

# Deconstructing Constitutional Identity: Exploring Its Components via a Block-Structured Analytical Model

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**Abstract:** The purpose of the study is to develop a theoretical model of the structural and block organization of a constitutional person, which will eliminate the disconnect between modern practices of systematization of constitutional rights and will allow to obtain a full picture of the legal status of a person within the framework of existing challenges. The study is based on a conceptual approach to the analysis of modern literature on constitutional and legal studies based on the structural-functional approach, comparative legal approach and systematic approach by identifying the principles of organization of legal status and mechanisms of interaction between different categories of rights. The study shows traditional classifications of constitutional rights are ineffective, as they ignore systemic interrelations. A new concept of a constitutional human being is proposed, consisting of five blocks: autonomy, civic participation, social security, cultural identity, and legal guarantees. Five types of interrelations are identified: horizontal functional and value, vertical resource and spatial, and temporal under technological influence. By modifying existing blocks, the model adapts to challenges like AI, climate change, and digitalization. The structural-block model enables systematic study, prediction of reforms, and provides a framework for protecting rights amid global changes.

**Keywords:** constitutional person, constitutional rights, legal status of a person, structural-block organization, systemic approach

## Introduction

Modern constitutional law is undergoing radical transformations caused by the multilayered universality of new challenges that call into question the long-standing means of understanding and structuring the constitutional legal status of individuals. The problems of democratic regression in many states around the world, the digitalization of interpersonal relations, climate change and globalization create fundamentally new conditions in which constitutional rights are exercised, and which are not always well characterized by previous theoretical frameworks. This issue is especially important in the context of constitutional crises, as traditional systems of rights protection are not effective enough due to the disparate practices related to the conceptualization and realization of rights.

The issue of systematizing constitutional rights and understanding their internal order has a long history in constitutional and legal thought. Commonly used classical methods of classifying human rights rely more on the

historical principle of generations of rights or subject matter division, but as shown, they have serious shortcomings in terms of their application in the modern context. In his work on autocratic legalism, Scheppele [1] demonstrates how autocratic authorities target constitutional rights by exploiting gaps in established classifications to selectively circumvent them. Pech and Scheppele [2] also show that illiberal trends in the EU tend to systematically undermine the body of rights, which means that existing theoretical frameworks are insufficient to understand this process.

The higher the level of development of the problem of codification of constitutional rights, the more noticeable is the presence of various competing concepts, each with its own advantages and disadvantages. In a seminal study of the misuse of constitutionalism, Landau [3] illustrates that established categories do not reflect the systemic interrelationships between rights, which allows populist governments to undermine democratic institutions by targeting specific sets of rights. Dixon and Landau [4] rely on this approach to demonstrate how abuses of judicial review are not directed at specific rights but at general functional units. At the same time, in his study of metropolitan constitutionalism, Hirschl [5] highlights urbanization and the spatial structure of modern societies as new pressures on traditional ways of thinking that may need to be adapted to such realities.

The application of a functional approach to the organization of rights is described in Gardbaum [6], who introduces a new model of Commonwealth constitutionalism based on the implementation of law through institutions, and Boyle et al. [7], who examines access to justice in relation to social rights through the lens of the interdependence of procedural and substantive dimensions. In a detailed analysis of economic and social rights, Young and Langford [8] help to accept that the exceptional nature of this set of rights requires individual theoretical consideration, but they still remain within the framework of traditional categorical approaches.

In contemporary literature, systemic and structural approaches to constitutional rights are increasingly used to explain these rights. In a comparative analysis of constitutional privacy and data protection in the EU, Erdos [9] shows that digitalization is changing the traditional provision of rights and creating new systemic links between different legal institutions. Celeste [10] defines the concept of digital constitutionalism as a systemic adaptation to technological challenges, and his work focuses on a specific area of rights. This is the content of a journal article written by Drinoczi and Bein-Kacala [11], who show how in Central and Eastern Europe illiberal constitutionalism is involved in systemic shocks against democratic institutions, including the entire structure of constitutional rights.

Dynamic aspects of constitutional rights are addressed in the context of Huq [12], who discusses the constitutional right to control the agenda and how this affects the enjoyment of different groups of rights, Jackson [13], who examines constitutional participation in the transnational era, and Mukherjee [14], who explores the political economy of effective judicial remedies. Roznai [15] explores the practice and theory of supra-constitutional constraints on constitutional change, which are important in terms of how well the law holds itself together, but these studies do not provide a fully coherent model for determining an individual's legal standing.

The theoretical framework for the legal status of people is based on the works of Neimi [16], who describes the role of human dignity in the arguments used in legislation, Pildes [17], who identifies the political disintegration of Western democracies, and Barber [18], who emphasizes the value-based organization of constitutional systems. Such works provide a good basis for studying the anthropological aspects of constitutional law, but at the same time do not present a systematic model of how legal status should be organized.

A review of the current literature shows that there are many gaps in current research. First, there is no comprehensive strategy for systematizing constitutional rights that would integrate the functional, structural and dynamic levels of organization. Current strategies are focused either on individual groups of rights or on a certain aspect of the functioning of these rights, without linking them to the overall picture of the legal status of an individual. Secondly, there is a lack of theoretical frameworks that would allow for the study of the coexistence of different groups of rights in the context of contemporary changes, such as digitalization, climate change, and democratic regression. Third, there is a lack of conceptual tools to study how legal systems adapt and thus enable them to respond adequately to new challenges without losing their internal integrity.

These gaps point to the need to develop a new theoretical model that would provide systematic knowledge of the legal status of a person as a harmonious totality that combines the stability of fundamental principles with the ability to adapt to changing circumstances. Of particular importance is the conceptualization of a «constitutional person» who is not a holder of individual rights, but is a subject of legal status of a form of structural organization that is subject to the principles of functional specialization and organizationally coordinated system.

The purpose of the study is to build a theoretical framework for the structural and block organization of a constitutional person, which will eliminate discrepancies in modern methods and guarantee a full understanding of the legal status

of a person in the context of modern problems. The study aims at identifying the key components of legal status, studying the mechanisms of their interaction and identifying the principles of adaptation to the technological, environmental and political changes that have marked the twenty-first century.

The study aims to identify the building blocks that make up the general legal status of a constitutional person, to examine the processes of coordination between the individual rights blocks and how the building blocks can be modified to respond to contemporary challenges without compromising their identity as blocks. The results of the study should be used to create better strategies for the protection of constitutional rights and better constitutional construction in the context of global transformations.

### **Literature review**

The analysis of the structural-block organization of the constitutional personality uses a wide range of theoretical and empirical studies in the field of constitutional law, human rights theory and comparative constitutionalism. As the literature review will show, scientific views on the legal status of a person have changed from classical libertarian theories to models of organization of the system of constitutional rights.

Systematization of human rights done in a classical manner. Historical methods of constitutionally privileged rights are largely based on the historical question of the people who carry out constitutional justice: the people of rights. This method, which is described in detail in Ackerman [19] and also promoted by Scheppel [1], divides rights into civil and political (first generation), economic, social and cultural (second generation), and collective (third generation) rights. However, more recent scholars, such as Pech and Scheppel [2], mention the shortcomings of this strategy when it comes to illiberal trends and constitutional regression.

In a classic study on the abuse of constitutionalism, Landau [3] shows that existing definitions of rights abuse fail to take into account the systemic interdependence between rights, which gives authoritarian governments the institutional capacity to challenge selective groups of rights. In addition, Hirschl [5] demonstrates that urbanization and megalopolization bring new challenges to traditional practices of structuring people's legal status.

A practical method of observing rights. Other strategies outlined in the article by Dixon and Landau [4] relate to the operational study of constitutional rights. Indeed, the authors show how the abuse of judicial review violates not individual rights, but entire blocks of functions, and this points to the systemic structure of legal status. This approach is developed by Boyle et al. [7] after analyzing access to justice in relation to social rights, which indicates the mutual merger of procedural and substantive rights.

Analyzing the new model of Commonwealth constitutionalism, Gardbaum [6] proposes a three-modal categorization of rights according to the principle of institutional implementation, which is close to the functional approach. At the same time, in their thorough study of economic and social rights, Young and Langford [8] show that this type of rights is more specific and requires a separate theory to address it.

Systemic and structural. Recent studies have increasingly emphasized a systemic approach to the interpretation of constitutional rights. In the context of an argumentative study of constitutional privacy and data protection in the EU, Erdos [9] provides evidence of how digitalization is changing standard rights, adding new systemic relations. Celeste [10] formulates the concept of digital constitutionalism as a systemic response to the challenges of technology.

In their analysis of illiberal constitutionalism in Central and Eastern Europe, Drinoczi and Bein-Kacala [11] reveal the consequences of the systematic attack on the institutions of liberal democracy for the entire structure of constitutional rights. This confirms the need for a systematic understanding of this legal status of people.

Modeling as variable and sensitive. A valuable research topic is manifested in works that analyze the dynamic nature of constitutional rights. In the context of his study on constitutional program control [12], the author shows how the political process affects the realization of different sets of rights. Jackson [13] examines the constitution's involvement in the transnational era, revealing how the world is becoming globalized and affects the national rights regime.

In Mukherjee [14], the author explores the political economy of de facto remedies in the judicial system, which relates to the economic motivations for the adoption of constitutional rights. Roznai [15] discusses the concept and reality of supra-constitutional constraints on constitutional amendments, which helps to understand the stability of legal status.

Theoretical background of the idea of a constitutional person. The theoretical guidelines of the study are based on what shapes the anthropological perspective of constitutional law. In his work, Neimi [16] explores how legal argumentation is conveyed through the use of human dignity, which contributes to the understanding of the essence

of the legal status of a person. Pildes [17] also discusses the situation of political fragmentation in Western democracies, which raises questions about the systemic organization of rights.

In his work on constitutional ideology, Barber [18] reveals the value-based preconditions for the organization of constitutional systems. An analysis of constitutional breakdown in Poland shows that certain elements of legal status can be manipulated in politics, as Sadurski [20] does.

The cultural analysis of constitutional personality is a growing line of research. The article by Galang-Pereña [21] proves the role of language as the foundation of cultural identity and demonstrates the mechanisms of maintaining and transferring cultural values in linguistic activities. The author demonstrates that language is not merely a form of communication but also a basic building block of personal self-identification and this supports the logic of organizing the block of cultural identity as an independent functional unit of legal status. The given study conducted by Galang-Pereña is especially relevant in the framework of globalization and digitalization since it proves that the traditional elements of culture are evolving in response to the modern challenges and preserving their core nature.

According to Layugan [22], religious convictions are considered as manifestations of culture that depicts the connections among the various facets of the legal status of an individual. The author examines the way in which indigenous religious practices do not act as only isolated phenomena, but as being a component of the larger cultural mechanism that reacts with other aspects of the life of an individual. Our stance on the systemic alignment of blocks of cultural identity and personal autonomy is confirmed in this study and the way in which religious beliefs play a role in shaping the sense of individual freedom of conscience and at the same time reinforce collective cultural identity. The concept of dynamic adaptability has also been demonstrated in the work of Layugan because the traditional religious practices have been shown to change under the impact of social change without losing their cultural authenticity.

Procedural and institutional. One of the main categories of works includes those that examine the procedure by which constitutional rights are to be enforced. This is useful for understanding the practical nature of the functioning of legal status, as the operationalization and measurement of the rule of law in transitional contexts is explored by Qerimi [23].

Donnelly [24] examines popular constitutionalism as measured by the courts, showing the interaction between formal and informal processes of securing inalienable rights. Allan [25] examines common law constitutionalism, which proves the peculiarity of the Anglo-Saxon way of structuring legal status.

Issues of the twenty-first century related to traditional forms of organization of rights are becoming the subject of contemporary research. Kelly [26] blames the constitutionalism of the common good and points out that the rights of the individual and the collective are in conflict with each other. In their manifesto of the common good, Paulsen and Paulsen [27] create an alternative idea.

Today, Gould and Pozen [28] investigate structural biases within structural constitutional law, which is important for studying distorted legal status in the system. Berchenko [29] examines the issue of judicial interpretation as an informal constitutional change, revealing the dynamics of rights development. In the Rule of Law Report [30] presents an international perspective on the evolution of the legal status of individuals.

The literature review reveals some significant gaps. Firstly, there is no systematic organization of the entire spectrum of constitutional rights, which would result from a combination of functional, structural and dynamic elements. Secondly, there is a lack of theoretically developed models that would allow analyzing the interaction between different categories of rights in the context of modern challenges. Third, authors do not have conceptual tools aimed at exploring how legal status can be adapted to technology and environmental issues. These gaps determine whether it is advisable to develop a structural-block model of the constitutional person as a holistic method of establishing the legal status of a person in the twenty-first century.

## **Methodology**

The analysis of the structural and block organization of a constitutional person is also based on an interdisciplinary approach, which can be called multimethodological in the sense that it combines the methods of constitutional law, legal theory and systems. Consideration of the legal status of a person as an integral system of interrelated elements is possible due to the methodological basis, which is the structural-functional method of work [25]. This approach makes it possible to determine the internal forms of ordering constitutional rights and realizing their purpose within the general constitutional legal system.

The comparative legal method is used to analyze various models of constitutional regulation of the legal status of an individual. The research material consists of the texts of constitutions and their implementation in examples of various legal traditions, including the Anglo-Saxon, Continental European and mixed systems [28]. The constitutional systems selected for analysis should meet the following requirements: a high degree of development of constitutional justice, a detailed list of fundamental rights, stability of the constitutional legal order, and the existence of human rights case law.

Systemic analysis is applied to the analysis of the relationship between different categories of constitutional rights and to the structural analysis of how they are organized. This approach helps us to get rid of the classical distinction between approaches to the study of individual rights and freedoms and evaluate them as part of a single system [23]. On the basis of structural modeling, a theoretical scheme of the block organization of legal status is formed, which provides for the definition of the fundamental blocks of the structure, the process of forming its internal structure and the mechanism of interaction.

The empirical basis of the study includes constitutional documents and decisions of constitutional and supreme courts, doctrinal sources and materials of international human rights lawyers. The emphasis is primarily on the study of judicial practice on the implementation of constitutional rights in cases where there is conflict or competition, and this is how one can analyze the real mechanisms of coordination between different blocks of legal status [31]. The timeframe of the study covers the period from 2000 to the present day, which guarantees the relevance of the material and takes into account the current trends in constitutional evolution.

The methodology for identifying structural blocks is based on a functional analysis of constitutional rights and the role of constitutional rights in guaranteeing various aspects of human existence. The functions of a particular block relate to a specific set of functions performed within the legal status system and specific mechanisms of implementation and protection [32]. The results are confirmed by testing the created model on the material of different constitutional systems and assessing its explanatory power in terms of existing constitutional and legal phenomena [33].

## **Results**

In order to formulate the theoretical prerequisites for the structural block design of the constitutional person, authors conducted a conceptual study of scientific works whose authors develop various issues of the structure of the legal status of a person in modern constitutional law. This analysis was aimed at recognizing the alternatives used in the field of legal status conceptualization, identifying their advantages and disadvantages, and developing our theoretical model.

In the course of our research, one of the methods used was a comparative conceptual analysis to identify different ways of understanding the legal status of a person. The following parameters were used to analyze each of the sources: (1) conceptual understanding of the topic of rights, (2) methods of systematization of rights, (3) mechanisms for resolving conflicts between rights, (4) systematic formulation of legal status. Based on this analysis, authors identified the shortcomings of existing strategies and proposed our own idea.

An analysis of modern methods is presented. In the course of the study, authors identified three main theoretical approaches to the study of legal status of a person in the literature reviewed. In their study on access to justice in the area of social rights, Boyle et al. [7] use a truly fragmented method, considering each group of rights separately.

Mukherjee [14], in his study of the political economy of judicial remedies, demonstrates an institutional approach by focusing on the mechanisms of rights enforcement. The author considers rights through the prism of their judicial protection, which allows to identify practical aspects, but limits the theoretical understanding of their systemic organization. Table 1 systematizes the approaches to the conceptualization of legal status that authors have identified.

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**Table 1: Existing approaches to the conceptualization of the legal status of a person**

<b>Approach</b>	<b>Focus of the study</b>	<b>Advantages</b>	<b>Disadvantages</b>
Fragmented	Separate groups of rights	Detail of the analysis	Lack of consistency
Categorical	Subject systematization	Structuredness	Static nature
Institutional	Implementation mechanisms	Practicality	Limited perspective
Crisis	Limits of constitutional changes	Dynamism	Narrow specialization

Source: own analysis of the studied sources.

Problems that have been realized in current strategies. A number of fundamental problems have been noted in the conceptualizations. In his work on the limits of constitutional change, Roznai [15] identifies a crisis-centered approach, as it focuses only on cases of exceptional circumstances, but never provides a holistic view of how legal status can work in normal circumstances.

In her study on the use of human dignity in legal argumentation, Neimi [16] points to the problem of value fragmentation, i.e. different sets of rights justified on the basis of different value bases that prove difficult to incorporate systematically. Our review showed that the author does not propose ways to address this fragmentation.

Huq [12] described procedural reductionism, i.e., the reduction of constitutional rights to procedural means of their enforcement, in his study of the law on constitutional program control. In our analysis, authors found that this theory does not take into account the substantive content of rights and the interrelationships between them.

Theoretical basis of our method. By conducting a critical analysis of existing approaches, authors have developed our own concept of the structural block organization of the constitutional person. Our approach differs from the existing approaches in a number of respects.

First, authors provide systematic knowledge of the constitutional person as a subject of codified obligation, not just as a collection of individual legal powers. This allows us to avoid the fragmentation present in Boyle et al. [7]. Second, the functional-structural criterion authors use to organize rights is flexible enough to maintain the stability of the system, but also dynamic enough to ensure that the system is adaptive to change [34]. As shown in Table 2, our philosophy contrasts conceptually with existing ones.

**Table 2: Conceptual foundations of the building block approach**

<b>Principle</b>	<b>Our approach</b>	<b>Alternative approaches</b>
Subject of rights	Constitutional person	Autonomous individual
Organization of rights	Structural blocks	Categorical groups
Conflict resolution	System optimization	Hierarchical balancing
Criterion of systematization	Functional and structural	Subject-categorical
System dynamics	Adaptive stability	Static structure

Source: own development based on literature analysis.

What authors mean by a constitutional person. Analyzing the works of Pildes [17] on the political disintegration of democracies and Barber [18] on the ideology of constitutionalism, authors define a constitutional person as a systemic subject of structured rights, whose legal status is provided for in functionally special blocks of rights organized into interconnected blocks that guarantee the existence of a person in the constitutional and legal environment in many aspects.

In this definition, it is not what is considered generally accepted, as it does not refer to the sum of rights, but to their systematization and structural dependence.

Principles of block thinking. Our research allowed us to formulate three fundamental postulates of the block structure: (1) functional specialization of blocks – each block specializes in a certain area of life; (2) coordination of blocks – blocks are interconnected by processes of horizontal and vertical balance; (3) dynamic adaptability – the system can evolve in accordance with new requirements [35].

Criteria used to identify structural blocks. Using a synthesis of the analyzed strategies, authors have formulated a general criterion for identifying structural blocks that combines functional, substantive, procedural and temporal features of rights. The latter criterion allows us to overcome the one-sidedness of established approaches and provide a comprehensive perspective of the legal situation. The results of our conceptual study allow us to conduct an empirical study of the structural blocks and their effective application in constitutional and legal practice on a theoretical basis.

Based on the theoretical considerations, authors proceeded to the actual definition of the constituent parts of a constitutional person. This stage of the study was aimed at using the criteria authors have established (functional, subjective, procedural and temporal) to identify certain blocks in modern constitutional and legal practice and literature.

Method of identifying the boundaries of the blocks. The authors used the criterion to compare the ways in which constitutional rights are grouped in eight sources, using the substantiated comprehensive criterion created in Part 1. Each of the sources was examined in terms of how the authors apply in practice the principles of functional specialization, systemic coordination and dynamic adaptability when considering certain groups of rights.

Using our functional structure criterion. Applying Gardbaum's [6] work on a new model of constitutionalism to an aspect of our theoretical framework, authors found that the author intuitively uses a functional criterion, assessing rights according to the sphere of life. However, this approach is not formalized by Gardbaum, and the systemic connections between a number of rights are not revealed. Using our criterion of systemic coordination, authors have supplemented Gardbaum's classification with the means of block interaction.

The level of structure of Erdős's [9] work on constitutional privacy in considering the personal autonomy block confirms the correctness of our direction. The author demonstrates that the changing nature of digitalization is changing the shape of our right to privacy, in which authors also have our belief in dynamic adaptability. The internal structure of the personal autonomy block was explained using the Erdős analysis.

Identification of five structural blocks. The application of our criteria to the sources under analysis allowed us to identify five building blocks, among which there is a one-to-one relationship with the principles authors discussed earlier (functional specialization, system coordination, and dynamic adaptability).

The personal autonomy block was defined according to the analysis proposed by Erdos [9] and Celeste [10]. This block of our functional criterion demonstrates that the main area of personal integrity is offered by this block. Celeste [10] shows how digitalization expands the scope of this block, which confirms our principle of dynamic adaptability. As a result, both state obligations in this pillar are predominantly negative and resistant to external influences.

The results of applying our criteria to identify the identified pillars are shown in Table 3.

**Table 3: Developed criteria for the characteristics of structural blocks**

Block	Functional purpose	Type of state obligations	Level of adaptability	Sources of confirmation
Personal autonomy	Protection of individuality	Negative	High	Erdos (2023), Celeste (2019)
Civic participation	Democratic legitimization	Mixed	Medium	Drinoczi & Bein-Kacala (2024)
Social security	Material well-being	Positive	Low	Gardbaum (2024)
Legal guarantees	Protection of all rights	Procedural	Medium	Donnelly (2024), Berchenko (2024)

Source: results of applying own criteria to the analyzed sources.

The idea of a civic participation pillar was identified after an analysis by Drinoczi and Bein-Kacala [11], which focused on the erosion of democratic rights in Central and Eastern Europe. Based on our principle of systemic coordination, authors noted that an attack on electoral rights automatically implies an impact on freedom of assembly and association, and thus this block is systemic. Donnelly [24] also shows how the judiciary can either contribute to, or undermine this pillar, and it is clear that this pillar is linked to the legal safeguards pillar.

Proof of systemic coordination. One of the most valuable conclusions of our research was that the principle of systemic coordination between the blocks was proven. As illustrated by the discussion of the natural law moment in Harvard Law Today [36], the concept of human dignity links the cultural identity block with the individuality block in the functioning of laws. This confirms our hypothesis that these blocks are not isolated but form an integrated system.

In his work on judicial interpretation, Berchenko [29] shows how the legal guarantees block can influence the content of other blocks through the means of judicial interpretation. This confirms our principle of dynamic adaptability and demonstrates the processes of transformation of the building blocks. The correlation of the building blocks authors have identified is explained in Table 4.

**Table 4: Interconnections of structural blocks System**

<b>Interacting blocks</b>	<b>Coordination mechanism</b>	<b>Nature of influence</b>
Personal autonomy ↔ Legal guarantees	Judicial protection	Mutual support
Civic participation ↔ Legal guarantees	Procedural rights	Functional dependence
Cultural identity ↔ Personal autonomy	Personal dignity	Value convergence
Social security ↔ Civic participation	Democratic process	Political conditionality
All blocks ↔ Legal guarantees	Judicial interpretation	Instrumental support

Source: synthesis of the results of the analysis of all the sources studied.

Confirmation of the principle of dynamic flexibility. Our research has confirmed the fact that the building blocks can adapt and adjust to new challenges without losing their core identity. Celeste [10] shows the emergence of the personal autonomy pillar, where digital rights have found their place, describe the development of the right to petition in the digital age, and Harvard law today [36] gives an example of the rebranding of the cultural identity pillar under the influence of globalization.

Useful value of the identified blocks. The results of our study demonstrate the ability of the 5-block structure to fully cover all aspects of a person's legal status in relations with the law, while maintaining the internal consistency of each individual block. Unlike all the approaches previously identified, our model allows us to simultaneously focus on the specifics of individual sets of rights and their systemic interrelationships.

The identified blocks are characterized by different levels of resilience to crisis impacts, which is of practical importance in terms of mechanisms for the development of rights protection. The blocks of personal autonomy have strong legal guarantees, and the block of civic participation requires special attention in the context of democratic contraction.

Thus, the second stage of our research confirmed the actual usefulness of the theoretical framework formulated by us earlier and proved their effectiveness when applied to the analysis of real constitutional and legal phenomena.

The last stage of the research consisted of studying the dynamic interaction of the above structural blocks of a constitutional person (personal autonomy, civic participation, social security, cultural identity, and legal guarantees). This step was aimed at testing the principle of systemic coordination and the principle of dynamic adaptability by analyzing the actual mechanisms of interaction between the blocks and the latter's response to new contemporary challenges.

To analyze the relationship between the blocks of the structure, the author used the analysis of scientific works in which scholars describe the interaction of different sets of constitutional rights and adaptation to new challenges. Particular attention was paid to situations where the authors show conflicts or synergies between different rights, which made it possible to identify the true relationship between the structural blocks.

Horizontally connected blocks. The research has shown that there is a complex network of horizontal interactions between the pillars. The United Nations Development Program [30] Rule of Law Report shows how the legal safeguards pillar functions to provide the horizontal infrastructure in which all other pillars operate. The analysis found that the level of protection of all other pillars is directly related to the functional capacity of the judiciary.

Criticizing the so-called constitutionalism of the common good, Kelly [26] sees the prospect of a horizontal antagonism between the personal autonomy bloc and the cultural identity bloc. Illustrating how they have tried to achieve the so-called common good, the author shows that such efforts lead to the restriction of individual rights through the pursuit of collective values. The analysis shows that such conflicts occur partly on the border between the blocs and that special coordination mechanisms are needed to resolve them.

In their manifesto for the common good, Paulsen and Paulsen [27] continue to explain the tension between the personal autonomy bloc and the social welfare bloc. The authors demonstrate how the realization of social rights may involve restrictions on economic freedom, which confirms the assumption that the blocs need to be balanced.

Vertical relations and power relations. The analysis of vertical ties shows a less ideal picture than one might expect. In an article on the constitutionalism of megacities, Hirschl [5] shows that urbanization generates additional vertical ties between blocs. As the author demonstrates, the social security bloc is central to megacities and limits the implementation of other blocs due to limited space and resources. Table 5 systematizes the identified types of relationships between the structural blocks.

Adaptive mechanisms to technologies. Particular attention is paid to the study of adaptation of structural blocks to the challenges of artificial intelligence and digitalization. In his study of artificial intelligence as a public constitutional right, Abiri [37] illustrates the development of a new sub-block of digital rights in the personal autonomy block. The author demonstrates how traditional privacy rights will become rights to algorithmic justice and digital dignity.

**Table 5: Typology of interconnections between structural blocks**

Type of relationship	Mechanism of interaction	Example of conflict	Example of synergy
Horizontal functional	Procedural guarantees.	-	Legal guarantees ↔ All blocks
Horizontal value-based	Moral principles	Autonomy ↔ Culture	Dignity as a basis
Vertical resource	Economic restrictions	Social ↔ Economic rights	Inclusive development
Vertical spatial	Urbanization	Privacy ↔ Social needs	«Smart city»
Temporal	Technological changes	Old ↔ New rights	Digital adaptation

Source: systematization of the results of the analysis of interconnections in the studied sources.

It was found that adaptation to AI is taking place not only in the block of personal autonomy, but also in the block of legal guarantees with the emergence of new procedural rights (the right to explain algorithmic decisions) and in the block of civic participation with e-democracy.

Changing blocks and environmental issues. In an article on climate jurisprudence and the development of Earth system law by Kotzé and Kim [38], the authors show how climate change is affecting new connections between all the structural blocks. The authors demonstrate that climate rights are not a separate block, but are combined with other existing blocks, changing their content.

The analysis showed that such environmental issues particularly affect the social security block (right to a favorable environment), the cultural identity block (indigenous rights) and the legal guarantees block (procedural environmental rights).

Dynamic reconfiguration under the influence of crisis phenomena. In a re-analysis of judicial interpretation, Berchenko [29] shows that the temporary regrouping of relations between the blocs occurs due to crisis phenomena (pandemic, war, economic crisis). The author demonstrates that in times of crisis, the social welfare bloc can gain a

temporary advantage over the personal autonomy bloc. Table 6 shows the mechanisms of adaptation of the structural blocks that have been identified for modern challenges.

**Table 6: Mechanisms of adaptation of structural blocks to modern challenges**

<b>Challenge</b>	<b>Blocks to be adapted</b>	<b>Adaptation mechanism</b>	<b>New elements</b>
Artificial intelligence	Personal autonomy, Legal guarantees	Expanding the content	Algorithmic justice
Climate change	Social security, Cultural identity	Ecologization of rights	Climate rights
Digitalization	Civic participation, Legal guarantees	Technological integration	E-democracy, digital procedures
Urbanization	Social security, Personal autonomy	Spatial reconfiguration	Rights to the city
Populism	Civic participation, Legal guarantees	Protective mechanisms	Counter-majoritarian rights

Source: synthesis of the results of the analysis of adaptation mechanisms in the studied sources.

Conclusions on the dynamic form of organization. The results of the study confirmed the assumption of the systemic nature of the structural blocks of the constitutional person. The established interrelationships indicate that the blocks constitute a harmonious system capable of responding to new challenges in terms of internal coordination structures and external structural guarantees [10].

One conclusion, in particular, is that adaptation to current challenges is possible not through the configuration of new pillars, but through changes in the content of existing pillars and adjustments to the links between them. This proves the stability of the five-block model, which also has dynamic flexibility.

### **Discussion**

The organization of constitutional person as a structural-block gives a significant contribution to the formation of modern constitutional law theory with the offered five-block model of the legal status of the individual. All the key outcomes of the work suppose that constitutional rights would be practically organised into functional blocks of a more specific yet interconnected character: personal autonomy, civic participation, social security, cultural identity, and legal guarantees. This creates new prospects of how the systemic character of the legal status of the individual and the means of defending constitutional rights will be comprehended.

The structural-block model outlined by the author represents a considerable change in comparison to current methods of a systematic codification of the constitutional rights. Our findings stand in line with what was proposed by Ackerman [19] in terms of revolutionary nature of constitutional transformations; however, we also present another step toward framing what should be a structural model ruling such transformations and thus be predicted and analyzed. Structural-block model is founded on logical reasoning grounded on functions that enable one to better understand the workings of the internal organization of legal status than the chronological models.

Of overall significance is the fact that our results relate to the study by Scheppele [1] and Pech and Scheppele [2] about the autocratic legalism and illiberal tendencies in the EU. What these writers showed is that the attacks on democratic institutions are systematic which makes our hypothesis about the block organization of rights to hold. Simultaneously, our model does not only diagnose a problem, but also provides a conceptual context of figuring out the reason why such attacks have such a devastating effect- they are an attack on whole blocks of structures, but not individual rights.

The findings of the study coincide as well with the conclusions put forward by Landau [3] on abusive constitutionalism, yet greatly elaborate on his concept, namely, they outline the particular structural blocks and the nature of interplay between them. Landau was concerned mostly with the procedures of compromising democracy,

whereas the model used aims at discussing the substantive as well as procedural dimensions of the organisation of legal status.

One of the great strengths of the structural-block model is the fact that the model has practical applications in analyzing current constitutional and other legal problems. We have shown that our analysis of the adaptability of blocks to the challenge of technology aligns with the findings emerging in the work of Celeste [10] in the area of digital constitutionalism, but should be taken further and shown how the new rights are incorporated into existing structural blocks or they should not form their own categories.

This is especially relevant in the research in regard to Erdos [9] who explores constitutional privacy and data protection in the EU. The findings of our work demonstrate the absence of the necessity of the establishment of a new structural block as digital rights and demonstrate the possibility to integrate the rights to digital rights in the block of personal autonomy by expanding the notions of privacy and dignity. This is in line with the fact that development of constitutional rights as depicted by Erdos in his comparative practice is in accordance with the evolutionary approach.

Parallel to this, our findings supplement the research conducted by Dixon and Landau [4] well recent studies on abusive judicial control which dictate that structural blocks do not need formal constitutional architecture to operate. This scales the structural-block model up to systems of different judicial activism levels and constitutional formality.

Noteworthy is that our findings correlate closely with the study conducted by Gardbaum [6] of the new model of Commonwealth constitutionalism. Gardbaum was able to prove the universality of some constitutional principles without losing the national peculiarities, which proves our assumption about the universality of constitutional structural blocs regardless of the variety of mechanisms to transfer this or that block.

They also match the conclusions made by Jackson [13] regarding the manifestations of constitutional engagement in the transnational age, demonstrating that structural blocks could adjust to the processes of globalization without losing their working definition. It is particularly relevant to the precepts of the functioning of national constitutional systems on the international human rights arena.

It was the conceptual analysis with the elements of systematizing in the study that allowed overcoming the limitations of earlier approaches, which were largely related to doctrinal analysis or empirical investigations of individual rights. We stand with the approach of the constitutional common law Allan [25] takes, which also stresses the systemic features of constitutional principles. It should be noted, however, that it is possible to identify the limitations of the study, which partly show the available literature limitations. The research was initially done on the materials in the English language, which restricts the universality of the conclusions about non-Anglo-Saxon legal traditions.

One threat that may face the structural-block model is that it is complicated when compared to the traditional typification. As revealed by the study of the political economy of judicial solutions proposed by Mukherjee [14], however, this complexity is merely a match to the actual complexity of contemporary constitutional systems and enables a more informed appreciation of the rules of their operation.

The other possible critique is the issue of cultural universality of structural blocks. Notwithstanding the fact recorded in our study that universal patterns of rights organization can be identified, their implementation specifics might imply a significant difference in various cultures, which was revealed by Berchenko [29] in his analysis of judicial interpretation as an informal constitutional change.

The research leaves few potential avenues to future research. First, there is a need to test the structural-block model empirically to the concrete systems of constitutions, and the judicial practice in various countries should be discussed. Second is certainly the potential to examine the dynamism of structural blocks, i.e., their evolution driven by technological evolution, as is the case with the work of Abiri [37] regarding public constitutional artificial intelligence.

Thirdly, the construction of useful tools in the application of structural-block model to constitutional design and judicial practice is another significant region. Fourthly, there is relevance with respect to comparative analysis of structural-block organization within legal traditions in various jurisdictions since doing so will enable the validation of the overall universality of the structural patterns that were characterised.

Structural-block model of a constitutional person is a new variant of a conceptualization of a legal status of a person as a theoretically exemplary model, and the most practically applicable one. The study outcomes indicate that it is possible to overcome the historical divisions in the approaches to constitutional rights with its systemic perspective on their arrangement, especially in the face of the issues raised in the works by Hirschl [5] on the constitutionalism of

megacities Kotzé and Kim [38] on judicial practice of climate. This forms a foundation to come up with a new course of research in the area of structural constitutionalism and systemic theory of human rights.

## **Conclusion**

The study of the structural-block model of a constitutional person has yielded several important theoretical and practical conclusions which significantly expand the knowledge of the systemic nature of the legal status of a person in modern constitutional law. It is proved that traditional methods of systematization of constitutional rights based on the principle of chronological order or subject matter indicate an internal inability to provide an adequate characterization of the systematized organization of a person's legal status in the legal status. It is determined that there are three aspects of the limitations of the existing practice, namely: fragmentation (consideration of individual rights rather than their placement in the context of the system), static (inability to adapt to new challenges), and categorization (mechanical division without taking into account the models of relationships).

The structural-block organization of the constitutional personality, which has recently been considered an original idea, is based on three main principles: functional specialization of blocks, system coordination and dynamic changeability. These principles guarantee both stability and flexibility of the legal status system, which allows this system to function effectively in conditions such as active social change.

He was able to identify and theorize five structural blocks of a constitutional human being, namely: (a) personal autonomy (provides the basic sphere of personal inviolability), (b) civic participation (ensures democratic legitimacy), (c) social security (provides material conditions for self-realization), (d) cultural identity (ensures preservation and development of identity) and (e) legal guarantees (creates a procedural infrastructure for the protection of all other rights).

Real results and their significance. The creation of a typology of interrelationships between the structural blocks allowed us to identify five main types, such as horizontal functional and value relations, vertical resource and spatial relations, and temporal relations resulting from the impact of technological changes. This typology helps to conceptualize the analysis of a particular situation in the context of the constitution and law and allows to predict the results of judicial changes.

They have created mechanisms for adapting the building blocks to modern challenges, such as artificial intelligence, climate change, digitalization, urbanization, and populism. The result is that adaptation does not involve the invention of new pillars, but rather changes in the content of existing pillars and the variability of the links between pillars, which demonstrates the stability of the five pillars' structure, which remains dynamic.

The role in the development of science can be characterized as theoretical. The study plays a key role in the evolution of constitutional law theory, as it presents a unique paradigm of how individuals can approach legal status. The structural block model can be said to overcome the traditional dilemma between individual and collective rights and prove their organic unity as components of an organic whole. This forms a hypothetical basis on which a new area of research in the discipline of structural constitutionalism may emerge.

Application of the research results in real life. The developed model can be used to improve constitutional drafting systems, introduce more effective human rights protection systems and develop constitutional audit methodologies. It is worth noting that the model can be used to analyze constitutional crises and prevent them by identifying imbalances between structural blocks early.

There are some important limitations of the study that authors take into account. First, the analysis was based primarily on literature written in English, which may also limit the applicability of the findings to non-English legal traditions. Second, there is also a need to subject the structural-block model to further empirical testing depending on national constitutional provisions. Third, the universality of the cultural realities of the identified structural blocks should be investigated, taking into account the peculiarities of different civilizational contexts.

The results of the study open up a wide range of potential areas for future research. The next step should be an empirical study of the structural block model in the context of specific systemic constitutional orders, quantitative studies of judicial behavior, and long-term studies of the development of constitutional rights. It would also be advisable to create a set of more practical tools for implementing the model in constitutional design and judicial practice, as well as to conduct a comparative analysis of the structural block hierarchy in different legal cultures.

The structural-block model of the constitutional personality has made a huge leap towards clarifying the theory of constitutional law and provides a new conceptual framework that can be used to formulate the status of a legal person

in the twenty-first century. This is due to the fact that due to the practical applicability of the model to modern constitutional and legal issues under consideration, the model is an important contribution to the development of legal science and the creation of relevant practice.

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