

## **GENERATION OF HUMAN RIGHTS AND THEIR ROLE IN THE FORMATION OF THE CONCEPT OF "CONSTITUTIONAL MAN": IN THE DIMENSION OF NATIONAL AND INTERNATIONAL DOCTRINES**

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### **Abstract**

The relevance of the study arises from the growing importance of the concept of the "constitutional person" in the context of globalization, digitalization, and socio-political transformations. As legal systems adapt to modern challenges, the need to harmonize national and international standards and to develop effective institutional mechanisms for protecting human rights becomes increasingly urgent. The research aims to systematize the evolution of this concept, reveal the patterns of its transformation in legal thought, and outline prospects for modernizing the legal system amid global and digital changes. The study employs historical-legal, comparative, systemic, and analytical methods, enabling a comprehensive examination of the development of the idea of the "constitutional person," the impact of historical and cultural contexts on legal institutions, and the identification of key trends in its contemporary reinterpretation. The findings demonstrate the gradual formation of the normative and institutional foundations of the concept, the integration of international standards into national legal frameworks, and the influence of digital and social transformations on the realization of individual rights and freedoms. The results confirm the need to adapt legal mechanisms to modern challenges, enhance the effectiveness of human rights protection, and strengthen institutional guarantees. The concept of the "constitutional



person" emerges as a fundamental element of the legal architecture that ensures a balance between state interests and individual rights. The study proposes recommendations for legislative modernization and for developing strategies in legal education and institutional human-rights protection.

### Keywords

Constitutional man, human rights, evolution of the concept, bioethics, globalization.

### Resumo

A relevância do estudo decorre da crescente importância do conceito de «pessoa constitucional» no contexto da globalização, digitalização e transformações sociopolíticas. À medida que os sistemas jurídicos se adaptam aos desafios modernos, torna-se cada vez mais urgente a necessidade de harmonizar as normas nacionais e internacionais e desenvolver mecanismos institucionais eficazes para a proteção dos direitos humanos. A pesquisa visa sistematizar a evolução desse conceito, revelar os padrões de sua transformação no pensamento jurídico e delinear perspectivas para a modernização do sistema jurídico em meio às mudanças globais e digitais. O estudo emprega métodos histórico-jurídicos, comparativos, sistêmicos e analíticos, permitindo uma análise abrangente do desenvolvimento da ideia de "pessoa constitucional", do impacto dos contextos históricos e culturais nas instituições jurídicas e da identificação das principais tendências em sua reinterpretação contemporânea. As conclusões demonstram a formação gradual dos fundamentos normativos e institucionais do conceito, a integração de normas internacionais nos quadros jurídicos nacionais e a influência das transformações digitais e sociais na realização dos direitos e liberdades individuais. Os resultados confirmam a necessidade de adaptar os mecanismos jurídicos aos desafios modernos, aumentar a eficácia da proteção dos direitos humanos e reforçar as garantias institucionais. O conceito de «pessoa constitucional» surge como um elemento fundamental da arquitetura jurídica que assegura um equilíbrio entre os interesses do Estado e os direitos individuais. O estudo propõe recomendações para a modernização legislativa e para o desenvolvimento de estratégias na educação jurídica e na proteção institucional dos direitos humanos.

### Palavras-chave

Homem constitucional, direitos humanos, evolução do conceito, bioética, globalização.

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### **Introduction**

In the current conditions of globalization and digital transformations, legal thinking is at a stage of intensive evolution, which necessitates a rethinking of traditional approaches to the concept of human rights. The concept of "constitutional person" is particularly relevant, which integrates historical and legal traditions, moral and ethical norms and modern social standards into a single model of the legal status of an individual. The importance of this concept is due to its ability to serve as a normative basis for the protection of rights and freedoms and a mechanism for reconciling the interests of the state and the individual in the context of sustainable development and democratization of social processes.

The relevance of the study is enhanced by modern challenges, in particular the digitalization of social relations, the spread of artificial intelligence, the transformation of labor and educational practices, as well as the need to ensure human rights in conditions of emergency situations and social instability. These factors determine the need for a systematic understanding of the "constitutional person" as a key element of the legal architecture of society, integrating international standards and national practices. Studying the evolution of the concept of "constitutional person" allows us to determine the patterns of development of legal norms, the influence of historical and cultural contexts on their institutionalization, and outline the prospects for modernization of the legal system, taking into account global and local trends. In this context, the study has theoretical and practical significance, since the results can be used to improve national



legislation, formulate legal education policies, and develop institutional protection of human rights.

Therefore, the subject of the study is the historical and legal evolution of the concept of "constitutional person", and the object is the modern mechanisms for the implementation of individual rights and freedoms in the context of globalization and digital transformations. Achieving the goal of the study requires the comprehensive application of methods of historical and legal, comparative and systemic analysis, which provides a comprehensive assessment of the dynamics of the development of the concept and the identification of key trends in its transformation.

The purpose of writing a scientific article is a comprehensive analysis of the evolution of the concept of "constitutional person" in the context of the development of legal thinking, as well as the determination of the patterns of formation of individual rights and freedoms within national and international legal systems. The research is aimed at identifying the relationship between historical and legal approaches, generations of rights and modern challenges of globalization, digitalization and bioethical transformations, which allows developing a holistic model of the integrated legal status of a person as a subject of law and morality.

## Literature Review

The genesis of the concept of "constitutional man" should be viewed as a multidimensional intellectual and legal process that combines the historical and philosophical foundations of constitutionalism with the dynamics of international legal transformations and the national reception of universal human rights standards. Three interrelated paradigms were decisive in the trajectory of this process: (1) the classical natural-law universalism of the mid-20th century, which found its codified expression in the Universal Declaration of Human Rights as a normative matrix of dignity and equality; (2) the treaty-institutional era of the 1960s–1980s, represented by the International Covenants of 1966 (ICCPR and ICESCR), which translated moral imperatives into systemic obligations of states and control mechanisms; (3) a contemporary postmodern interpretation that transforms legal personality into a complex construct category that includes moral and value autonomy, social responsibility, and technological accountability. These stages are confirmed by key international texts that continue to perform a normative function in the process of constitutionalization of human rights (UNTC, 1976; United Nations, 1948)

The thesis that the "constitutional person" is not so much a new legal actant as a conceptual repositioning of the individual as the ontological center of the constitutional order currently dominates the scientific discourse. Khwan (2025) proposes a phenomenologically-oriented approach in which the local level of self-government acts as a key space for filling constitutional subjectivity with practical content; thus, municipalism acts not only as an instrument for the implementation of rights, but also as a source of forming the legal consciousness of territorial communities. Thus, the "constitutional person" appears as a subject of two orders – normative (the bearer of



rights guaranteed by the constitution) and effective (the subject of socio-political life at the local level), which emphasizes the need for institutional decomposition of legal guarantees.

Work by Deiak (2024), devoted to the phenomenon of "constitutionalization", emphasize the processes of integration of constitutional principles into domestic legal systems as a key mechanism for the protection of the individual: constitutionalization acts as a method of systemic legitimation of rights, which ensures their priority in the legal hierarchy and standardizes the procedures for their protection. This approach allows to connect theoretical constructions with practical tools – from the direct effect of constitutional norms to judicial mechanisms of interpretation. International and regional instruments (European Convention on Human Rights; EU Charter of Fundamental Rights) additionally produce a precedent normative fabric, which complicates a simple distinction between «international» and "national" levels of protection and stimulates a coherent reception of the concepts of dignity and autonomy (Council of Europe, 1950; European Union, 2012).

In the theoretical discussion of the status of the individual, contemporary constitutional law increasingly contrasts the categories of "citizen" with the category of "person". Bosniak (2010) emphasizes that personhood frees the individual from the framework of nationality and orients the legal system towards the universalism of protection; however, this also creates a tension between the rights that flow from citizenship and the universal norms that can be applied to individuals without national status. Mailey (2022) in turn draws attention to the paradox of the protective role of law: constitutional mechanisms designed to protect the individual sometimes insufficiently analyze or do not adequately respond to the harm caused by the state itself – a phenomenon that requires the theory of new tools for criticism and accountability of state power. These positions outline the theoretical field in which the "constitutional person" unfolds as a complex legal and social category.

The analytical perspective on the generations of human rights confirms that each subsequent generation does not annul the previous one, but rather incorporates and transforms its emphases: the first generation established individual freedoms, the second – social guarantees, the third – collective rights of solidarity, the fourth and fifth – informational, ecological and bioethical norms that require new mechanisms of implementation and control (Britannica, 2025; Khoo, 2015; López Baroni, 2020; Schabas, 2021a, 2021b; Turyanytsia, 2022). This is empirically and normatively reflected in international acts and recommendations, which translate the concept of dignity into the plane of technological and environmental responsibility (Humanium, 1966; UNESCO, 2005; 2021; United Nations, 1948; UNTC, 1976). Thus, the "constitutional person" acquires moral and value autonomy, which entails for the state not only negative (non-interference) obligations, but also positive obligations to create conditions for the implementation of autonomy (education, access to information, environmental safety, regulation of technologies).

Critical works, in particular Golia and Teubner (2021), add a historical and methodological dimension to this discourse, showing that constitutionalism as an intellectual tradition evolves in response to socio-economic challenges and technological change, and its



theoretical framework must be constantly revised. The contemporary scholarly palette also includes works that draw attention to the jurisprudential transformation of the concepts of "person" and "people" (Slaughter, 2014; Ciepley, 2024), which correlates with the multi-level reception of rights at the national and supranational levels. Taken together, these sources outline the empirical and conceptual basis for further research, in which the scientific novelty lies in the formulation of a theoretical and practical model of the "constitutional person" that synthesizes the rights of generations with the requirements of technological ethics and ecological sustainability.

Modern scientific discourse indicates that the "constitutional person" is a dynamic concept that is constantly being filled through the processes of constitutionalization and reception of international standards (Deiak, 2024; Khwan, 2025); in addition, the transformation of legal personality towards moral and value autonomy requires new methodologies from legal science – interdisciplinary, combining law, ethics, technological studies and ecology. The implementation of this concept in national systems (in particular in Ukraine) is a matter of normative editing, as well as institutional restructuring, aimed at ensuring that the constitution becomes a vital mechanism for the protection and development of human autonomy in the conditions of the 21st century (Council of Europe, 1950; European Union, 2012).

## Methods

The following methods were used in the research process:

- Historical and legal analysis was used to track the evolution of legal concepts, the development of generations of rights, and their implementation in national and international legal acts;
- the comparative method was applied to compare constitutional models and practices of human rights protection in different jurisdictions, including the EU, international treaties and national constitutions;
- systems analysis was applied to integrate multi-level legal norms, institutional mechanisms, and moral and ethical aspects into a single model of a "constitutional person";
- method was used to formulate conclusions about the current state of the concept of human rights and predict its transformations in digital, environmental, and global contexts;
- the method of systematization used is the study of legal acts, international treaties, scientific sources and statistical materials that confirm the trends in the development of legal norms and practices.

## Research Results

The evolution of human rights ideas should be viewed as a dynamic process in which different "generations" of rights were gradually formed, responding to historical, socio-



economic and technological challenges. Based on the classical classification proposed by Vasak in the late 1970s (*liberté – égalité – fraternité*) and according to which the first generation includes civil and political rights, the second – socio-economic and cultural, and the third – solidarity or collective rights, it is worth noting that this scheme also becomes the basis for understanding the formation of the concept of "constitutional man" (Domaradzki et al., 2019). The evolutionary and doctrinal characteristics of the generations of human rights and their role in the formation of the concept of "Constitutional Man" are given in Table 1.

**Table 1.** Evolutionary and doctrinal characteristics of generations of human rights and their role in the formation of the concept of "Constitutional Man"

Human Rights Generation	Historical and legal evolution	Contents and key regulatory sources	Implementation features	The role in the formation of the concept of "Constitutional Man"
1st generation: Civil and political rights	It was formed during the Age of Enlightenment, as a result of the bourgeois revolutions of the 17th–18th centuries (England, USA, France). It affirmed the ideas of natural law, individual freedom, and the rule of law.	Major acts include Bill of Rights (1689); Declaration des rights from the man and du citizen (1789); Universal Declaration of Human Rights (1948); International Covenant on Civil and Political Rights (1966); and provide for the right to life, liberty, personal integrity, freedom of thought, speech, religion, and participation in political life.	Mostly "negative" rights require non-interference by the state. Mechanisms: judicial review, constitutional guarantees, independence of the court. Challenges include abuse of power, inequality of access to justice.	They form the legal foundation of the constitutional subjectivity of a person. A "constitutional person" is a free citizen, guaranteed against the arbitrariness of the state.
2nd generation: Socio-economic and cultural rights	Origin in the 19th century, development after the First and Second World Wars; influence of socialist ideas, concept of a welfare state.	Main acts: International Covenant on Economic, Social and Cultural Rights (1966); Constitutions of the 20th century (Germany, Italy, Spain, etc.). Content: the right to work, education, social protection, housing, healthcare, participation in cultural life.	"Positive" type of rights: the state must create conditions and resources for their implementation. progressive implementation realization ").	Expand the meaning of the constitutional status of a person: from freedom to dignity and well-being. "Constitutional person" is a socially secure subject, a bearer of dignity and solidarity.
3rd generation: Collective (solidarity) rights	They arose after the processes of decolonization and the development of international law in the 1960s and 1970s (ideas of <i>fraternité</i> ).	Main acts: African Charter on Human and Peoples' Rights (1981); Rio Declaration on Environment and Development (1992). Content: the right of peoples to self-determination, peace, development, a healthy environment.	Implementation requires cooperation between states and international institutions. Challenges include sovereignty, inequality between the global North and South, and the lack of enforcement mechanisms.	They are forming the image of a "global constitutional man" who acts not only within national jurisdiction, but as a member of the international community.



<p>Generation IV: Bioethical and digital rights</p>	<p>Associated with the scientific and technological revolution, biotechnology, artificial intelligence, digitalization of society (late 20th – early 21st centuries).</p>	<p>Key documents: GDPR (2016); UNESCO Universal Declaration on Bioethics and Human Rights (2005). Content: right to digital identity, protection of personal data, bioethical autonomy, access to the Internet.</p>	<p>Challenges include algorithmic discrimination, cyber threats, unequal access to technology, and the need for global regulation and an interdisciplinary approach.</p>	<p>It affirms the "technological person" as a subject of the digital space, for whom the state must guarantee the latest rights and data security.</p>
<p>Fifth generation: Environmental and future generations' rights</p>	<p>Formed in the 21st century against the backdrop of climate change, the biodiversity crisis, and sustainable development concepts.</p>	<p>Main documents: Paris Agreement (2015); UN Resolution 76/300 (2022) – the right to a healthy environment. Content: rights of nature, rights of future generations, environmental justice.</p>	<p>Requires global, transnational mechanisms; institutionalization of "ecological constitutionality." Challenges include economic interests, weakness of international control.</p>	<p>"Constitutional Man" – environmentally a responsible subject who is aware of solidarity with nature and future generations.</p>

Source: compiled by the author based on (Britannica, 2025; Humanium, 1966; Khoo, 2015; López Baroni, 2020; Rights Recall, 2025; Schabas, 2021a, 2021b; Turyanytsia, 2022)

Within the first generation – civil and political rights – the basic legal status of the individual as a subject of law in a constitutional state was established. The ideas of the Enlightenment, the French Revolution and early constitutionalism formed a legal tradition according to which a person has fundamental rights: the right to life, liberty, personal integrity, freedom of thought, religion, speech, the right to participate in political life and legal protection. In the international legal field this began to be embodied after 1948 through the Universal Declaration of Human Rights and later through International Covenant on Civil and Political Rights (UNTC, 1976; United Nations, 1948). Understanding the first generation as "negative" rights (i.e. those that impose on the state the obligation to refrain from interference) provides the basis for the model of the "constitutional person", who acts as an active carrier of legal protection and participation. National doctrinal approaches to the rule of law are closely connected with the implementation of these rights: it is through these guarantees that the state ceases to be absolute and acquires the features of a legal order in which the person acts as a subject, not an object.

The second generation, socio-economic and cultural rights, opens up a new dimension of the legal status of the human being, focused not only on freedom from interference, but on the ability to realize one's dignity and secure one's living conditions. According to international law, this was crystallized in the International Covenant on Economic, Social and Cultural Rights (1966, in force since 1976) (Humanium, 1966). This area includes the right to work, fair remuneration, social protection, health care, education, participation in cultural life, housing, etc. (Schabas, 2021a). In the context of the implementation of such rights, the state must take positive action, provide resources, policies and legal mechanisms that create opportunities for action by subjects – the idea



of "expanding" the legal status of a person by adding social aspects. At the same time, in practice it is recognized that these rights are often implemented gradually ("progressive realisation") and depend on public resources. (Saul et al., 2014) For the concept of "constitutional person" this means that the legal status of a person constitutes not only participation and freedom, but also the provision of opportunities for the use of these freedoms; a person becomes a full-fledged citizen in the social space.

The third generation or solidarity (collective) rights form the global dimension of human rights, going beyond the national individual and heading towards groups, peoples, humanity as a whole. Among such rights are the right to development, the right to peace, the right to a healthy environment, the right of peoples to self-determination (Khoo, 2015). As Schabas (2021b) notes, although the status of these rights in international law remains debatable, they are collective in nature and often require the cooperation of many actors (states, international organizations, civil society). In national doctrine, the integration of these rights at the constitutional or legislative level is a difficult task; however, they contribute to the interpretation of a person as a participant in the global community, and not exclusively a national citizen. Thus, the "constitutional person" acquires the features of a subject capable of acting in global processes – through the challenges of ecology, development, peace, solidarity.

Recently, against the backdrop of rapid technological, bioethical, and digital development, as well as environmental challenges, a discourse about the fourth and even fifth generation of human rights has been taking shape. In the article "Fourth Generation Human Rights in View of the Fourth Industrial Revolution" emphasizes that the current three-generation scheme is insufficient to respond to the challenges of biotechnology, information technology, artificial intelligence. (López Baroni, 2020). Scientific research emphasizes that the concepts of "digital rights", "epistemic rights" in the digital world, "biomaterial" or "somatic rights", the rights of future generations and the rights of nature are gaining popularity (Sepúlveda et al., 2004). In the context of implementation, such rights pose new challenges: protection of personal data, digital identity, autonomy of biotechnological interventions, the right to a healthy and sustainable environment, the right to technological identity. For the model of "constitutional man" this means that the individual becomes a subject not only of political and social relations, but also of the digital, biotechnological and ecological space; the legal status of "constitutional man" must take into account the technological, ecological, transhuman challenges of the 21st century.

There is not just a chronological, but a functional-systemic connection between all generations of human rights. The rights of the first generation create the legal basis of individual subjectivity; the rights of the second generation provide the possibility of realizing this subjectivity in the social space; the rights of the third generation expand the field to groups, peoples and the international community; the rights of the fourth and fifth generations open up new horizons for the subject in the digital, bioethical, ecological dimensions. Scientific doctrine emphasizes that rights cannot be considered in isolation; that is, they are universal, inalienable, interdependent and mutually reinforcing (Risse, 2021). It is through such a consistent integration of different generations of rights that a holistic image of a "constitutional person" is formed, that is, a legal subject who is



guaranteed freedoms and participation, social security, the ability to act in global solidarity and adapt to the latest technological and environmental conditions.

Thus, the idea of a "constitutional person" in national and international doctrine implies that the status of a person is not limited to the framework of citizenship or one category of rights. On the contrary, it includes a set of legal guarantees and opportunities, starting with civil and political freedom, continuing with socio-economic security, expanding with a solidary and global role, and ending with the ability to function in a digital, bioethical and ecological environment. Such a holistic approach contributes to the formation of a person as a subject of a constitutional order, capable of exercising his or her own law-making, participating in the life of the state and society, while meeting the challenges of globalization, technologization and sustainable development.

The formation of international law in the second half of the 20th and early 21st centuries demonstrates the gradual transformation of human rights from abstract universals of natural law origin into a codified, institutionalized system of norms with multi-level implementation. The first "generation" (civil and political rights) was formalized in the fundamental documents of the post-war period, mainly in the Universal Declaration of Human Rights, which served as a semantic and normative source for the construction of subsequent treaty mechanisms. The Universal Declaration created the axiological and formal-legal foundation on which binding international legal instruments were subsequently built (United Nations, 1948).

The second step of codification – the introduction of two fundamental International Covenants of 1966 (International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights) – marked the demarcation of "generations" in the format of the contractual responsibility of states. These covenants not only consolidated the list of rights, but also established institutional mechanisms for implementation and reporting, which radically changed the legal status of human rights: from an intangible moral requirement to an obligation subject to international control. In this sense, the 1966 covenants should be seen as the core of the classical (first and second) generational paradigm of rights, combining individual freedoms with socio-economic guarantees (UNTC, 1976).

The Council of Europe and the European Convention on Human Rights were the first regional mechanism to transform declaratory provisions into practical judicial due diligence through the work of the European Court of Human Rights (ECHR), which provided a precedent-setting development of the interpretation of rights (interpretation) – from the formal grammar of the text to the substantive standards of protection (margin). of appreciation, proportionality, etc.) – which had a dual result: strengthening individual-oriented protection and at the same time creating a catalyst for the transformation of ideas about the constitutional role of the individual in public law. In parallel, the Council of Europe developed the social dimension through the European Social Charter, which reflected the desire to integrate the "second generation" of rights into the sphere of regional law (Council of Europe, 1950; European Court of Human Rights, 1953).



The European Union (EU), in its normative evolution, incorporated human rights principles into its own legal system through the Charter of Fundamental Rights (2000; confirmed by the Treaty of Lisbon in 2009), which led to a synthesis of constitutional and supranational levels of rights protection. The Charter not only codified rights, but also integrated the principles of social solidarity, non-discrimination and dignity into the supranational legal space, thereby reinforcing the idea of the "constitutional person" as a subject whose dignity and rights are both the normative basis and the criterion of legitimacy of state power (European Union, 2009).

Regionalism in Africa and Latin America has demonstrated its own trajectories of generational development. The African Charter on Human and Peoples' Rights introduces a synthetic approach, combining individual rights with collective (people's) rights and responsibilities, which opens up space for a different spectacle of "generations" – where legal constructions respond to specific historical-cultural and postcolonial challenges. Latin American instruments (the American Convention on Human Rights and the Special Protocols) have simultaneously served as a model of active jurisprudence and socio-legal innovation (particularly in the area of economic and social rights), emphasizing that regional systems can formulate autonomous notions of generational shifts (African Union, 1981).

Thus, international legal acts act not only as repositories of rights, but also as dynamic instruments that "materialize" the next generations of rights through: (1) the formalization of new categories (environmental, digital, bioethical rights); (2) the creation of mechanisms of responsibility and accountability; (3) regional modifications that interpret universal norms in the light of local values and challenges. This process of institutional and doctrinal articulation of human rights – both at the universal and regional levels – is key to understanding the emergence of the "constitutional person" as a legally protected, axiologically defined and socially responsible subject of modern constitutionalism. The key provisions and meanings for the formation of the concept of "Constitutional Person" are listed in Table 2.

**Table 2.** The formation of international law as a representation of human rights generations

<b>International regulations</b>	<b>Year of adoption / entry into force</b>	<b>Institutional jurisdiction</b>	<b>Represented generation of human rights</b>	<b>Key provisions and meanings for the formation of the concept of "Constitutional Man"</b>
Universal Declaration of Human Rights (UDHR)	1948	United Nations (UN)	Generation I (civil and political rights)	For the first time, universal standards of dignity, freedom, and equality were codified; the axiological basis for the legal subjectivity of the individual on a global scale was laid.
International Covenant on Civil and Political Rights (ICCPR)	1966 - 1976	UN (Human Rights Committee)	Generation I	Defines the obligations of states to guarantee freedom, life, inviolability, and participation in public affairs; establishes the legal binding nature of rights.



International Covenant on Economic, Social and Cultural Rights (ICESCR)	1966 - 1976	UN (Committee on Economic, Social and Cultural Rights)	Generation II	Institutionalizes social guarantees, the right to work, education, and healthcare; forms the paradigm of a socially responsible state.
European Convention on Human Rights (ECHR)	1950 - 1953	Council of Europe / European Court of Human Rights	Generation I	It created a judicial mechanism for individual protection; it established the doctrine of the "living instrument" and the principle of proportionality as a manifestation of constitutional humanism.
European Social Charter (European Social Charter, Revised 1996)	1961-1996	Council of Europe	Generation II	Deepens the socio-economic aspect of rights, recognizing them as an integral part of human dignity; contributes to the formation of a social state as a constitutional ideal.
Charter of Fundamental Rights of the European Union (Charter of Fundamental Rights of the EU)	2000 - 2009 (Lisbon Treaty)	European Union	Generation I-III (comprehensive integration)	It unites civil, social, environmental and digital rights; it establishes the principle of dignity as the basis of the EU constitutional order; it strengthens the supranational dimension of the "constitutional person".
African Charter on Human and Peoples' Rights (African Charter on Human and Peoples' Rights, Banjul Charter)	1981 - 1986	African Union/African Commission on Human and Peoples' Rights	2nd-3rd generation	For the first time, it integrates individual and collective (people's) rights and responsibilities; it reflects the African concept of communitarianism and human responsibility to the community.
American Declaration of the Rights and Duties of Man (American Declaration of the Rights and Duties of Man)	1948	Organization of American States (OAS)	Generation I	The first regional act of the UN that combined rights and duties; a precursor to the Latin American approach to the "moral autonomy" of the individual.
American Convention on Human Rights (Pact of San Jose, Costa Rica)	1969 - 1978	OAS / Inter-American Court of Human Rights	I-II generation	Defines the legal framework for the integration of civil and social rights; establishes judicial jurisdiction on a regional scale.
Additional Protocol to the American Convention on Economic, Social and Cultural Rights (San Salvador Protocol)	1988 - 1999	OAD	Generation II	Develops socio-economic rights as an imperative for sustainable development; emphasizes the ethical responsibility of states for social equality.



UN Millennium Declaration / Sustainable Development Goals (SDGs)	2000 - 2015	UN	Generation IV-V (right to development, environmental, digital, gender rights)	Forms the normative basis of global solidarity, digital and environmental justice; expands the boundaries of legal subjectivity in a posthumanistic dimension.
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Source: compiled by the author based on (African Union, 1981; Council of Europe, 1950; European Court of Human Rights, 1953; European Union, 2009; United Nations, 1948; UNCTC, 1976)

The above-mentioned norms, which have been transformed in the internal constitutional systems of European states, are a direct factor in the formation of the doctrine of anthropocentrism as the highest manifestation of the concept of "constitutional man". Thus, if universal documents have created a normative space in which human rights are a universal legal language, then at the national level it is the constitutions that have determined the way in which these rights are institutionalized, hierarchized and acquire legal ontological status – from declaration to legal reality. A comparison of the three leading legal systems – Germany, France and Italy – allows us to identify a common European trend: from a formal declaration of rights to the constitutional affirmation of human dignity as the highest principle of law.

I. In the German constitutional model, anthropocentrism appears not only as a normative fundamentality, but also as a metaphysical category of state existence. The Basic Law of the Federal Republic of Germany of 1949 (Grundgesetz for die Federal Republic Deutschland) already in the first article establishes: "Die Dignity des People ist unantastbar" – "Human dignity is inviolable" (Art. 1 GG) (Tomuschat et al., 2025). This provision has acquired a precedent interpretation by the Federal Constitutional Court, which in Lüth Case defined dignity as "a central constitutional principle that permeates the entire legal system" (Jaggi, 2016). Thus, human rights are seen not only as an object of legal protection, but as a source of legitimacy for public authority – a hallmark of the classical paradigm of the "constitutional man".

II. The French model, in turn, demonstrates the transition from historical individualism to modern social humanism. The Constitution of the French Republic of 1958 integrates the Déclaration des Rights from The Man and du Citoyen of 1789 and Préambule from the Constitution de 1946, establishing the doctrine of the "social republic", where the individual is considered not only as a bearer of rights, but also as a participant in the collective well-being (Conseil Constitutionnel, 1958). The Constitutional Council, in a series of decisions, in particular in case No. 71-44 DC (1971), gave direct legal effect to the principles of the 1946 preamble, recognizing them as "norms with constitutional value". Thus, French constitutional law combines the natural law heritage with the concept of a social state in which dignity, freedom and equality mutually reinforce each other.

III. In Italy, the anthropocentrism of the constitutional model has a distinctly ethical and social character. The Constitution of the Italian Republic of 1948 defines the person as the "central element of democratic coexistence" and proclaims work as not only the



economic but also the moral foundation of the state (Art. 1, Art. 3, Art. 4, Art. 32) (Corte Costituzionale, 1948). The Italian Constitutional Court has repeatedly developed the provision on "dignity as the basis of all fundamental rights" in its practice, for example in decisions No. 141/2019 and No. 242/2019, emphasizing the need to interpret rights in the context of "human autonomy, social solidarity and moral responsibility".

The above constitutional systems reflect three forms of implementation of the European doctrine of anthropocentrism: axiological (dignity as a meta-legal principle in Germany), socio-institutional (equality and collective solidarity in France) and ethical-humanistic (integration of freedom, work and responsibility in Italy). What they have in common is the tendency towards constitutional "humanization" of the state, in which legal systems recognize a person not only as a subject of legal relations, but as the source, content and purpose of the legal order. At the same time, at the level of the European Union, this tendency is confirmed through *the Charter of Fundamental Rights of the EU*, legally binding after the Treaty of Lisbon, which in Articles 1–6 reproduces the content of constitutional anthropology – dignity, freedom, equality, solidarity, citizenship and justice – as systemic components of European legal identity (European Union, 2009). Thus, the formation of the concept of "constitutional man" in the European doctrine is the result of multi-level interaction: universal standards (UN), regional mechanisms (Council of Europe, EU) and national constitutions, which transform human rights from a norm of international law into the living tissue of constitutional statehood. Thus, modern European anthropocentrism has gone beyond the formal and legal recognition of rights and transformed into a meta-theoretical concept, where "constitutional man" is considered as an ontological basis, an axiological reference point and a teleological goal of law. It is this trinity – dignity, freedom, responsibility – that determines the vector of evolution of the constitutional law of the European Union in the 21st century.

The process of transformation of the concept of "constitutional person" in international legal doctrine has progressed from the formal recognition of legal personality to the construction of moral and value autonomy, and is also based on the study of the ways in which new, "fifth" generations of rights (digital, bioethical, environmental, related to artificial intelligence) test the universal principles of constitutional humanism. In particular, modern interpretations of the phenomenon of "constitutional person" demonstrate the transition from a narrowly legal construct – a person as a bearer of legal rights and obligations – to a multidimensional category in which legal personality is combined with axiological and ethical autonomy. Three conceptual shifts play a key role in this transformation:

- The constitutional person ceases to be only the "addressee" of positive norms and is increasingly seen as a source of legitimacy of the state: his dignity and self-identification become the criterion for assessing the constitutionality of power. This position is reflected in the classical guidelines on human dignity and personified subjectivity contained in national constitutions and supported by court practice (Klein – the standard of dignity in German law);
- Constitutional man is increasingly viewed through the prism of normative autonomy – the ability of a person to form and realize his own value identity within the framework of



the legal order, which imposes on states not only negative, but also positive obligations to create conditions for the implementation of this autonomy;

- International and regional acts and guidelines concerning new technologies and bioethics embed the content of moral and value autonomy in the legal matrix: they declare not just protection from interference, but an active guarantee of the conditions for autonomous self-affirmation (the right to informed consent in biomedicine; principles of transparency and accountability in the use of algorithms).

These practical and normative transformations are recorded in intergovernmental recommendations and documents, in particular, in the UNESCO (2021), which directly emphasizes the need to protect human dignity and rights in the context of algorithmic decisions, and in the Universal Declaration on Bioethics and Human Rights (UNESCO, 2005), which constructs bioethical principles as an element of legal assurance of human autonomy (Council of Europe, 2001; Council of Europe, 2023).

From an international legal perspective, this means that "constitutional person" acquires a dual status: it is simultaneously (a) a recognized legal entity with an established set of rights and protection mechanisms and (b) a bearer of moral and value autonomy, which requires states and supranational actors to form active guarantees – educational, informational, environmental and regulatory – to strengthen this autonomy. Such a complication is increasingly reflected in interstate resolutions and regional conventions that combine contractual and non-contractual instruments of law enforcement. At the same time, the implementation of the fifth generation of rights creates systemic challenges for classical constitutional humanism, since digital, bioethical, environmental and artificial intelligence aspects of rights simultaneously expand the subject area of rights and violate traditional assumptions about the boundaries of state responsibility.

The first set of challenges is related to privacy and autonomy in the digital space: mass data collection and processing, profiling and automated decision-making undermine the possibility of effective individual autonomy and create new forms of discrimination; in response, the Office of the UN High Commissioner for Human Rights has developed numerous reports and guidance on the "right to privacy in the digital age", focusing on the principles of proportionality, accountability and non-interference (United Nations, 2014). At the same time, the radical criminalization of certain digital practices (e.g. excessive state control) is opposed by international instruments such as the Council of Europe Convention on Cybercrime (Budapest Convention), which regulates the criminal law side but raises the question of the balance between security and rights (Council of Europe, 2001).

A second set of challenges arises in the bioethical sphere: the development of genetic technologies, genome editing, neurotechnology and related issues of informed consent, privacy of mental data and protection of the integrity of the person require international bodies to reformulate legal guarantees. UNESCO (2005) data emphasize that classical mechanisms of individual protection must be complemented by ethical imperatives that guarantee autonomy without compromising dignity.

The third and perhaps most complex set of challenges is related to artificial intelligence: algorithmic systems can transform public decision-making, increase the opacity of



government, generate algorithmic discrimination and undermine legal accountability. Frameworks for responding to these risks are being developed at the regional and global levels: the EU adopts regulatory texts (in particular, the AI Act), and the Council of Europe develops standards and a model "framework convention" at the intersection of human rights, democracy and the rule of law; UNESCO proposes an ethical matrix for national policies (UNESCO, 2005; 2021). These initiatives aim to ensure the compatibility of innovations with fundamental constitutional values and to convert technical requirements (security, transparency, accountability) into legally binding standards.

Furthermore, environmental rights – recognized at the intergovernmental level (UNGA Resolution 2022 on the right to a clean, healthy and sustainable environment) – transform "constitutional person" into a subject whose rights entail collective and intergenerational obligations, thereby changing the horizon of responsibility of the constitutional state (United Nations General Assembly, 2022). The recognition of the right to a healthy environment creates a normative platform for environmental guarantees to become part of constitutional anthropology, with corresponding imperatives for sustainable development policies and interstate cooperation.

Thus, international doctrine is in the process of a double transformation: on the one hand, "constitutional person" is enriched through the incorporation of moral and value autonomy into legal identity; on the other hand, technological, bioethical and environmental challenges require lawmakers and judicial practice to rethink traditional protection mechanisms and create comprehensive, cross-sectoral regulatory solutions. The sustainability of the concept of "constitutional person" in the 21st century will depend on the ability of international law to combine treaty mechanisms, regional standards and ethical guidelines into a coherent system capable of protecting and developing the autonomy of the individual in a rapidly changing technological and environmental context.

However, it should be noted that the set of challenges of the fifth generation of human rights (Table 3) forms a qualitatively new stage in the development of international constitutionalism, which requires the integration of digital, environmental and bioethical values in the system of legal personality of the person. As stated in the UNESCO Recommendation on the Ethics of Artificial Intelligence (from 2021), human dignity should remain a central criterion for technological progress, while UN General Assembly Resolution A / RES /76/300 (from 2022) emphasizes that environmental sustainability is an inalienable human right. Thus, the doctrine of "constitutional humanism" is transformed into "universal constitutional personhood", which combines legal, ethical and existential autonomy of a person.

If talk about the Ukrainian national dimension of the formation of the concept of "constitutional person", then it is necessary to record both the legal reception of international generations of human rights and the process of transformation of the constitutional anthropology of Ukraine – from the text of the Constitution to the practice of state institutions and judicial jurisprudence, capable of producing a legally effective phenomenon of "constitutional person". In Ukraine, this process has a multi-level nature: (1) constitutionally enshrined value-anthropological guidelines, (2) regulatory and legal



infrastructure that regulates social, digital, bioethical and environmental aspects of rights, (3) institutional protection mechanisms (Constitutional Court, Verkhovna Rada Commissioner for Human Rights, administrative and criminal jurisprudence), (4) strategic policy in the direction of adapting national law to regional (EU, Council of Europe) and global standards. These components form an architecture within which the "constitutional person" must be constitutionalized as simultaneously a bearer of guarantees of dignity, will, and social support, and as a subject of active autonomy and responsibility.

The 1996 Constitution of Ukraine lays the axiological basis of modern Ukrainian constitutionalism: the proclamation of a person, his life and health as the highest social value, the set of civil, political and socio-economic rights (Chapter II), as well as special environmental guarantees (Article 50) – all this forms a normative framework for the development of a "constitutional person" as a legal and moral ideal. Constitutional norms have direct application and create the basis for the imperative reception of international standards (in particular, the European Convention on Human Rights). That is, the Ukrainian constitutional text combines a natural-law orientation (dignity, universal freedoms) and a social state imperative (ensuring social and environmental rights) (VRU, 1996).

**Table 3.** Global challenges to the implementation of fifth generation rights and doctrinal and normative ways to overcome them

<b>Call type</b>	<b>Characteristic</b>	<b>International legal acts/doctrines</b>	<b>Possible solutions (within the concept of constitutional humanism)</b>
Digital calls	Violation of digital privacy, algorithmic discrimination, data manipulation, violation of cyber sovereignty.	<ul style="list-style-type: none"> <li>- Council of Europe Convention No. 108+ for the Protection of Individuals with regard to Automatic Processing of Personal Data (from 2018);</li> <li>- EU General Data Protection Regulation;</li> <li>- UN General Assembly Resolution A/RES/75/176 (from 2020) "The Right to Privacy in the Digital Age".</li> </ul>	<ul style="list-style-type: none"> <li>- Formation of "digital legal constitutions" (Digital Constitutionalism);</li> <li>- Implementation of international AI governance standards ;</li> <li>- Strengthening control over algorithmic transparency and corporate accountability.</li> </ul>
Bioethical challenges	Genomic interventions, cloning, bioengineering, violation of the principle of human dignity in the context of biomedicine.	<ul style="list-style-type: none"> <li>- Council of Europe Convention on Human Rights and Biomedicine;</li> <li>- UNESCO Declaration on the Human Genome and Human Rights (from 1997);</li> <li>- WHO Declaration on Genetic Ethics (from 2019).</li> </ul>	<ul style="list-style-type: none"> <li>- Recognition of bioethical principles as a component of constitutional law;</li> <li>- Ensuring international control over biotechnology;</li> <li>- Introduction of the category of " bioethical responsibility of states".</li> </ul>



Environmental challenges	Deepening climate crisis, degradation of ecosystems, threats to the right to life and health.	<ul style="list-style-type: none"> <li>- Paris Climate Agreement (from 2015);</li> <li>- UN Resolution A/RES/76/300 (from 2022) on the recognition of the right to a healthy environment;</li> <li>- The European Green Deal (EU Green Dea).</li> </ul>	<ul style="list-style-type: none"> <li>- Constitutional enshrining of the right to environmental safety;</li> <li>- Introduction of an environmental ombudsman;</li> <li>- Formation of the doctrine of "eco-humanism" as a component of constitutional identity.</li> </ul>
AI-related challenges	Autonomous decisions without human participation, violation of the principles of justice, discrimination and threat to legal personality.	<ul style="list-style-type: none"> <li>- UNESCO Recommendation on the Ethics of Artificial Intelligence (from 2021);</li> <li>- Draft EU Regulation on Artificial Intelligence (AI Act);</li> <li>- Council of Europe Resolution CM/Res (2020)1 on the impact of algorithms on human rights.</li> </ul>	<ul style="list-style-type: none"> <li>- Recognition of human digital autonomy as a new constitutional value;</li> <li>- Introduction of a global AI accountability mechanism ;</li> <li>- Institutionalization of the principle of "human oversight" in legal systems.</li> </ul>

Source: compiled by the author based on Conseil Constitutionnel (1958); Council of Europe (2001; 2023); European Union (2009); UNESCO (2005; 2021); United Nations (2014).

At the doctrinal level, Ukrainian law has evolved towards synthesis: classical natural law values (dignity, freedom) have been incorporated into a positive normative system (constitution, laws) and supplemented by protection mechanisms (national institutions, international treaties). The practical implementation of this synthesis is carried out through the instruments of parliamentary and executive legislation (in particular, legislation on the protection of personal data, environmental laws, regulations in the field of health care) and through the repertoire of constitutional and interstate jurisprudence. This synthesis creates a legal basis for the "constitutional person" to act simultaneously as an object of legal protection and as a bearer of positive public rights (access to information, environmental protection, the right to social guarantees). In this context, a special role belongs to the Commissioner for Human Rights of the Verkhovna Rada of Ukraine as a national mechanism for preventing violations and monitoring human rights standards (Ombudsman of Ukraine, 2023; VRU, 1997).

Constitutional and national judicial practice in Ukraine demonstrates a gradual increase in the reception of international human rights standards: the ratification and internal recognition of the ECHR (1997) created the basis for judicial cooperation and participatory integration of European precedents into the national doctrine of the protection of dignity and freedom. The Constitutional Court of Ukraine in its practice formulates the interpretation of human dignity as a constitutional value, which becomes a criterion for assessing the balance of rights and obligations of the state (see the thematic developments of the Constitutional Court of Ukraine on the right to dignity). At the same time, the challenges of the fifth generation constitute unprecedented demands on jurisprudence: courts and law enforcement agencies are forced to interpret old norms in the light of new technological and environmental realities, which requires a comprehensive approach (synthesis of law, ethics, technological regulation) (Constitutional Court of Ukraine, 2021; European Court of Human Rights, 2010).

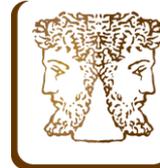


The prospects for strengthening the role of the "constitutional person" in the national law of Ukraine are closely related to the European integration course and the transformation program, recorded in the Association Agreement with the EU and in the process of preparing the Action Plan for Approximation to the Acquis (NPAA). Specific steps: (1) updating the regulatory framework in the field of personal data protection and digital rights (adopting a GDPR-compatible law and creating an independent regulator – the National Commission for the Protection of Personal Data and Access to Information); (2) ratification and implementation of international bioethical instruments (in particular, the final ratification of the Oviedo Convention and bringing medical legislation into line with its standards); (3) integration of environmental law into the constitutional-paradigmatic space (strengthening the implementation of Article 50 of the Constitution, incorporating international obligations of the Paris Agreement into national energy and environmental legislation); (4) development of a national strategy on AI with the implementation of the principles of "human oversight and accountability, with the creation of sectoral support (expert councils under the Cabinet of Ministers/Ministry of Digital Transformation) and mechanisms for controlling algorithmic discrimination. All these steps should be implemented within the framework of the NPAA and at the national level, taking into account the recommendations of the European Commission (Cabinet of Ministers of Ukraine, 2014; European Commission, 2024).

Given the above-described national aspects of the implementation of the concept of "constitutional person" in Ukraine, the formation of a "constitutional person" requires a targeted strategy that combines: (1) a constitutional interpretation of human dignity and social rights; (2) the imperative of European harmonization of legislation (especially in the field of data, bioethics, ecology, and AI); (3) the creation and strengthening of independent national institutions for the protection of rights; (4) the adaptation of judicial practice and state policy to the standards of algorithmic accountability and environmental justice. Such a comprehensive policy will transform the "constitutional person" from an academic construct into a real, institutionally protected subject in the modern Ukrainian legal system.

**Table 4.** Systemic and institutional matrix of national aspects of the implementation of the concept of "Constitutional Man" in Ukraine in the context of human rights generations

Generation of rights	Key challenges for Ukraine	Roadmap (stages of transformation)	Scientific and practical guidelines	Regulatory and legal framework
I generation – civil and political rights	The gap between constitutional guarantees and the real effectiveness of their implementation; formalism in the interpretation of Article 3 of the Constitution	1) Strengthening parliamentary control over the observance of rights. 2) Institutional strengthening of the Ombudsman. 3) Improving legal education.	- Improving constitutional complaint mechanisms. - Formation of the practice of a "living constitution". - Increasing the autonomy of the individual as a subject of the constitutional order.	Constitution of Ukraine, Decision of the Constitutional Court of Ukraine No. 1-r/2020, Law "On the Commissioner for Human Rights of the Verkhovna Rada of Ukraine".



	regarding anthropocentrism.			
Generation II – socio-economic rights	Low level of implementation of social rights under martial law and financial decentralization.	1) Adaptation of the principles of social justice to the market economy. 2) Review of social protection policy.	- Introduction of people-centered budgeting. - Digitalization of social services ("Action"). - Institutionalization of the principle of dignity in economic policy.	Human Development Strategy of Ukraine until 2030, Budget Code (amendments of 2021).
Generation III – collective (solidarity) rights	Lack of a legal culture of participation; weak implementation of environmental and cultural rights of communities.	1) Development of participatory institutions (e-democracy). 2) Raising the level of legal awareness.	- Strengthening mechanisms for public participation in environmental policy. - Recognition of cultural heritage as part of national identity. - Implementation of the principle of "ecological man".	Aarhus Convention (1998), Law "On Public Consultations", National Environmental Policy 2030.
Generation IV – informational, genetic, digital rights	The threat of excessive state interference in privacy; lack of legal regulation of artificial intelligence.	1) Development of a code of ethics for digital platforms. 2) Harmonization of legislation with the EU in the field of AI and data.	- Enshrining the right to digital autonomy. - Improving the regulation of bioethical issues. - Implementation of "digital" constitutionalism » into legal politics.	Law "On Personal Data", Digital Transformation Strategy (2021), EU Regulation on Artificial Intelligence (AI Act 2024).
Generation V – rights of future generations, bioethics, ecohumanism	Insufficient constitutional mechanism to protect the rights of future generations; environmental vulnerability due to war.	1) Integration of sustainable development principles into constitutional law. 2) Development of a doctrine of intergenerational justice.	- Inclusion of the concept of "ecological man" in the constitutional doctrine. - Establishing a constitutional obligation for sustainable environmental restoration. - Development of a national system of bioethical control.	Green Deal of Ukraine (2023), Presidential Decree No. 722/2023, Decision of the Constitutional Court of Ukraine in the environmental case (2021).

Source: compiled by the author based on Cabinet of Ministers of Ukraine (2014); Constitutional Court of Ukraine (2021); European Court of Human Rights (2010); European Commission (2024); Ombudsman of Ukraine (2023); VRU (1996, 1997).

## Discussion

The obtained results of the study confirm and at the same time expand the modern scientific discourse on the evolution of human rights generations and their role in the formation of the concept of "constitutional man". As the comparative analysis shows, in most scientific approaches (Bosniak, 2010; Schabas, 2021a, 2021b; López Baroni, 2020; Khwan, 2025) an attempt can be traced to explain the "constitutional person" as a product of the gradual constitutionalization of legal ideas – from natural law universalism to the post-institutional humanism of the digital age. Our results are consistent with this



logic, but show its deeper structural conditioning – not only historical and evolutionary, but also systemic and functional, within which each generation of rights does not simply inherit the previous one, but creates a new level of autonomy and responsibility of the subject of the constitutional order.

Comparing the results of the study with the theoretical approaches of Khwan (2025) and Deiak (2024), it should be noted that the authors confirm the thesis of the two-layer subjectivity of the "constitutional person" – normative (based on the text of the constitution) and effective (manifested in the ability to act in the public space). However, unlike Khwan, who interprets the constitutional person mainly through the prism of local self-government, our study showed that his legal subjectivity is formed through the holistic integration of generations of rights – from individual freedom to digital-ecological responsibility; which allows us to consider the "constitutional person" not as a static phenomenon of democratic participation, but as a dynamic form of ethical and legal evolution of humanity. In turn, the conclusions of Deiak (2024) emphasize the process of "constitutionalization" as a mechanism for integrating legal principles into national systems. In this context, the results of our study develop the author's position, demonstrating that constitutionalization is not just a procedure of legal hierarchization, but a process of anthropological transformation – the formation of a person as a bearer of dignity, capable of being a source of law. That is, a constitutional person in our understanding is not an object of the constitutional order, but its substantial center, which ensures the internal legitimacy of the system.

Compared to the classical vision of Bosniak (2010), which separates the concepts of "citizenship" and "personhood", the results of our analysis confirm that modern constitutional subjectivity is increasingly oriented towards a universal concept of the person, regardless of nationality. However, the authors find that such universalization does not abolish the need for state responsibility – on the contrary, it creates a new format of positive obligations of the state to provide space for the realization of autonomy, education, digital security, environmental well-being; which echoes the approaches of Schabas (2021b) and Turyanytsia (2022), who interpret new generations of rights as a tool for expanding human subjectivity to the level of a global community. Our results also confirm the concept of Mailey (2022) about the ambivalence of the protective role of law, when legal instruments sometimes reproduce systemic forms of state coercion. However, unlike Miley's critical approach, our study shows that a way out of this dilemma is possible through an institutional rethinking of the constitution as a "vital mechanism" – a system not only limiting, but also nourishing the autonomy of the subject. Thus, the authors propose a positive model of the constitutional person as a factor of balance between state coercion and freedom.

The study's analysis of human rights generations confirms López's Baroni (2020) and Sepúlveda et al. (2004) findings on the need to expand the three-generation paradigm. The authors have shown that the fourth and fifth generations of rights are not "additional" categories, but constitute a qualitatively new dimension of human subjectivity, which requires a rethinking of the very concept of constitutional dignity; which confirms the view of Golia and Teubner (2021) about the historical and methodological evolution of constitutionalism as a living tradition that responds to the challenges of civilizational



development. Our results complement this approach, specifying that the response of modern law lies in the development of new norms of responsibility for artificial intelligence, biotechnology, ecological sustainability and the preservation of human autonomy in the digital environment.

Considering the international and regional reception of the concept, our results are consistent with the conclusions of Slaughter (2014) and Ciepley (2024), who emphasize the changing relationship between the concepts of "person" and "people". The authors found that the constitutional person is an intermediate link between these two categories – he personifies the will of the people, but does not dissolve in it; his rights become the basis of the legitimacy of power, and not a derivative element of statehood. This approach is also in line with current trends in the case law of the European Court of Human Rights, where human dignity is increasingly recognized as a constitutional principle of the supranational level (Council of Europe, 1950; European Union, 2012).

Thus, the results of the study allow us to assert that, unlike the traditional generational model, in which human rights are considered as a sequence of historical stages, the concept of "constitutional man" reveals them as a single dynamic system of moral and legal evolution. It combines the universalism of dignity, social justice, collective solidarity and technological accountability into a holistic constitutional order. In this aspect, our study not only confirms the main theoretical provisions of modern science, but also suggests their systemic integration – as a model in which human rights act not as an external reference point, but as an internal mechanism for the self-development of a constitutional man and a legal state of the 21st century.

## Conclusions

The evolution of human rights reflects a multidimensional process of forming the concept of "constitutional man", in which the integration of generations of rights into national and international doctrines plays a key role. The results of the study confirm the conceptual thesis put forward in the scientific discourse that "constitutional man" is a complex category that combines normative subjectivity with effective participation in socio-political and global space. National and regional practices – from European constitutions to the EU Charter of Fundamental Rights and regional treaties – demonstrate that universal human rights standards are implemented through a multi-level institutional and legal system that provides simultaneously protection, participation and positive support for autonomy.

Thus, the concept of a "constitutional person" in the 21st century takes on the character of an integrated model in which the rights of generations become interdependent and reinforce each other, forming a holistic image of a legal entity. This approach opens up new horizons for legal science and practice: it implies the need for interdisciplinary methods that combine constitutional law, international regulation, ethics, technological security and environmental sustainability, and also stimulates the development of legal mechanisms capable of responding to the challenges of the digital, bioethical and global environment. Thus, the results of the study confirm that the evolutionary generational



perspective of human rights is a key tool for the constitutionalization of the dignity and autonomy of the individual, which allows transforming the legal status of a person into an active, multidimensional subject of law, capable of forming the legitimacy of the state and participating in global social processes.

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