem of social distrust, which is a powerful factor influencing social processes, civic activity and political relations. The contemporary sociologist P. Sztompka advances an interesting concept of the emergence of social distrust in the Polish community and, using the example of Poland’s recent history, considers its emergence as a consequence of social (cultural) trauma [17]. He writes about the “trauma of transformation” (he was among the first to introduce this term into academic circulation – author) to denote social (cultural) traumas that may arise in people’s consciousness due to fundamental social changes. Anomie, deprivation, as well as problems of trust and distrust in societies undergoing change, may be explained precisely by the “trauma of transformation.” As P. Sztompka notes, trust in society is most often disrupted during radical restructuring of political and social structures. He points out that when a society changes rapidly and radically without clear leadership and meaningful direction, and existential security becomes an urgent issue, general distrust emerges [18].

Thus, according to P. Sztompka, the emergence of distrust in societies is the result of experienced social trauma. In conditions of war, the impact of social trauma on mass consciousness should not be underestimated. Social trauma is a concept describing the impact of large-scale events or systemic problems on a group of people, a community or society as a whole. It may result from various factors such as war, genocide, political pressure, economic crisis, natural disasters, social inequalities or systemic violence. Social trauma may have long-term and profound effects on the mental, emotional and social well-being of a group or society. It may lead to the spread of fear, loss of trust in authorities and other

institutions, increased conflicts between people, disputes over resource distribution, and threats to social cooperation and interaction.

In our view, in the context of the Russian-Ukrainian war, the spread of distrust is primarily associated with various types of social trauma conditioned by historical memory, the war and its consequences for different population groups of Ukraine, corresponding to the features described above. Although the study of this issue does not fall within the immediate task of this subsection, it should be noted that the “factor of distrust” is influential and at different stages of the Russian-Ukrainian war may manifest itself in different ways; therefore, its study as a praxeological aspect influencing social stability is relevant. In the situation of full-scale war and increasing threats to Ukraine, social trust becomes one of the key elements of security contributing to both internal and external resilience of the state. Before the war (2020–2021), sectoral security strategies were updated, including the National Security Strategy of Ukraine. This strategy is based on three main principles: deterrence (development of defense and security capabilities to prevent armed aggression), resilience (the ability to quickly adapt to changes in the security environment and maintain stable functioning), and interaction (development of strategic ties with key partners, in particular the European Union and NATO). Under conditions of full-scale war, the main goal of Ukraine’s comprehensive defense is to exercise the sovereign right to self-defense against aggression and to ensure a balance between military and non-military means to preserve security. Integration into the Euro-Atlantic space and obtaining NATO membership, as well as active participation in international peace and security measures, are required. Therefore, in the conditions of military globalization as a process of growing international interconnection, integration and interdependence in the sphere of military activity, security issues are urgent. Military globalization affects global security and stability, requiring joint efforts and cooperation between countries to address military challenges and conflicts.

At the present stage, issues of rapid adaptation to changes in the sphere of military globalization, rethinking traditional perceptions of war, and taking into account security aspects in building a democratic state acquire special importance for Ukraine. Today, security becomes a key aspect of understanding the role of the state and its interaction with civil society in the context of protecting the territorial integrity of Ukraine and preserving the nation. Thus, genuine peace must be based on recognition and observance by states of international law.

Ukraine is actively working on implementing European standards in the field of democracy, human rights and the rule of law. However, this process must be considered complex and requiring systematic and consistent work, taking into account national characteristics and the socio-cultural context. Despite the progress achieved, there are challenges and problems that Ukraine faces in the process of implementing European standards. These primarily include participation in the unprovoked war unleashed by Russia, in which Ukraine defends its statehood and national interests and loses the opportunity to move forward actively in implementing European experience, as well as internal problems (corruption, rule of law, human rights, etc.). For the successful implementation of European principles of democracy, the rule of law and fundamental rights and freedoms in Ukrainian reality, a comprehensive approach aimed at strengthening the institutional and cultural foundations of democratic society is required. It is important to continue work in this direction in order to ensure sustainable development and prosperity of Ukraine.

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