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Socio-philosophical analysis of Ukrainian legal mentality in the context of European integration processes

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Abstract

The aim of the article was to carry out a socio-philosophical analysis of the legal mentality in the context of European integration processes. Comparative and observational methods were the main methodological tools. The research revealed that the legal mentality of the EU population is characterized by respect for the law, human rights and freedoms. The rights of the individual are recognized as priority over the rights of the state. The Ukrainian legal mentality is characterized by legal nihilism, legal idealism, statism, anomie, detachment from legal culture and ambivalence. It is concluded that, the consolidation of civil society with public authority during the military aggression of the Russian Federation indicates positive changes in the legal mentality. There are some positive changes in the attitude of the EU population towards the future EU membership of Ukraine. Increased legal awareness is a necessary component for the development of Ukraine's legal mentality. The current achievements embodied in the national and European legal mentality in the EU countries can be guidelines for Ukraine to achieve its goal of European integration.

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Keywords: collective unconscious; determinants of behavior; statism; political culture; legal mentality.

Análisis sociofilosófico de la mentalidad jurídica ucraniana en el contexto de los procesos de integración europea

Resumen

El objetivo del artículo fue realizar un análisis sociofilosófico de la mentalidad jurídica en el contexto de los procesos de integración europea. Los métodos de comparación y observación fueron las principales herramientas metodológicas. La investigación reveló que la mentalidad jurídica de la población de la UE se caracteriza por el respeto de la ley, de los derechos humanos y de las libertades. Los derechos del individuo son reconocidos como prioritarios sobre los derechos del Estado. La mentalidad legal ucraniana se caracteriza por el nihilismo legal, el idealismo legal, el estatismo, la anomia, el distanciamiento de la cultura legal y la ambivalencia. Se concluye que, la consolidación de la sociedad civil con la autoridad pública durante la agresión militar de la Federación Rusa indica cambios positivos en la mentalidad legal. Hay algunos cambios positivos en la actitud de la población de la UE hacia la futura pertenencia de Ucrania a la UE. El aumento de la conciencia jurídica es un componente necesario para el desarrollo de la mentalidad jurídica de Ucrania. Los logros actuales incorporados en la mentalidad legal nacional y europea en los países de la UE pueden ser pautas para que Ucrania logre su objetivo de integración europea.

Palabras clave: inconsciente colectivo; determinantes del comportamiento; estatismo; cultura política; mentalidad jurídica.

Introduction

The phenomena related to the life of society and individuals are characterized by both universality and a particular national ethnic or ethno-cultural component. The challenges faced by the modern society includes socio-economic and political defeats. It is characterized by achievements, as well as the probability of positive development. Modern society is represented in a variety of multi-vector processes, ideas, life positions, ideological aspirations. Society is not monolithic, its main features are

instability, increased irrationality, uncertainty in social development, which has doubted the possibility of harmonious coexistence of people (Zhussupova *et al.*, 2022).

The Covid-2019 pandemic, the economic sanctions policy that paralyzed the whole world, military aggressions have further aggravated the problem of the uncertainty of the future life and development of humanity. Real threats to people's security transform the main features of their worldview. Radical changes affected not only the material life of people. They cause a change in traditional and spiritual spheres, characteristics of stereotypes of behaviour in national and supranational societies (Bhatt, 2022).

The process of interaction and interdependence of the main spheres of human life in ethical societies accelerated and became global, which is considered an integral element of human civilization. The problem of rethinking the national mentality in the course of globalization is considered urgent, as many ethical societies are undergoing a transformation process.

Mentality is a way of thinking, a general spiritual attitude. Mentality is an established system of beliefs, concepts and points of view of individuals and social groups, which translates the accumulated experience of generations (Gordiychuk, 2018). These two concepts cannot always be considered synonymous. Mentality is a phenomenon, it is a practical implementation. All emotional, rational and cognitive, motivational elements contained in it develop in proportion to objective conditions (Kurbanov, 2022).

The core of mentality is the collective unconscious, however, the terms "conscious" and "unconscious" are quite difficult to define and use (Brazdau *et al.*, 2021). The main mechanisms of unconscious influence come from the past, present and future. The deep and primal motives of our evolutionary heritage, such as survival and security, resource acquisition, reproduction, and social connections come from the past. These deep-rooted motives influence abstract social views such as conservative or liberal ideologies, as well as attitudes toward immigration (Bargh, 2019).

Socio-philosophical understanding is aimed at a detailed and in-depth study of the mental foundations of basic current and future social processes occurring in society (Tulenkov *et al.*, 2021). People's activities are determined by both social and cultural ties, features of mental turn. The study of mentality reveals new determinants of human behaviour, on the one hand, and enriches the content of philosophy, on the other.

Mentality is perceived as an essential feature of any society. As a sociocultural subject, a person belongs both to the objective world and to the intersubjective picture of the world created by a certain mentality. Socio-philosophical analysis helps not only to accurately reveal the essence and content of spiritual stereotypes of people's mentality.

It also fixes the peculiarities of mentality and contributes to observing the process of transformation of national mentality in a new socio-economic environment (Urunova, 2020). It is an urgent need to have knowledge of the nature of the mentality of society, the ability to neutralize negative moments in ethno-national relations caused by mental differences.

Comparative law studies, through the in-depth analysis of law, its separation by legal forms, contribute to the understanding of the importance of various factors that shape legal norms (Cerchia, 2018). The category of mentality began to be widely used in legal studies. The existence of a legal mentality provides for non-rational mechanisms of existential understanding of law (Klimova, 2019). It helps to explain the role of mentality in state-building processes, as well as to shape society's reaction to changes in legal traditions, and prevents the excess of relevant innovations.

In view of the foregoing, the aim of the article is a socio-philosophical analysis of the Ukrainian legal mentality in the context of European integration processes. The aim involved the following research objectives: 1) summarize the main modern components and trends of the European legal mentality; 2) analyse the current state, problems and prospects of the Ukrainian legal mentality in order to identify the components necessary for the transformation of the Ukrainian legal mentality in order to implement European integration processes.

1. Literature review

The choice of the research topic correlates with the current vectors of the theoretical studies in different states. The work of Shtepa (2019) was the main tool and background of this research. The research was focused on determining the role of the legal mentality of the Ukrainian ethnic group in state-building processes. Special attention is paid to the constructive and destructive behavioural automatisms of the Ukrainian mentality in the state-building discourse. The work proved that the reception of European political and legal values by Ukrainian society will become an important factor for its constructive transformations in the state-building context.

The need for further institutionalization and deep rooting of the ideas of democracy, rule of law, human rights, dignity, tolerance, self-realization, and peace in the national culture is emphasized. The author drew the conclusion that this will become a factor in overcoming the counterproductive political and legal automatisms of the Ukrainian mentality.

The study of Cerchia (2018) also influenced the author's position on the issue under research. The author conducted a comprehensive analysis

of aspects of legal mentality. Attention was paid to problematic issues arising during the study of the historical development of legal culture and mentality, principal-agent legal relations. The findings of Tulenkov *et al.* (2021) on the mentality in the context of modern post-pandemic society were taken into account in the course of the research.

Its role in the development of historical and socio-postmodern scientific thought is emphasized. The mental approach to understanding the phenomena of social and individual life was considered and justified. The socio-philosophical aspects of shaping the mentality of the individual are updated and the main problematic aspects of the modern society are considered through the prism of the mental approach.

Kurbanov (2022) studied the interaction of the national mentality with objective conditions. It was concluded that all perceptual-emotional, rational-cognitive, motivational elements contained in the mentality develop in proportion to objective conditions. The findings contained in the article by Urunova (2020) on the essence of the globalization process are worth noting. Emphasis is placed on its impact on changing the mentality of people in traditional societies. It was established that in many societies the problem of protecting national identity, which is closely related to national mentality, is becoming urgent.

The research conducted by Bargh (2019) was used in shaping the author's position. It emphasizes the existence of several different sources of unconscious influence on choice and behaviour. It is concluded that they are generated by one and the same single mind, which produces conscious influence. It is noted that the main mechanisms of unconscious influence come from the past, present and future.

The studies of Humphrey and Bliuc (2022) and Utemuratov (2021) dealt with the issues related to the legal individualism, legal nihilism. Their influence on the well-being of young people living in Western environment is noted. Specific traits associated with individualism and nihilism that may lead to poorer outcomes in terms of well-being are emphasized. A conclusion was made about the need to improve the system of objectives to improve legal culture and eliminate legal nihilism and legal idealism.

The article by Klimova (2019) on the main theoretical and methodological approaches to the analysis of the essence of legal mentality is worth attention. The author emphasized the importance of identifying the specifics of the axiological context of this social phenomenon. The author focused on the essence and structure of the legal mentality, quantitative and qualitative characteristics of the functions of the legal mentality. Gordiychuk (2018) analysed the general trends in the evolution of researchers' views on the concepts of the category of mentality as a historically established psychological framework.

The author outlines such relevant vectors as objectivity, subjectivity, implementation in practice. The transformation processes of elements of spiritual culture are noted. The need to study, first of all, the imagination, mind, and morality of not a single individual, but the entire nation was justified.

The active study of the issues selected in the article confirms that the socio-philosophical analysis of the Ukrainian legal mentality in the context of European integration processes requires special attention. The diversity of studies in this field is also stated. Therefore, it is urgent to conduct a study according to new research criteria.

2. Methods

The research results were obtained through the use of a set of practical and methodological tools tested at each stage of the research. Figure 1 visualizes the research design determined by the aim outlined in the article.

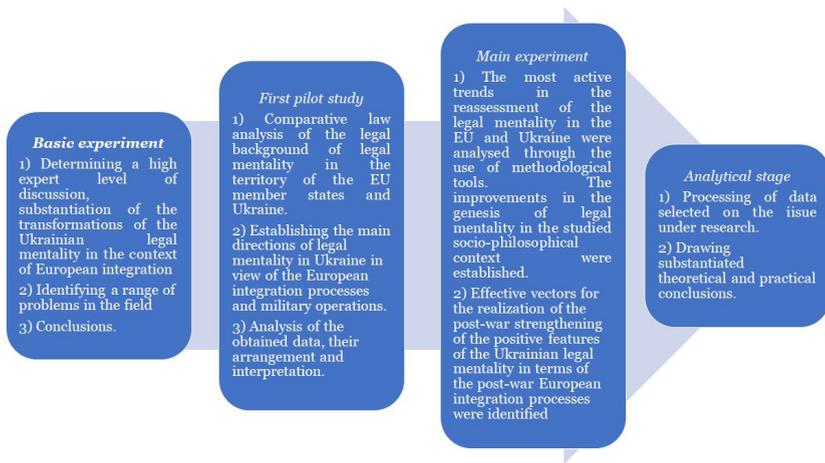


Figure 1. Abstract research design. Source: prepared by the authors.

The main hypothesis of the study is the concept of a possible approbation of the positive experience of the European Union in Ukraine for strengthening the legal mentality in the state in the context of European integration. The value characteristics of the approaches initiated in the EU

were outlined through the use of the main research method – comparison. This method was used during the study of the stages of overcoming legal nihilism and the formation of an identical legal mentality in the EU member states and in Ukraine.

It also helped to identify a wide range of problems in the field of legal mentality in Ukraine, which will become a further vector of post-war transformations of society and law. The observation method was applied for the analysis of the existing mentalities in the European context and their influence on the Ukrainian legal mentality.

The use of the historical method in a complex with it enabled revealing various historical, political and economic environment that forms the Ukrainian legal mental identity in the context of European integration. The historical method also made it possible to consider the issues under research through the prism of history, modern transformations, culture and lifestyle, customs and traditions.

The following research methods were used in the course of the study: system analysis (for analysing the totality of means of transformation of the legal mentality); structural and functional analysis (to identify the relationship and interdependence of geopolitical and social transformations with manifestations of legal mentality); institutional method (to identify the features of modern trends in re-evaluation of law by state institutions); doctrinal approach (for the comprehensive study of legal texts, which are the key to reforming and strengthening the legal mentality in different jurisdictions in Europe); modulation method (formation of a project idea on the prospects of renewing approaches to the legal mentality in Ukraine in the context of post-war recovery and intensification of European integration processes).

The doctrinal approach helped to identify and interpret the content of the regulatory acts and documents in the area under research. The functional was used to describe the activities, tasks and main prospects of interstate partnership in the context of transformations of approaches to the Ukrainian legal mentality in the context of European integration. The dogmatic method was applied when drawing conclusions in accordance with the aim of the research and the main outlined research objectives.

The above tools enabled covering the author's view of the possibility of introducing new approaches to the transformation of Ukrainian legal mentality in the context of European integration, preserving and enhancing strong sustainable signs of national identity.

3. Results

The concept of “mentality” (from Latin *mens, mentis* – “mind, intelligence”, “composition of thinking”) can be considered from the perspective of philosophy, sociology, political science and psychology. The mentality is based on the collective unconscious, but this does not limit the mentality. The mentality is constant in nature and is characterized by value orientations.

The characteristic semantic load of this term is a group feature that reflects a certain attitude of different groups to the world. This term is related to ethnic community, the experience of which is based on the collection and interpretation of the necessary information from a number of generations.

Legal mentality is a point of view and response to objects of state legal reality. Legal mentality is a special category that includes certain behaviours in the legal sphere, as well as a special law assessment system. It is formed by society and all the phenomena related to law on the basis of objective and subjective factors. In this case, the assessment is influenced by historical experience, characteristic and constant national ethnic unity. The legal mentality is structured and consists of a number of constituent elements. They all show its nature and form unity (Figure 2).

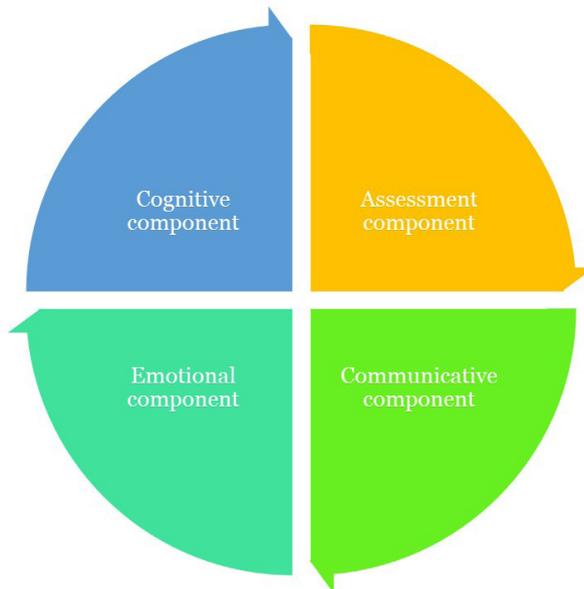


Figure 2. The structure of legal mentality. Source: prepared by the authors.

The cognitive component contains legal thought and legal consciousness that form the legal behaviour of the individual. The assessment component is aimed at establishing the way of mediation of legal values and directions in the minds of the individuals and society. The communicative component of legal mentality concerns legal customs. It includes social experience that accumulates legal advantages and is transferred in the process of historical development. The emotional component contains person's feelings and reflects his/her legal psychology. Value positions, impressions, intentions and ordeals that relate to a person or a particular society can be attributed to this component.

The European Union, which is a unique world community with sovereign countries connected by political, economic, social ties at different stages of European integration, plays an important role in the development of an internationally recognized legal mentality. Strengthening the ties between its Member States is one of the main goals of the EU integration policy. The European Union seeks to promote economic, social and territorial unity, reducing disparities between levels of development of different regions. Institutional integration is aimed at the transfer of political powers to the supranational level. The highest stage of institutional integration is a political union, which includes all important national sovereignties.

The European Union is characterized by an identity that has an impact on mentality and important behavioural effects. For example, traditionalism and nationalism are considered to be the main reasons for recent rise of populism. European national identity is determined in terms of, for example, ethnic and religious origin.

There is a multipolar division between different types of religions, as well as between atheists and religious people in the EU. According to the citizens of the world, European identity focuses on similarities, rather than on the differences between people. The EU population retains national identity and further develops or retains European identity. Local immigration gives rise to indigenous people's concerns about the integrity of local languages, identity and norms that influences mentality.

The origin of the immigrant population is crucial because cultural threat increases with the presumed increase in cultural distance between the native and immigrant populations. In the European context, the existing mentalities and their impact are determined by the different historical, political and economic circumstances occurring in the participating countries.

Multiple and different majority cultures often coexist in one country (for example, in Belgium, Spain). The EU mentality is also influenced by the values and beliefs characteristic of Eastern European cultures that have recently joined the European Union. So, European identity, along with national identity, has a strong impact on mental behaviour and attitudes.

The fact that the population of a number of EU countries has a feeling of detachment from social communication is of particular concern regarding the European mentality. This is manifested through a developed sense of sovereignty of one’s worldview, immersion only in one’s needs and problems. The lack of development of horizontal connections, isolation, commitment to the slogan “my home is my fortress” often make the process of social communication impossible.

This leads to the loneliness of the population even in very developed countries. The result is an increased suicide rate. The global average in 2019 across 180 countries is 9.49 suicides per 100,000 people. A number of EU countries maintain fairly high suicide mortality rates per 100,000 population (Europe Sustainable Development report, 2022) - Table 1.

Table 1. The state of achieving sustainable development goals in the context of the European mentality and its components in terms of the suicide problem.

	Sustainable development goals achieved (%) 2019	Problems remain 2019	Serious problems remain 2019	The main problems remain 2019
Austria	11.33			
Belgium		15.22		
Bulgaria	7.99			
Hungary		15.65		
Germany	10.18			
Greece	4.63			
Denmark	10.59			
Ireland	8.15			
Spain	7.39			
Italy	5.62			
Cyprus	4.35			
Latvia			15.04	
Lithuania				22.89
Luxembourg	11.52			
Malta	3.95			
Netherlands	10.48			
Poland	11.96			
Portugal	8.76			

Romania	9.02			
Slovakia	6.97			
Slovenia			18.23	
Finland		13.47		
France		12.76		
Croatia		14.01		
Czech Republic	11.22			
Sweden		12.75		
Estonia		14.89		

Source: Europe Sustainable Development report (2022).

Belgium, Hungary, Finland, France, Croatia, Sweden and Estonia still face some challenges in achieving the SDGs for suicide rates. Latvia and Slovenia have serious problems. Lithuania still has the main problems related to the suicide rate.

The family-like similarity that unites the EU countries into a single whole is reflected in the mentality that has a significant impact on the legal upbringing process. EU countries are characterized by respect for rules and laws. The World Justice Project, an independent interdisciplinary organization, conducts an annual assessment of the rule of law. The 2022 Index ranked 140 countries and jurisdictions worldwide (WJP, 2022).

Such factors as limiting government powers, lack of corruption, open government, and basic rights were considered. The level of order and security, regulatory enforcement, civil justice, and criminal justice were also assessed. The rule of law is declining in most countries for the fifth year in a row. However, EU countries mostly show quite high indicators. Denmark (1) is the country with the highest rule of law rating among 140 countries. It is followed by Norway (2), Finland (3), Sweden (4), the Netherlands (5) and Germany (6).

The legislative activity in the EU countries is free from corruption and one's own interpretation of the legal vision. The results of the relevant activity are clearly defined by legislative acts. The legal mentality of Europeans is based on an attitude towards legal canons from the perspective of a deeply thought-out order, the violation of which causes inevitable rejection. Officials or judges try to avoid a broader and more abstract interpretation of powers, subjectivity when making legal decisions. Members of the judiciary, like other citizens, have the right to freedom of expression, belief, association and assembly.

But they must always behave in such a way as to preserve the dignity of their office, as well as the impartiality and independence of the judiciary. Therefore, a legal mentality leads to a clear legal framework and reasonable justification. The laws of the countries are characterized by mandatory implementation for every citizen. For its part, law provides full protection of fundamental human rights.

The realization of civil law requires urgent means of resolving relevant disputes without an excessive cost. The population of EU countries has a fundamental right to go to court at any time. Everyone has the right to a fair and public trial within a reasonable time by an independent and impartial tribunal (ECHR, 1950). EU Member States properly fulfil their obligations under international law, namely under the agreements, international customs and practices.

EU officials must properly do the job they were hired to do by EU taxpayers. The mentality of the population clearly rejects any financial or moral preferences for officials at all levels. The recognition of the rights of the individual as a priority over the rights of the state is the most significant component of the European legal mentality. The independence of judges and the right to a fair trial (82% for both) are the EU values most supported by Europeans (Eurobarometer, 2021).

They are followed by freedom of thought, expression and religion (81%). The two most important personal values for EU citizens are caring for loved ones (77%) and making decisions about their lives (78%). The most important identities of EU citizens are their family (81%) and national identity (73%).

The most characteristic feature of the European legal mentality is striving for the rule of law, which is observed against the background of the gradual reduction of crime rates. In 2020, the police recorded 136 serious assaults per 100,000 inhabitants in EU countries, which is 8 cases less than 144 in 2019 (Eurostat, 2022). Between 2019 and 2020, the number of robberies recorded by the police in the EU reduced by 19% to approximately 182,300 cases.

The EU police registered about 1,339,400 burglaries in 2020, a decrease of 13% compared to the previous year. There were a total of 3,929,300 thefts registered by the police in 2020, which is 19% less than in 2019. For example, in the EU there were around 447,700 car thefts registered by the police in 2020. This is 49% fewer cases than in 2008 and 11% fewer than in 2019. In the EU, there were around 1,090,700 illegal activities involving controlled drugs or precursors registered by the police in 2020, which is 2% less than the 2019 peak value.

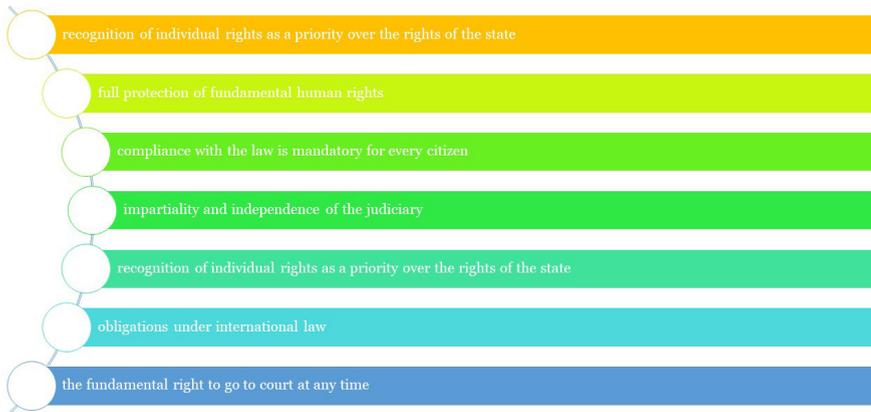


Figure 3. Features of the European legal mentality. Source: prepared by the authors.

The Ukrainian mentality is characterized by individualism, which brings such advantages as freedom of choice and a strong sense of self-efficacy. The inherent plurality and rooted democratic culture contribute to resistance to despotism. The Ukrainian mentality is based on the importance of finding meaning and goal, which is characteristic of the existential worldview. This should be realized through participation in life on many levels: physical, social, personal and spiritual. Moreover, the contradictions of life are being constantly studied. Cordocentrism occupies a special place in the Ukrainian mentality.

Ukrainian cordocentrism is a unique phenomenon that presents the doctrine of human integrity, where the soul and body are united by the spirit. Sharing the modern view of a human being as an intelligent creature, this mentality is characterized by the expansion of the limit of the intelligent, involving the concept of the heart as an intelligent component.

The structure of the Ukrainian legal mentality is very complex, dual and original. The essence of the legal mentality of Ukrainians should be considered through the prism of their history, modern transformations, culture and lifestyle, customs and traditions. The Ukrainian legal mentality was formed under the influence of the geographical location of the state at the junction of European and Asian legal culture.

There was no national state for a long time, Ukrainian lands and population were part of the USSR for a long time. Legal nihilism is deeply rooted in the consciousness of the Ukrainian people. The lack of desire

to maintain the rule of law is one of the defining characteristics of the Ukrainian legal mentality. The characteristic feature is the denial that none can be above the law, that all can be equally treated under the law. Mass ordinary legal nihilism combines the implications of such phenomena as legal ignorance, sceptical prejudices, and legal naivety. This legal mentality may include a lack of accountability to the law, clear and fair processes for ensuring compliance with the law.

There is a typical lack of an independent judicial system and non-compliance with guaranteed human rights. This legal mentality is manifested in the recurrent failure to fulfil legal orders, reluctance to understand the basic values of legal reality. People are set to achieve socially significant results by illegal means or by minimal use of the legal means in practice. This mentality is expressed by complying with legal requirements only under threat of coercion or for personal gain.

Statism occupies a special place in the Ukrainian legal mentality, which is characterized by the attitude towards the state as the highest result of social development. The individuals cease to count on their own capabilities as a result of excessive reliance on state authority. The result in society is the formality in the relationship between the state and the individual. This has led to lacking civil rights in Ukraine throughout the long historical period.

The current revision of legal values by an individual in Ukraine is an example of legal mentality. For example, marriage is universally recognized as a fundamental social institution. But the economic rise and the associated growth of individualism, many functions that were once reduced to marriage are undergoing transformation.

Sex, cohabitation and childbirth without registration have increased dramatically. This situation becomes a normal component of family life. The number of marriages in Ukraine has decreased significantly over the past 30 years. There were 214,000 marriages officially registered in 2021 compared to 493,000 in 1991 (Ukrainska Pravda, 2022).

People have a double attitude to a wide range of topics, including abortion, organ donation, euthanasia, drugs, and alcohol. This ambivalence has a major impact on people's emotions as people process information and solve problems. There are strong positive and negative associations. The revision of legal norms leads to a psychological conflict between opposing assessments.

But the legal mentality regarding the revision of legal values, for example, the attitude to marriage has begun to change positively since the beginning of the military conflict in Ukraine in 2022. The number of marriages in Ukraine registered for the first half of 2021 was 85,960 (Ukrinform, 2022). There were 103,903 marriages registered during the same period of 2022. This is 21% more than for the same period in 2021, and an absolute record

for the last seven years. The number of divorces in Ukraine during this period almost halved to 7,632 cases compared to 13,153 divorces in the first half of 2021.

Ukrainians are characterized by personal agitation, alienation and insecurity arising from the lack of goals or ideals, social instability resulted from the collapse of standards and values. These are signs of anomie in the current Ukrainian legal mentality. The current situation in Ukrainian society aggravated by a negative factor of military operations, has led to the imbalance of a number of psychological and social indicators. In this case, Ukrainian legal mentality was characterized by the despair, social panic, deep inner confusion or apathy.

The number of domestic violence began to increase in the wartime. This have contributed to the feeling of insecurity, which caused distrust in the actions of the authorities. However, the war of the Russian Federation against Ukraine raised the latter's significance and authority in the world. This situation promoted the consolidation of Ukrainian civil society with the state authorities, which indicates positive changes in the legal mentality of Ukrainians.

Ethnic values have a serious impact on the formation of the Ukrainian legal mentality. Ukrainians strive to preserve their own identity. Ukraine is populated by the representatives of various nations, nationalities, and social groups, which have some peculiarities of thinking, their own moral and social guidelines. In aggregate, this leads to the formation and development of a specific spiritual perception of reality, building a corresponding mentality. The start of Russia's large-scale war against Ukraine in 2022 triggered the reconstruction of Ukrainian identity, and, as a result, of Ukraine's foreign policy identity on a global scale.

A high level of legal culture is an important sign of legality. The level of legal culture determines the level of social activity of citizens, their direct participation in the activities of the state, control over its functioning. There is a high degree of civic responsibility for events in the state, the establishment of civil society institutions. The legal culture optimizes the system of legal protection of individual rights, anticipating mistrust of different strata of the population, nations and peoples.

The higher the level of legal culture, the more qualitative and effective law-making and law-enforcement, the more perfect the institutional structure of the state, the functioning of its bodies. The Ukrainian legal mentality is characterized by distancing from the legal culture, from its universal values.

While legal nihilism is the ignoring or denial of law, the Ukrainian legal mentality, which is based on legal idealism, is characterized by a reevaluation of law, its idealization. Both cases are the result of legal illiteracy, low legal

awareness and low political and legal culture. Although legal idealism is not as obvious as legal nihilism, this phenomenon is no less harmful to the state and society than legal nihilism.

This is why both legal nihilism and legal idealism, which fuel each other, should be considered as a general manifestation of legal illiteracy. In case of legal idealism, laws are seen as miraculous documents capable of instantly solving all problems. So, legal idealism, in contrast to legal nihilism, values the place of law in society. The source of these who phenomena is the diseased legal awareness, weak political and legal culture. The ground for mistrust and indifference of Ukraine's population towards laws is their weakness and unsustainability. Indifference to the law, on the other hand, gradually leads to indifference to authority.

Independence had an effect on the legal mentality of Ukrainian society. This situation led to excessive politicization of the population. Society is too biased with political gossip and intrigue. This recedes the issue of compliance of socio-political phenomena with legal requirements into the background.

Any country that meets the EU membership requirements can apply for membership. These requirements are known as the Copenhagen criteria and include stable democracy and the rule of law, a functioning market economy and the adoption of all EU legislation. Ukraine is integrating EU legislation into national legislation. On June 23, 2022, the European Council decided to grant Ukraine the candidate country status at the summit in Brussels.

The main directions of interaction of the parties on the way to establishing the rule of law and strengthening the relevant institutions of Ukraine have been determined. The most important shift that is currently taking place in the consciousness of European society is the change in the mental attitude towards Ukraine against the background of the military conflict. The society of the largest number of European countries is ready to accept Ukraine's membership in the EU. The support for such an initiative increased on average from 55% to 70% in 2022 compared to 2020 (Razumkov Center, 2022).

Along with inherent negative components, Ukrainian legal mentality has a lot in common with such European values as democracy, striving for justice and love of freedom. Ukraine ranks 76th out of 140 countries in the world according to the overall balance of the Rule of Law Index (WJP, 2022). More attention should be paid to the issues of law and order (87), limiting the powers of the government (92), and criminal justice (93). The of the absence of corruption (116), regulatory law enforcement (106) were slightly worse. The best results were obtained for open government (50), fundamental rights (55), civil justice (67). This indicates a favour to the European legal system, and therefore to the European legal mentality.

4. Discussion

It can be stated that the genesis of mentality reflects the psychological peculiarities of mentality as an ethno-psychological category. It is a system of ideas and values that determines the way of action and arranges the corresponding actions in the socio-cultural realities (Gordiychuk, 2019). The single European mentality is a very young construct that emerged after the Second World War, although European culture with its separate legal ideas dates back to antiquity (Gobel *et al.*, 2018). People do not face differences in a homogeneous environment, so they may support culturally determined stereotypes of other people's groups that they occasionally see.

Heterogeneous environment is more likely to expose people to diversity, so they will often encounter inconsistencies with mental stereotypes (Bai *et al.*, 2020). But people can adapt old stereotypes. According to researchers, this view of diversity involves mental development. Innovative values breaking into the space of national society from European culture must correspond to the code of national society. The mentality must be popular, competitive and meaningful, if the national society wants to protect it from devaluation (Urunova, 2020).

It can be established that the legal mentality is based on an axiological characteristic, the components of which are the main ethnogenetic values (Klimova, 2019). They are aimed at preserving the original identity of the legal culture, do not allow the loss of individuality during the coexistence with other legal cultures. It is necessary to pay attention to the content and forms, composition and functions during the study of the issues related to the legal mentality. Its dynamics under the influence of various conditions and factors deserves special attention (Kurbanov, 2022).

It was stated that individualistic values can be positively associated with psychological well-being. Legal mentality, which is based on an orientation to a higher degree of individualism, can also manifest itself in ways that adversely affect psychological health (Humphrey and Bliuc, 2022). Young people living in Western countries need to protect themselves from the negative manifestations of individualism by creating wide social networks. Inter-ethnic tension in Europe caused by the increased number of ethnic minorities is growing, which may affect the transformation of the legal mentality. It is necessary to focus on the available strategies to eliminate possible tensions with the existing high level of immigration and diversity in many developed countries (Zhussupova *et al.*, 2022).

It can be concluded that legal nihilism and legal idealism are related to general legal awareness, general legal culture, legal thinking of society. The implementation of a wide range of measures to increase the legal awareness and culture of the population require special attention. This especially applies to young people, who must take an active part in

building a democratic legal state, learn to know and protect their rights (Utemuratov, 2021). According to the researcher, effective implementation of this objective depends on many factors, including the proactive activity of state authorities. They should create preconditions to make every citizen strive for active participation in democratic transformations.

So, assimilation of European legal values by the Ukrainian society will become an important factor in further constructive transformations in the state discourse. Acceptance of the ideas of democracy, rule of law, human rights, dignity, tolerance, and self-realization in the national culture and public consciousness will become factors in overcoming the counterproductive legal advantages of Ukrainians (Shtepa, 2019). According to the researcher, the constructive influence of the European socio-cultural space on the Ukrainian legal mentality is another factor in eliminating the Soviet mentality, legal nihilism, and corruption.

Conclusions

The current integration and globalization processes touch upon all spheres of life of a society. The humanity enters a period of transformation with various complex contradictions associated with intensive development of economic, political, spiritual interactions and relations. Knowledge and understanding of the way of thinking, the general spiritual attitude of the nation, the ethnic group become especially important in these conditions.

It is urgent to acquire knowledge of the nature of the mentality of society, the ability to reduce negative manifestations in ethno-national relations caused by mental differences. The objective of socio-philosophical research is to identify and distinguish the natural and essential understanding of the concept of mentality.

Identity, which focuses on similarities between people, is a characteristic positive feature of the mentality for the EU countries. It can be both European and national. A sense of detachment from social communication can be considered a negative feature of the mentality of the EU countries. The legal mentality of the EU population is based on respect for the law, observance of human rights and freedoms, respect for human life, and tolerance. All European countries have a pattern of strict compliance with the law.

The legislative sphere in the countries of the European Union is free from corruption and beyond its own interpretation of the legal vision. The judiciary is impartial and independent. Mandatory compliance with the laws by the population, ensuring full protection of human rights by the state are also manifestations of legal mentality. The recognition of the rights of

the individual as a priority over the rights of the state is the most significant component of the European legal mentality.

The Ukrainian mentality is characterized by a democratic culture, an emotional and sensual component, and cordocentricity. It is characterized by the dualistic integrity of the unconscious and the conscious, the irrational and the rational. Important components are freedom of choice and a strong sense of self-efficacy. The Ukrainian mentality is specific and individual, which is its core importance. Identity is a positive feature of the Ukrainian legal mentality.

Legal nihilism, legal idealism, statism, anomie, distancing from the legal culture, ambivalence are negative features of the Ukrainian legal mentality. The legal mentality in Ukraine is also characterized by the modern revision of legal values by the individual, excessive politicization of the population. The war in Ukraine added to the importance and authority of the country in the world. This situation prompted the consolidation of Ukrainian civil society with the state authorities, which indicates positive changes in the legal mentality of Ukrainians.

Ukraine's status of a European state requires not only economic and political transformations. Ukrainian society should make a lot of efforts to increase the level of legal awareness. Awareness of Ukrainian society as Europeans, recognition and observance of European values is required, which provides for drastic changes in the legal mentality.

For its part, European society is changing its mental attitude towards Ukraine against the background of the military conflict. The society of most European countries is ready to accept Ukraine's membership in the EU. The Ukrainian legal mentality has a lot in common with such European values as democracy, striving for justice, and love of freedom.

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