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## LEGAL CONSCIOUSNESS IN UKRAINE AFTER 2022: RENEWAL OF CONTENT AND VALUE ORIENTATIONS

**Abstract. Purpose.** The purpose of this study is to identify the specific features of the transformation of legal consciousness in Ukrainian society after 2022, in particular, the changes in its content and value orientations in the context of socio-legal challenges. **Research methods.** The methodology is based on a comprehensive analysis and generalization of theoretical and scholarly research, followed by the formulation of reasoned conclusions and practical recommendations. **Results.** For the first time, the study demonstrates that legal consciousness in Ukraine after 2022 has not transformed into a fundamentally “new” form but has undergone a renewal of its value orientations, acquiring a crisis-mobilization and integrative character. Its role has been defined as a factor in strengthening legal culture, civic engagement, and the protection of the principles of the rule of law under conditions of wartime challenges. The research shows that after 2022, Ukrainian legal consciousness has preserved its basic structural elements while updating its system of values. It has acquired a mobilization and integrative nature, reinforced the functions of civic participation, legal culture, and orientation toward the rule of law and justice. These changes manifest in the growing role of volunteerism, public initiatives, and digital participation tools, which contribute to strengthening trust in state institutions and enhancing the legal resilience of society. At the same time, legal consciousness increasingly performs the function of adapting the legal system to wartime challenges and European integration processes, becoming a key factor in the modernization of legal order and the development of democratic statehood. **Conclusions.** It is concluded that legal consciousness under present conditions emerges as a key element of legal reality, integrating knowledge of law, the assessment of its content, and the readiness to act in accordance with legal norms. Social transformations after 2022 have endowed it with renewed content, strengthening its mobilization and integrative potential. The functions of legal consciousness are manifested not only in the reflection and evaluation of legal phenomena but also in its ability to shape behavioral models, stimulate civic engagement, and uphold the rule of law. It is becoming an instrument of harmonizing social relations, affirming justice, and reinforcing trust in state institutions. In this regard, legal consciousness acts as a mediator between law “on paper” and its practical implementation, ensuring the effective functioning of the legal system even under crisis conditions.

**Key words:** legal consciousness, functions of legal consciousness, legal culture, legal values, legal behavior, social transformations, rule of law, justice, democratic institutions, Ukraine after 2022.

### 1. Introduction

An important theoretical basis for this research is the work of M. Ye. Cherkas, which provides a comprehensive analysis of the structural elements of legal consciousness and defines its functions as relatively autonomous. Accordingly, the primary focus of this study is on the characterization of these functions in Cherkas’s interpretation, specifically through the lens of transformations that have occurred since 2022, taking into account new socio-legal

challenges and the processes of European integration in Ukraine. Such an approach makes it possible not only to actualize the traditional interpretation proposed by M. Ye. Cherkas but also to identify how the functions of legal consciousness change in their content and significance under the influence of new social values, the development of legal culture, and the intensification of civic participation. Special attention is devoted to the value-orientational and regulatory functions, which, after 2022, acquired

a clearer applied dimension, becoming effective instruments for activating citizens, strengthening legal order, and upholding the rule of law in crisis situations.

The works of I. Sharavara and M. Cherkas provide an essential foundation for the present study, as they contain a thorough theoretical explanation of the essence, structural components, and functional designation of legal consciousness. However, further scholarly development is required regarding the renewal of the content and value orientations of legal consciousness after 2022, particularly in the context of wartime challenges, civic activity, and the processes of European integration.

## 2. The Content of Legal Consciousness as a Form of Social Consciousness

Legal consciousness, as a form of social consciousness, in our view, remains relatively stable in its essence, preserving its basic structural elements—knowledge of law, the assessment of its content, and the readiness to act in accordance with legal norms. However, social transformations shift its value accents and priorities.

Although legal consciousness does not change its nature depending on the historical period, it adapts to new challenges. After 2022, we do not observe the emergence of an entirely “new” legal consciousness, but rather the renewal of its value content. This renewal is manifested in the increasing importance of its functional dimension, in particular, the ability not only to reflect legal reality but also to actively influence the formation of behavioral models, stimulate civic engagement, raise the level of legal culture, and direct social processes toward adherence to the principles of the rule of law, justice, and equality.

As I. Sharavara rightly points out, legal consciousness occupies a key place in legal reality: it not only shapes legal reality but also represents the result of the comprehension and assimilation of the legal life of society and the legal relations existing within it. It constitutes an integral system of knowledge about law, internal evaluation of current legislation, as well as views and ideas regarding its improvement. It encompasses representations, beliefs, emotions, and attitudes that determine one's perception of law, the understanding of its role in the life of the state and society, the awareness of human rights, and the responsibility toward other individuals, the state, and the community (Sharavara, 2015).

We share this position, as legal consciousness is indeed the key link between abstract legal norms and the actual life of society. It forms a bridge between law “on paper” and its practical implementation, since it is precisely through the prism of personal convictions, values, and life

experience that an individual determines how to perceive, interpret, and apply legal norms. Its strength lies not only in the ability to reflect legal reality but also in its potential to influence its transformation. In conditions of social change and challenges, legal consciousness becomes an effective instrument of mobilizing society to protect rights and freedoms, to uphold the rule of law, and to strengthen trust in state institutions. It is particularly important that it combines rational knowledge with emotional-value orientations, since only in such unity is law perceived not as external coercion, but as an internal need to act fairly and responsibly.

The functions of legal consciousness may be defined as the principal directions of its influence on legal reality and the perception of its phenomena, which are realized in specific forms and modes, reflecting the social role and purpose of this phenomenon. They exhibit several characteristics:

- they indicate the directions of interaction of legal consciousness with other elements of legal reality;
- they are realized through various forms—verbal and non-verbal, logical and emotional-value-based, institutionalized and informal;
- they express the social purpose of legal consciousness;
- their subject matter concerns specific phenomena of legal reality (Cherkas, 2008).

We consider this definition to successfully reflect the essence of the functions of legal consciousness, as it simultaneously combines both structural and substantive approaches. M. Ye. Cherkas emphasizes that these functions do not exist in isolation but are realized through diverse forms of interaction with legal reality—from purely logical to emotional-value-based, from officially institutionalized to informal.

Of particular importance is the emphasis on the social purpose of the functions, as it allows legal consciousness to be viewed not merely as an individual psychological phenomenon but as a factor that influences legal order, legal culture, and the development of society.

In our view, after 2022, such an understanding has become even more relevant, since the emotional-value dimension and informal mechanisms of influence (volunteering, civic initiatives, public acts of solidarity) have significantly enhanced the role of legal consciousness in the practical protection of rights and freedoms, and not only in their theoretical comprehension. This indicates that the functions of legal consciousness can no longer be regarded exclusively within the framework of the classical academic model—they have acquired a crisis-mobilization and integrative character, responding to new socio-legal challenges.

### 3. Characteristics of the Functions of Legal Consciousness

In practice, the functions of legal consciousness are closely interrelated and overlapping, often manifesting simultaneously, which makes their separate analysis largely a theoretical convention. Their scope and content depend on the approach to classification and the research objective. In scholarly literature, both generalized schemes (reflective, regulatory, and creative functions) and more detailed models are proposed, including cognitive, evaluative, ideological, normative-prognostic, law-modeling, legal-educational, and other functions (Cherkas, 2008).

According to M. Ye. Cherkas, the reflective function of legal consciousness consists in recording and reproducing the phenomena of legal reality and current legislation through a system of knowledge, concepts, representations, evaluations, and views. Its implementation takes place in the process of cognition, evaluation, and reflection, that is, the individual's awareness of their own place and role in legal reality.

The cognitive aspect of this function contributes to the formation within legal consciousness of a certain complex of legal knowledge, ideas, categories, and concepts, which are the result of intellectual activity. Thanks to this, a person perceives law not only through direct everyday observations but also through an understanding of the deeper patterns of legal life, including those driving factors and mechanisms that remain beyond direct perception (Cherkas, 2008).

In the context of changes that have occurred after 2022, the reflective function of legal consciousness has acquired special significance. It not only records and reproduces the phenomena of legal reality and current legislation through a system of knowledge, concepts, representations, evaluations, and views, but also reflects the transformations of legal life caused by martial law, armed aggression, and the processes of European integration of Ukraine. Its implementation occurs through cognition, evaluation, and reflection, which, under conditions of crisis challenges, involves not only the individual's awareness of their place and role in legal reality but also the rethinking of personal and collective responsibility for upholding the principles of the rule of law, justice, and equality.

The cognitive aspect of legal consciousness today forms a renewed set of legal knowledge, ideas, categories, and concepts that reflect both national and international experience in responding to the challenges of war. This makes it possible to perceive law not only through the prism of everyday observations but also through an understanding of the deeper patterns of legal life, including the mechanisms that ensure the resilience of the legal order

and the effective protection of human rights under extraordinary circumstances.

Examples of the functioning of legal consciousness can be clearly traced in Ukraine's current conditions. Thus, the reflective function is manifested in society's ability to assess the legality of mobilization measures by correlating them with the Constitution and current legislation; in citizens' attitudes toward international sanctions against the aggressor, which are perceived as confirmation of the legitimacy of the struggle for state sovereignty; as well as in the understanding of the lawfulness of restrictions during martial law, such as curfews or limitations on freedom of movement, which are recognized as lawful protective measures. At the same time, the cognitive function is expressed in the acquisition of new knowledge and the expansion of legal outlook: through legal education received via media and online platforms during evacuation, the registration of internally displaced person status, or obtaining international aid; through the study of the case law of the European Court of Human Rights, which promotes a better understanding of the principles of fair trial and human rights protection; and through the dissemination of knowledge about war crimes, when civic organizations conduct training for journalists and volunteers, explaining the differences between the concepts of "terrorist act," "genocide," and "war crime."

Legal consciousness also performs a creative function, which consists in the active and practical engagement of the individual with legal reality. It is manifested in the ability to form new legal ideals, concepts, and relations that become embedded in the normative-value system of law. This function is most clearly realized in the field of law-making, since the legislative process not only reflects social changes and adapts law to the needs of society but also represents an active manifestation of consciousness and value orientations influencing the development of the legal system (Cherkas, 2008).

The creative function of legal consciousness has acquired particular significance after 2022. On the one hand, citizens are increasingly involved in shaping legal ideals—from participation in volunteer initiatives to influencing legislative changes. On the other hand, public authorities and legal professionals are compelled to develop new approaches to the interpretation and application of legal norms in order to ensure their fairness, clarity, and effectiveness under extraordinary conditions. This proves that legal consciousness ceases to be a purely theoretical phenomenon and becomes a real instrument of modernization of legal life. A striking manifestation of the creative function of legal consciousness was the adoption of new laws regarding the status of military personnel and their families. These changes were driven both by

the demands of society and by the awareness of the need for fair legal regulation of social guarantees during wartime. At the same time, civic organizations and human rights defenders actively participated in drafting these initiatives, which illustrates the interaction between social legal consciousness and state law-making.

The reflexive function of legal consciousness consists in the individual's exercise of intellectual self-control and critical self-assessment of their own legal behavior. It allows not only the correlation of one's actions with the requirements of the law but also the evaluation of their conformity with moral and social values (Cherkas, 2008).

It should be noted that the reflexive function is one of the most important mechanisms for forming a responsible legal culture. It is precisely through reflection that a person becomes capable of realizing the consequences of their decisions and correcting their behavior. After 2022, this function has become even more relevant, since in wartime society faces daily choices where law, morality, and justice interact in complex and contradictory forms. For example, a volunteer engaged in the distribution of humanitarian aid evaluates their actions not only in terms of compliance with reporting rules and legality but also from the standpoint of justice: whether the aid truly reaches those who need it most. Such self-assessment of one's activity is an expression of the reflexive function, which strengthens trust in social institutions and upholds the rule of law even under crisis conditions.

In general, legal consciousness performs a regulatory function in the process of law enforcement: it manifests itself in the resolution of legal cases, the adoption of law-enforcement acts, and the making of various types of concrete legal decisions. In this context, professional legal consciousness holds particular importance, as it ensures the proper level of legal evaluation and the adoption of balanced decisions (Cherkas, 2008).

We consider the regulatory role of legal consciousness to be central to the functioning of the legal system, as it determines whether laws will be applied fairly and consistently or will instead be transformed into an instrument of arbitrariness. The professional legal consciousness of lawyers, judges, advocates, and other legal practitioners carries out a special mission—ensuring a balance between the letter of the law and the principles of justice. After 2022, this function has acquired new significance, since under martial law law enforcement requires heightened responsibility and attentiveness so as not to allow violations of human rights under the pretext of security. For instance, when a judge considers a case concerning the liability of a person subject to military duty for violating mobilization rules, he or

she must not only formally apply the statutory norm but also take into account specific life circumstances (such as health status or family conditions). Here, professional legal consciousness assists in rendering a decision that is not only lawful but also just, thereby preserving public trust in the judiciary.

The evaluative function of legal consciousness lies in the fact that any legal knowledge is inevitably accompanied by an emotional attitude towards it. Individuals or communities assess the law, its principles, norms, and institutions, as well as the behavior of subjects of legal relations. The outcome of such evaluation is the categorization of actions as lawful or unlawful. Particularly dangerous is unlawful behavior on the part of officials or representatives of law enforcement bodies, as it undermines the principle of legality (Cherkas, 2008).

In our view, the evaluative function is of exceptional importance, since it shapes either trust or distrust in law and state institutions. If people observe that legal norms are applied fairly, this strengthens the rule of law. Conversely, when officials themselves violate the law, society begins to perceive law as a mere formality, thereby eroding the legitimacy of authority. After 2022, society has paid especially close attention to the actions of law enforcement agencies in cases related to war crimes or corruption. When citizens witness the punishment of high-ranking officials who abused their positions during wartime, this elicits positive evaluations and a sense of justice. By contrast, impunity breeds profound disappointment and distrust toward the legal system.

According to M.Ye. Cherkas, the regulatory function of legal consciousness occupies a leading place among others, for it determines the framework and direction of human behavior. It has a dual character: on the one hand, it orients individuals toward certain actions by stimulating lawful behavior; on the other, it sets the boundaries of what is permissible, prohibiting transgressions beyond those limits. Its main social purpose lies in the ordering of social relations on the basis of law, enabling the reconciliation of the interests of the individual, society, and the state (Cherkas, 2008).

The regulatory function is the key to societal stability. It transforms law from a mere text into a real guide to behavior. Particularly under martial law, this function assumes even greater significance: it helps maintain a balance between individual rights and collective security. When citizens perceive legal restrictions as fair and necessary, this enhances trust in the state and in legal order. This function was clearly manifested in the introduction of curfew in Ukraine. The majority of citizens voluntarily complied with the restrictions, understanding that such measures did not unjustifiably limit their freedom but instead served common security and protection

against threats. This demonstrates how legal consciousness facilitates the alignment of individual behavior with the requirements of law under extreme conditions.

#### 4. Conclusions

In the contemporary context, legal consciousness emerges as a key element of legal reality, combining knowledge of law, evaluation of its content, and readiness to act in accordance with norms. The social transformations after 2022 have endowed it with new meaning, reinforcing its mobilizational and integrative potential.

The functions of legal consciousness manifest themselves not only in the sphere of reflecting and evaluating legal phenomena but also in the capacity to shape behavioral models, stimulate civic engagement, and uphold the rule of law. It becomes an instrument for harmonizing social

relations, establishing justice, and strengthening trust in state institutions. In this sense, legal consciousness serves as a mediator between law “on paper” and its practical implementation, ensuring the effective functioning of the legal system even under crisis conditions.

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## ПРАВОСВІДОМІСТЬ В УКРАЇНІ ПІСЛЯ 2022 РОКУ: ОНОВЛЕННЯ ЗМІСТУ ТА ЦІННІСНИХ ОРІЄНТИРІВ

**Анотація.** Метою роботи є виявити особливості трансформації правосвідомості українського суспільства після 2022 року, зокрема зміну її змісту та ціннісних орієнтирів у контексті соціально-правових викликів. Методи. Методика базується на всебічному аналізі та узагальненні науково-теоретичних досліджень із подальшим формуванням аргументованих висновків і практичних рекомендацій. **Результати.** У роботі вперше показано, що правосвідомість в Україні після 2022 року не трансформується у «нову» форму, а зазнає оновлення ціннісних орієнтирів, набуваючи кризово-мобілізаційного та інтеграційного характеру. Визначено її роль як чинника зміцнення правової культури, громадянської активності та захисту принципів верховенства права в умовах воєнних викликів. Дослідження показало, що після 2022 року правосвідомість в Україні зберегла свої базові структурні елементи, але оновила ціннісні орієнтири. Вона набула мобілізаційного та інтеграційного характеру, посилила функції громадянської активності, правової культури та орієнтації на верховенство права й справедливості. Такі зміни виявляються у зростанні ролі волонтерства, публічних ініціатив та цифрових інструментів участі, що сприяють зміцненню довіри до державних інституцій і підвищенню правової стійкості суспільства. Водночас правосвідомість дедалі більше виконує функцію адаптації правової системи до воєнних викликів і євроінтеграційних процесів, стаючи ключовим чинником модернізації правопорядку та розвитку демократичної державності. **Висновки.** Зроблено висновок, що правосвідомість у сучасних умовах постає як ключовий елемент правової дійсності, що поєднує знання про право, оцінку його змісту та готовність діяти відповідно до норм. Соціальні трансформації після 2022 року надали їй нового змісту, підсиливши мобілізаційний та інтеграційний потенціал. Функції правосвідомості виявляються не лише у сфері відображення та оцінювання правових явищ, а й у здатності формувати моделі поведінки, стимулювати громадянську активність і підтримувати верховенство права. Вона перетворюється на інструмент гармонізації суспільних відносин, утвердження справедливості та зміцнення довіри до державних інститутів. У цьому сенсі правосвідомість виступає посередником між правом «на папері» та його практичною реалізацією, забезпечуючи ефективне функціонування правової системи навіть у кризових обставинах.

**Ключові слова:** правосвідомість, функції правосвідомості, правова культура, правові цінності, правова поведінка, соціальні трансформації, верховенство права, справедливості, демократичні інститути, Україна після 2022 року.

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