

Principles of Law in the Legal Regulation of Social Relations in Modern Conditions: Administrative, Criminal and Constitutional Aspects*

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Abstract.

The purpose of this paper is to conduct an independent study on the position of legal principles in the legal regulation of public relations in the context of digitalization. In writing this paper, the functional research method was used. The functional research method allows for a thorough clarification of the dynamic aspects of legal principles, their practical objectives, their position and role in the law and in other elements of the legal system of society in general, and their impact on social relations in the form of legal regulation and other forms of legal influence (informational, value-oriented, psychological, system-shaping, etc.). Although the role of legal principles in today's various legal systems is not the same, it is nevertheless concluded that legal principles are one of the sources of law practically everywhere, whether nominal or de facto. The importance of legal principles is that they serve as a framework, the basic structure of the legal system; that they are a guide in the process of development and formation of law; that they have a significant impact on the formation of people's legal consciousness; that they can be a direct basis for making individual legal decisions in a particular case; that they can provide a legislative blanks, reflected in the fact that legal principles can be used as a legal basis for considering legal issues, and that legal principles contribute to the correct interpretation of legal norms while they serve as a source of law.

Keywords: Legal Principles; Public Relations; Realization of Rights by Citizens of Ukraine

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A. INTRODUCTION

As seen in recent years, the process of intensive renewal of the entire legal system of Ukrainian society is accompanied by attempts to formulate a fundamentally new legal ideology so that the deep foundations on which the law is based cannot be ignored. It is preferable to think of legal principles as different legal norms of the most general nature at a high level of abstraction. Principles of law are like the foundational foundation of law and serve as the source of law. Principles permeate all legal matters and all processes in the legal sphere and are in some way related to law. Principles represent the essence of law and determine its content and the general nature of legal regulation of social relations. The concept of "legal principles" is one of the basic legal categories. It is mentioned in almost all monographic legal studies and numerous educational manuals and textbooks in all areas of legal knowledge.

The legal nature of the principles of law and their classification should be included in the current issues of jurisprudence. The leading role of principles of law is ensured by their direct or indirect fixation within the norms of law since they are a comprehensive reflection of their essence. Ukraine must align its domestic law with global standards to transition to a market economy and integrate into the world community of economically advanced countries.

The principles of law are mandatory, unconditional, intensively reflect the laws of social relations, and permeate the entire mechanism of socio-legal relations, including the organisational and socioeconomic structure of social relations. The study's relevance is determined by the fact that the principles of law orient and synchronise the entire mechanism of legal regulation of social relations and reveal more fully the place of law in social life and its development.

Voloshin states that the term "principle" is used in various senses: 1) fundamental principles characterised by universality, general significance, and greater urgency, reflecting the essential provisions of theory, doctrine, science, national and international legal systems, politics, state and public organisations; original ideas (humanism, legality, justice, equality of citizens under the law, etc.); 2) a person's inner convictions, which determine his/her attitude towards reality, social thought and activity. ([Voloshyn, 2004](#))

V.O. Kocuk points out that legal theory has two terms: "legal principles" and "legal principles". They are distinguished by the fact that legal principles, as a rule, arise long before a legal system or regime emerges (Kotyuk, 1996). Legal principles enshrined in a legal system or regime are legal principles.

Bakunovska I.P. lists the following functions of legal principles: A) The regulatory function of legal principles is expressed in the fact that legal principles are an essential component of the legal regulatory system ([Bakunovska, 2013](#)). The most apparent regulatory function of legal principles appears when they overcome a legal vacuum but are not limited to this. The regulatory role of legal principles should not be considered exclusively voluntary compared to legal norms; legal principles can have a direct regulatory effect. B) system-forming function of legal principles. The function of these principles is to ensure consistency and uniformity of the legal system. C) Evaluation function of legal principles. The principles determine the worldview, ideology, goals, axiological, normative, and other directions of the formation, development, and functioning of the legal phenomena of society. This is natural for all legal systems in the world. D) guarantees legality and legal order and the effectiveness of legal regulation.

This study is based on the work of foreign and Ukrainian researchers on methodological approaches to understanding legal principles in the context of contemporary globalisation transformation. Using gnoseological methods, the essence of the methodological approach to understanding the principles of law in the context of the transformation of contemporary globalisation was investigated, and using logical-semantic methods, the conceptual apparatus was deepened to reveal the essence of the concept of the principles of law in the context of the transformation of contemporary globalisation. Using system-structural methods, the components of a methodological approach to understanding the principle of law in the transformative context of contemporary globalisation were investigated. Structural-logical methods were used to define the basic directions for optimising the methodological approach to understanding law principles in the transformative context of contemporary globalisation.

O. Skakun also captures the principles of law in a broader context, according to the level of public relations governed by law. In her system of principles, she defines the following types: universal human (international, civil) principles, regional and continental principles, and national (domestic) principles. The latter is, in turn, divided into general law (general, fundamental) principles, inter-branch principles, sectoral principles, sub-sectoral principles, and institutional principles ([Skakun, 2005](#)). According to O. Skakun, universal humanistic (universal civilizational) legal principles include those principles that are valid within the international legal order and are determined by the level of human development achieved. In her opinion, these are the principles of humanism, legal equality, freedom, democracy, justice, and legality.

Universal (human-universal) principles of law, i.e., basic, fundamental legal principles inherent in all legal systems, were formulated during the progressive development of law over the centuries. Civilisational legal principles, i.e., those that characterise a particular legal culture or tradition embodied in each civilisation legal rights familial principles, i.e., principles inherent in separate legal families (even within one civilisation); and national legal principles, i.e., principles formulated and operationalised within the legal system of a country, reflecting the particularities of that country.

Regional and continental legal principles operate within national legal systems that have formed an interstate union on the world continent (for example, the principles outlined in the Treaty establishing the European Economic Community); A. Skakun believes these principles are usually consistent with universal principles of humanity. Other domestic jurists also tend to recognise the universal nature of certain legal principles and their civilisational and rights-family characteristics. In particular, S. Pohrebniak, in his system of general principles of law, determines a group of fundamental principles that "are placed at the foundation of the law and form its basis. ([Pohrebniak, 2008](#))

Basic principles are not only the aggregate expression of the most important essential features and values characteristic of a given society but also "the synthesis of the higher principles and values that in many cases form the universal dimension of that society. According to S. Pohrebniak, the basic principles of law include, in addition to justice, equality, freedom, and humanism, "most of these principles are based on 'natural justice,' which is common to all legal systems." S. Shevchuk described the basic general principles of law that are familiar to all legal systems. ([Shevchuk, 2007](#))

The principles of international law form a relatively autonomous system of legal principles. These include general principles of international law (according to the formula outlined in Article 38 of the Statute of the United Nations International Court of Justice (hereinafter referred to as the United Nations), "General Principles of Law recognised by Civilized Nations"), as well as sectoral principles and principles of international legal systems. Although many of these principles affect national legal systems, it is incorrect to equate the general principles of law entirely with generally accepted principles of international law, as is sometimes the case in the literature. We propose elements of the principles of law in public law relations.

The essential legal characteristics of legal principles include the following:

1) Objectivity of legal norms, i.e., the corresponding provisions, requirements, and principles must either be directly enshrined in the text of the existing law, or the corresponding requirements and principles must be derived without doubt (without allowing any other interpretation) from the content of the provisions of the existing law with the help of a systematic interpretation of the norms of the existing law;

2) Public Certainty. This characteristic is noteworthy when the text of the article does not confirm the principle of law. In such cases, it is clear that in order to acquire the character of a principle of law, the relevant provision or requirement must be public, determined by a single practice of statutory interpretation and law enforcement;

3) It is a requirement, a principle, and, in some cases, a concept. Determining the external expression of a principle of law, the principle is often understood as a legal requirement (e.g., legality, equality) or a foundation (e.g., political, economic, ideological diversity). However, certain concepts that cannot be explicitly included in the requirements or foundations, such as the principle of good governance, often become principles in appearance. Such a principle is a set of specific requirements that, at some stage of social development (due to a unique combination of actual and necessary theoretical justifications), formed an indivisible structure, a single principle. A principle concept is more complex, derived from a principle requirement or principle foundation, constructed by learned theorists and usually operationalised in more specific legal relationships;

4) Reflect the regularity of social development, embodying the main requirements of that development and adjusting the content of legal norms accordingly;

5) It is the fundamental regulator of social relations. These characteristics can be further extended in several directions: a) when they permeate the legal consciousness of the participants in a legal relationship, legal principles become the primary motivating lever and guidelines for specific legal actions of the relevant actors; b) when they permeate the legal consciousness of the participants in a legal relationship, they become the primary motivating lever and guidelines for specific legal actions of the relevant actors. The parties to the legal relationship do not remember direct and explicit norms from various legislative acts. However, they are aware of the basic principles of legal regulation and are guided by them. It is the general and sectoral principles of law that make it possible to overcome these gaps and conflicts, to properly and qualitatively understand the essence and spirit of the law, to resolve legal

disputes, and to adopt individual legal acts;

6) They orient the procedure of enactment of the law. Principles of law are programmatic. They are the most generalised legal requirements that reflect the essence and content of the law. They also serve as a constant reference point for improving and developing the current legal system, filling in gaps, and overcoming conflicts.

The objective is to conduct an independent study of the position of law principles in the legal regulation of public relations in digitalisation. To achieve the set objectives, the following tasks were set and solved: to analyze the theoretical and legal basis of the essence of the principle of law in socio-legal relations and to identify the peculiarities of securing the principle of law in contemporary society.

Jurisprudence distinguishes between the principles of law, the principle of legal responsibility, the principle of the rule of law, etc. Principles describe the initial, fundamental, indicative, and legal requirements underlying a given legal phenomenon. Principles are universally binding and constitute the most important elements of any legal phenomenon. Principles consolidate the global experience of the history and development of law, the experience of a given civilisation. Principles are the first provisions that establish the objective regularity of social life. Their direct or indirect enshrining in legal norms provides their leading role.

Voloshin states that the term "principle" is used in various senses: 1) fundamental principles characterised by universality, general significance, and greater urgency, reflecting the essential provisions of theory, doctrine, science, national and international legal systems, politics, state and public organisations; original ideas (humanism, legality, justice, equality of citizens under the law, etc.); 2) a person's inner convictions, which determine his/her attitude towards reality, social thought and activity. ([Yevtoshuk, 2011](#))

V.O. Kocuk points out that legal theory has two terms: "legal principles" and "legal principles". They are distinguished by the fact that legal principles, as a rule, arise long before a legal system or regime emerges. Legal principles enshrined in a legal system or regime are legal principles. P. Bakunovska lists the following functions of legal principles: a). The regulatory function of legal principles is expressed in the fact that legal principles are an important component of the legal regulatory system. The most obvious regulatory function of legal principles appears when they overcome a legal vacuum, but it is not limited to this. The regulatory role of legal principles should not be

considered exclusively voluntary compared to legal norms; legal principles can have a direct regulatory effect. b). system-forming function of legal principles. The function of these principles is to ensure consistency and uniformity of the legal system. c). Evaluation function of legal principles. The principles determine the worldview, ideology, goals, axiological, normative, and other directions of the formation, development, and functioning of the legal phenomena of society. This is natural for all legal systems in the world. d). guarantees legality and legal order and the effectiveness of legal regulation.

B. METHODS

This study is based on the work of foreign and Ukrainian researchers on methodological approaches to understanding legal principles in the context of contemporary globalisation transformation. Using gnoseological methods, the essence of the methodological approach to understanding the principles of law in the context of the transformation of contemporary globalisation was investigated, and using logical-semantic methods, the conceptual apparatus was deepened to reveal the essence of the concept of the principles of law in the context of the transformation of contemporary globalisation. Using system-structural methods, the components of a methodological approach to understanding the principle of law in the transformative context of contemporary globalisation were investigated. Structural-logical methods were used to define the basic directions for optimising the methodological approach to understanding law principles in the transformative context of contemporary globalisation. O. Skakun also captures the principles of law in a broader context, according to the level of public relations governed by law. In her system of principles, she defines the following types: universal human (international, civil) principles, regional and continental principles, and national (domestic) principles. ([Starchuk, 2012](#))

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The research is based on the groundwork of foreign and Ukrainian researchers on methodological approaches to ensuring criminological security, criminal-legal protection of justice, and analysis of the competence of the Court

Security Services and their counterparts regarding the effectiveness of the tasks assigned to them. In this article, we will consider the experience of implementing international standards for the provision of criminological and criminal-legal protection of justice in countries in the European region, such as Germany and Austria.

The methodological basis of this work is presented as a set of general scientific and unique scientific methods of cognition. In particular, with the help of the dialectical method, the subjects authorised to ensure security of justice in various countries of the European region, as well as peculiarities of their interaction with the police and other law enforcement agencies, were determined; the use of the unique legal method of cognition made it possible to reveal the content of legislative mandates regarding organisation and functioning of the Court Security Services and their counterparts, and thanks to the method of comparative jurisprudence, their similarities and differences were revealed. German and Austrian legislation on criminal liability for criminal offences against justice was also researched using the comparative legal method.

C. RESULTS AND DISCUSSION

In recent years, the intensive renewal of Ukrainian society's entire legal system has been accompanied by attempts to formulate a fundamentally new legal ideology so that the deep foundations on which the law is based cannot be ignored. Universal (human-universal) principles of law, i.e., basic, fundamental legal principles inherent in all legal systems, were formulated during the progressive development of law over the centuries.

Civilisational legal principles, i.e., those that characterise a particular legal culture or tradition embodied in each civilisation legal rights familial principles, i.e., principles inherent in separate legal families (even within one civilisation); and national legal principles, i.e., principles formulated and operationalised within the legal system of a country, reflecting the particularities of that country.

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Basic principles are not only the aggregate expression of the most important essential features and values characteristic of a given society but also "the synthesis of the higher principles and values that in many cases form the universal dimension of that society. According to S. Pohrebniak, the basic principles of law include, in addition to justice, equality, freedom, and humanism, "most of these principles are based on 'natural justice,' which is common to all legal systems." The basic general principles of law common to all legal systems were described by S. Shevchuk ([Pohrebniak, 2017](#)). The principles of international law form a relatively autonomous system of legal principles. These include general principles of international law (according to the formula outlined in Article 38 of the Statute of the United Nations International Court of Justice (hereinafter referred to as the United Nations), "General Principles of Law recognised by Civilized Nations"), as well as sectoral principles and principles of international legal systems. Although many of these principles affect national legal systems, it is incorrect to equate the general principles of law entirely with generally accepted principles of international law, as is sometimes the case in the literature. We propose elements of the principles of law in public law relations.

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- 2) Public Certainty. This characteristic is noteworthy when the text of the article does not confirm the principle of law. In such cases, it is clear that in order to acquire the character of a principle of law, the relevant provision or requirement must be public, determined by a single practice of statutory interpretation and law enforcement;

- 3) It is a requirement, a principle, and in some cases a concept.

Determining the external expression of a principle of law, the principle is often understood as a legal requirement (e.g., legality, equality) or a foundation (e.g., political, economic, ideological diversity). However, certain concepts that cannot be explicitly included in the requirements or foundations, such as the principle of good governance, often become principles in appearance. Such a principle is a set of certain requirements that, at some stage of social development (due to a unique combination of actual and necessary theoretical justifications), formed an indivisible structure, a single principle. A principle concept is more complex, derived from a principle requirement or principle foundation, constructed by learned theorists and usually operationalised in more specific legal relationships;

4) Reflect the regularity of social development, embodying the main requirements of that development and adjusting the content of legal norms accordingly;

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6) They orient the procedure of enactment of the law. Principles of law are programmatic. They are the most generalised legal requirements that reflect the essence and content of the law. They also serve as a constant reference point for improving and developing the current legal system, filling in gaps, and overcoming conflicts.

The objective is to conduct an independent study of the position of law principles in the legal regulation of public relations in digitalisation. To achieve the objectives, the following tasks were set and solved: to analyse the theoretical and legal basis of the principle of law in socio-legal relations and identify the peculiarities of securing the principle of law in contemporary society.

Jurisprudence distinguishes between the principles of law, the principle of legal responsibility, the principle of the rule of law, etc. Principles describe the initial, fundamental, indicative, and legal requirements underlying a given legal phenomenon. Principles are universally binding and constitute the most important elements of any legal phenomenon. Principles consolidate the global experience of the history and development of law, the experience of a given civilisation. Principles are the first provisions that establish the objective regularity of social life. Their direct or indirect enshrining in legal norms provides their leading role.

In jurisprudence, legal principles are considered ideas or norms. When the principles of law are presented as ideas, they are given a purely doctrinal character, reducing their role in practical application. Principles determined by the essence of law are initial ideas but later acquire the characteristic of normativity. Normativity gives rise to practical value as a basis for law formation, which is confirmed in particular by the practice of the Constitutional Court of Ukraine. ([Nastyuk, 2009](#))

It should be noted that the Constitutional Court of Ukraine must comply with the principles of the rule of law and consider international standards (mainly European standards) regarding applying the principle of proportionality. The latter is one of the requirements of the rule of law and has important implications for judicial proceedings, including constitutional proceedings. Under Article 8, paragraph 1 of the Constitution of Ukraine, the rule of law is recognised and operated in Ukraine. One of the manifestations of the rule of law is the fact that law is not limited to legislation in one of its forms but also includes other social regulatory elements, such as moral norms, traditions, and customs, which are legitimised by society and defined by the historically achieved cultural level of society. All these elements of law are integrated by the ideology of justice, a quality corresponding to the idea of law, primarily reflected in the Constitution of Ukraine.

Therefore, the principles of law should be regarded as legal norms of a different and highly abstract nature of the most general nature. We believe that law principles should be defined through the term "requirements". According to this approach, law principles are recognized not as declarative statements but as tools with an active functional load. The principle of law should not be considered as one of the forms of the external manifestation of law, i.e., it should not be regarded as a source of law in a formal sense. Principles of law, which are concrete (fundamental, abstract, etc.) rules, must be expressed in certain external forms (constitutions, laws, judgments, doctrines).

Epistemological function of legal principles. It cannot be equated with the epistemic function fulfilled by concepts, elements of theories, etc., of science. The epistemic aspect of legal activity is in some way connected with the use of legal principles. In law-making, the subject's activities are subordinated to the "principles of law" system and, in the principles of law, to the regulatory function, which is the primary function. Thus, the functional approach provides an opportunity to thoroughly clarify the dynamic aspects of the principles of law, their practical purpose, position and role in the other elements of law and the legal system of society as a whole. The essence and content of the principles will be identified explicitly in terms of their function, individual nature and aspects.

The principle of law ensures the equal formation of legal norms. It influences social relations through legal regulations and other forms of legal influence (informational, value-oriented, psychological, institution-shaping, etc.). Therefore, the main functions of legal principles should be understood as relatively separate directions with homogeneous effects on subjective and objective reality, resulting in specific changes in the sphere of regulation and legal regulation of social relations. When examining the form of expression of legal principles, one concludes that legal principles are not mere theoretical categories used by the legal sciences but legal norms that fulfil a regulatory function. Like all legal norms, legal principles find their expression in the substantive law, and such integration gives them the character of universal obligations. Legal foundations find their external expression in traditional forms such as constitutions, statutes, judicial practices, and legal theories. ([Makeeva, 2018](#))

For example, Article 3 of the Ukrainian Civil Code enumerates the principles of civil law as follows: No intervention of any kind in the private sphere of a person is permitted; no deprivation of property rights, except as provided by the Constitution and laws of Ukraine; freedom of agreement; freedom of business activity not prohibited by law; judicial protection of civil law and interests; justice, conscience, and reasonableness. Solidifying the defining principles of civil law as a significant branch of private law through terms that are not formally defined, the law-making body sets forth a fundamental and legally constructive approach to regulating the non-property and property relations of individuals, regardless of their institutional characteristics (The Charter of the United Nations and the Charter of the International Court of Justice of the United Nations, 1945). Therefore, it is correct to enumerate and disclose the content of the principles of law in codified law, especially in criminal law, criminal procedure law, and civil procedure

law. This is because, in applying the law, it may become necessary to refer to principles that are not explicitly stated.

When do principles of law trigger the emergence of new legal norms? We proceed because general, sectoral, and intersectoral law principles "serve" their respective subject areas (science of all kinds, legality, democracy, etc.). The substantive aspect of law formation includes all forms and means of law emergence, development, and change, especially in the form of non-institutional forms (legal consciousness, legal principles, legal theories, concepts, etc.). ([Averyanov, 2006](#))

The process of law formation is not reduced solely to the legislative activities of various state institutions. However, it is a long-term creative process that can be divided into three traditionally selected stages: 1). The formation of specific legal relations directly related to public life and their self-regulation based on the material conditions for the existence of society and the experiential legal consciousness of the people participating in these relations; 2). the generalisation by the state of specific legal relations arising through evolution, the formulation of relevant rules of general conduct and their reflection in normative legal acts or other legal documents; 3). The introduction of formalised legal norms, which still affect specific social relations, has already resulted in more ordered, stable, and protected social ties. ([Leheza et al., 2024](#))

The weight of these stages in the law-making process varies depending on whether the laws of a particular country (legal system) belong to a particular legal family. We believe that the algorithm of the approval process of legal ideology as a principle of law formation should include the following actions: 1). The legal idea, concept, or theory is scientifically examined and approved in the scientific community; 2). Legal ideas must be validated by the practice of their application at the level of legal experiments, better examples, and positive experiences; 3). The legal idea should be an element of professional legal recognition, primarily of legislative bodies.

The principles of law should be considered in their systematic unity. At the same time, they appear in Ukrainian law as a structure that includes norms, institutions, subdivisions, branches, and the entire system formed around them. They find a kind of reflection in each component. ([Kobrusieva et al., 2021](#)) Also, issues related to the interaction of international law with domestic law and the implementation of international law in the Ukrainian legal system cannot be ignored ([Constitution of Ukraine, 1996](#)). The Constitution of Ukraine of 1996 provides the basis for this in Article 9: 9. 55, paragraph 4, and 124, paragraph 5.124 Article 38 of the Statute of the United Nations International Court of

Justice contains a list of sources of international law, which includes "general principles of law recognised by civilised nations". ([Civil Code of Ukraine, 2003](#))

General principles of law are general legal concepts, logical rules, and "technical" principles used in the interpretation and application of law (e.g., an equal has no rights against an equal, no one may assign more rights than he has, no one may be a judge in his own business (e.g., no equal has rights against an equal, no one can transfer more rights than he has, no one can be a judge in his own business, etc.). These general principles are, for the most part, the rules of application of legal norms in any legal system. In international law, they are instrumental because procedural international legal norms are underdeveloped. However, the commonality of a particular principle in a national legal system does not imply its automatic introduction into the international legal system ([Leheza et al., 2023](#)). To be included in the latter, such principles must be at least implicitly recognised as norms of international law. In this case, however, they lose their character as a unique source of international law. ([Zadyraka et al., 2023](#))

References to international legal norms have become common in law-making, law-enforcement agencies, and all actors of national law. In the past, the use or reference to international legal norms was mainly found in court decisions on a relatively narrow category of cases. Today, international legal norms are increasingly referred to by state and local government institutions, businesses and companies, lawyers, attorneys, politicians, and citizens. ([Leheza et al., 2024](#)) Nevertheless, today, there is no unified view on what principles and norms should be considered universally recognised. In our opinion, such principles and standards should include a significant number of norms of international law officially recognised by most states as mandatory, regardless of their political or ideological orientation. Principles of international law are the most common among them. ([Sinkevych et al., 2024](#))

According to the Constitution of Ukraine, the exercise of state power can be guided by an algorithm only if the letter of the law is always observed in applying it. To do so, however, the law must be algorithmised by a human or self-learning system. While this is a difficult task requiring developers with profound knowledge of information technology, mathematics, and law, it may be possible in principle. However, many legal norms cannot be described in terms of single-valued variables characteristic of algorithms ([Kolodiy, 1998](#)). This is due to the inevitable ambiguity of the human language, which is the instrument of law, and the intentional ambiguity of the law to ensure its flexibility. Laws often use result-oriented programs instead of step-by-step

instructions (conditional programs) ([Galunko, 2018](#)). General objectives such as improvement of living conditions, public participation and awareness, balance and integration of interests, sufficiency of information, and appropriate, economical and rational land use; discretionary powers such as the right of law enforcement to issue warrants to persons responsible for public order in order to counter threats or eliminate violations; overriding public interest ambiguous legal terminology, and dangerous general principles such as human dignity, proportionality, and equal treatment. ([Kulinich et al., 2023](#))

It is proposed that the possibility of developing artificial intelligence be enshrined in the following principles of law, taking into account international standards: 1) inclusive growth, sustainable development, and the promotion of well-being; 2) the rule of law at all stages of development, the fundamental rights and freedoms of human beings and citizens, compliance with democratic values, implementation of artificial intelligence systems and the provision of adequate guarantees during the use of such technologies; 3) compliance with the requirements of current legislation on the protection of personal data and with the constitutional right of everyone to non-interference in personal and family life in relation to the processing of personal data; 4) information about artificial intelligence systems shall be disclosed exclusively in a transparent and be disclosed in a responsible manner; and 5) the need to ensure the reliability and safety of the functioning of artificial intelligence systems and to permanently assess and manage potential risks. ([Davydov, 2019](#))

D. CONCLUSIONS

In summing up the above provisions, it is worth emphasising that while legal principles are one of the most effective catalysts for the evolution of any legal system, the evolution of law has its internal patterns, which set specific directions for innovation in this area. Thus, the principles of law, which are an integral part of the legal system, differ from ordinary legal norms by their fundamentality, degree of generalisation (abstraction), stability and solidity, and importance in the whole process of legal regulation.

The role of legal principles in different legal systems today is not the same. Nevertheless, it is one of the sources of law virtually everywhere, whether nominally or de facto, including the Ukrainian legal system. Including universally recognised principles and norms of international law in national legal systems significantly changes their content and raises new issues of interaction, the hierarchy of legal acts according to their legal effect, and the meaning of the norms they contain. It has a significant impact on the internal structure of the legal system, often qualitatively changing it.

The importance of legal principles is reflected in their function as a framework, the basic structure of the legal system. Legal principles are guiding principles in the development and formation of law, significantly influence the formation of people's legal consciousness, and can serve as a direct basis for making individual legal decisions in specific cases. Legal principles contribute to the correct interpretation of legal norms while functioning as a source of law. Legal principles are even more important because they fill a legislative vacuum. If the law does not address a particular issue or is unclear, the court must find a solution based on legal principles.

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