

## Social Justice under Material Law Condition

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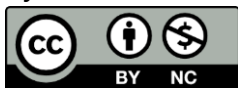
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### ABSTRACT

The article examines the main aspects of ensuring social justice in conditions of martial law. The relevance of the study is due to the fact that social justice is the main feature of a state governed by the rule of law, because it is thanks to social justice that the protection of the rights of all citizens and equal access to resources is ensured. In conditions of martial law, which has been in effect in Ukraine since February 24, 2022, in connection with the full-scale invasion of the Russian Federation, this principle has become an instrument of cohesion and stability of society. The war has increased inequality, created socially vulnerable groups of the population (as a result of the full-scale invasion, 13.5 million people became internally displaced in Ukraine, GDP in 2022 decreased by 29.2%, and poverty increased by 77%) and created threats to the basic rights to medical care, education, and housing. The perception of social inequality during a full-scale invasion also changed: in 2019 this figure was 94.1%, and in 2024 – 73.5%. The main forms of social inequality were recognized as unequal mobilization and corruption in the provision of assistance, in particular to IDPs. The purpose of the article is to study the formation of social justice in Ukraine under martial law, its impact on social protection, challenges for socially vulnerable groups of the population, transformations in politics and economics, and the possibility of its restoration after the end of martial law. The study shows that Ukrainian lawyers have rethought social justice in accordance with the conditions of martial law: from the proportional distribution of benefits (T. Balahura) to the issue of social security, which is recognized as a barrier against risks (V. Kutsenko, S. Lyndiuk). It is stated that martial law also affects citizens' rights: the Constitutional Court of Ukraine balances restrictions with guarantees (V. Horodovenko), and the economy is characterized by a transformation process with an emphasis on solidarity (Ya. Petrunenko), but the loss of 2.4 million jobs and inflation of 26.6% are significant challenges for it. Vulnerable segments of the population, such as IDPs, military families and disabled people, face discrimination; the population assessment methodology (O. Novikova) emphasizes gender aspects. The conclusions establish that social justice in conditions of martial law is an imperative for resilience and recovery. Adaptive mechanisms (digitalization, legislative changes and judicial control) mitigate these inequalities but require transparency and integration with EU standards. Among the main recommendations that can contribute to the establishment of social justice in modern Ukraine, the development of crisis housing programs, strengthening payment platforms, in particular for IDPs, and monitoring manifestations of discrimination are highlighted. Future research should be aimed at studying the post-war implementation of social justice.

### KEYWORDS

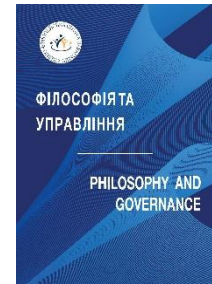
social justice, martial law, social security, solidarity, vulnerable groups, post-war recovery.





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## Соціальна справедливість в умовах воєнного стану

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СТАТТЯ	АНОТАЦІЯ
<p><b>Дослідницька</b></p> <p><b>DOI:</b> <a href="https://doi.org/10.70651/3041-248X/2025.12.10">10.70651/3041-248X/2025.12.10</a></p> <p><b>Отримана:</b> 07.11.2025 р.</p> <p><b>Прийнята:</b> 10.12.2025 р.</p> <p><b>Опублікована:</b> 20.12.2025 р.</p> <p><b>Авторське право</b> © 2025 авторів</p>  <p>Цей твір ліцензовано на умовах Ліцензії Creative Commons «Із Зазначенням Авторства – Некомерційна 4.0 Міжнародна» (CC BY-NC 4.0).</p>	<p>У статті досліджено основні аспекти забезпечення соціальної справедливості в умовах воєнного стану. Актуальність дослідження зумовлена тим, що соціальна справедливість є основною ознакою правової держави, адже саме завдяки соціальній справедливості забезпечується захист прав усіх громадян та рівний доступ до ресурсів. В умовах воєнного стану, який діє в Україні з 24 лютого 2022 року у зв'язку з повномасштабним вторгненням російської федерації, даний принцип став інструментом згуртованості та стійкості суспільства. Війна посилила нерівність, створила соціально вразливі групи населення (унаслідок повномасштабного вторгнення внутрішньо-переміщеними особами в Україні стало 13,5 млн. осіб, ВВП у 2022 році зменшився на 29,2 %, а бідність зростає на 77 %) та створила загрози для базових прав на медичну допомогу, освіту, житло. Сприйняття соціальної нерівності під час повномасштабного вторгнення також змінилося: у 2019 р. цей показник складав 94,1 %, а у 2024 р. – 73,5 %. Основними формами соціальної нерівності були визнані нерівна мобілізація та корупція під надання допомоги, зокрема ВПО. Метою статті є дослідження становлення соціальної справедливості в Україні в умовах воєнного стану, її вплив на соціальний захист, виклики для соціально вразливих верств населення, трансформації в політиці та економіці, можливості її відновлення після закінчення воєнного стану. Дослідження показує, що українськими правознавцями було переосмислено соціальну справедливість відповідно до умов воєнного стану: від пропорційного розподілу благ (Т. Балагура) до питання соціальної безпеки, яка визнається бар'єром проти ризиків (В. Куценко, С. Линдюк). Констатовано, що воєнний стан позначається і на правах громадян: Конституційний Суд України балансує обмеження з гарантіями (В. Горovenko), а для економіки характерним є процес трансформації з акцентом на солідарність (Я. Петруненко), однак втрата 2,4 млн робочих місць та інфляція 26,6 % є значними викликами для неї. Вразливі прошарки населення як-то ВПО, сім'ї військових та інваліди зіштовхуються з проявами дискримінації; методологія оцінки населення (О. Новікова) підкреслює гендерні аспекти. У висновках встановлено, що соціальна справедливість в умовах воєнного стану є імперативом стійкості та відновлення. Адаптивні механізми (цифровізація, законодавчі зміни та судовий контроль) пом'якшують вказані нерівності, але потребують прозорості та інтеграції зі стандартами ЄС. З-поміж основних рекомендацій, які можуть сприяти встановленню соціальної справедливості в сучасній Україні виокремлені розвиток кризових програм житла, посилення платформ виплат, зокрема для ВПО, моніторинг проявів дискримінації. Майбутні дослідження мають бути спрямовані на вивчення поствоєнної реалізації соціальної справедливості.</p>



### КЛЮЧОВІ СЛОВА

соціальна справедливість, воєнний стан, соціальна безпека, солідарність, вразливі групи, поствоєнне відновлення.

## 1. Introduction

The fundamental principle of the modern rule of law, which provides for equal access to resources, protection of human and civil rights and freedoms, regardless of property status, social status, ethnic origin or other characteristics, is social justice. Under martial law introduced in Ukraine on February 24, 2022 in connection with the full-scale invasion of the Russian Federation (*the name of the aggressor country is deliberately indicated with a small letter – Y.B., H.S.*), this principle has acquired special importance, becoming a key tool for maintaining national resilience and social cohesion.

Martial law has not only exacerbated social disparities, but also jeopardized basic human and civil rights, such as the right to housing, education, medical care, and social security. Thus, in the first two years of full-scale aggression alone, more than 13.5 million Ukrainians became internally displaced, and economic losses in 2022 alone reached 29.2 GDP, which led to an increase in poverty among 77% of Ukrainians [16].

T. Balahura [1] notes that “in the legal doctrine of Ukraine, social justice acts not only as a theoretical concept, but also as a practical mechanism that is integrated into legislation in order to balance the interests of society, especially in crisis conditions”.

This transformation is especially noticeable in the perception of the phenomenon of inequality. Thus, if in 2019 the income gap was considered “too large” by 94.1% of Ukrainians, then in February 2023 this figure decreased to 73.5%, and the emotional reaction to manifestations of injustice weakened due to the growth of solidarity. At the same time, martial law has given rise to new manifestations of inequality, such as uneven mobilization, from which ordinary workers and the rural population suffer more, and corruption in the distribution of humanitarian aid [3].

## 2. Literature Review

Social justice in the languages of martial law is studied through the prism of social, legal and economic concepts set forth in the works of Ukrainian scientists. T. Balahura [1] defines social justice as a proportional distribution of goods and burdens, which becomes especially important in the conditions of war.

K. Gnatenko [5] focuses on the basic principles of social security, which, in the author’s opinion, are the basis of legal regulation and, due to their own universality, ensure the stability of the functioning of society and the state.

V. Kutsenko et al. [7] define social security as a key element of sustainable development, countering the risks of inequality and poverty, as well as demographic crises.

S. Lyndiuk [9; 10] in his research characterizes social security as a multidimensional phenomenon that covers legal, economic and demographic aspects, and also considers the possibilities of its proper provision under martial law through international cooperation and risk monitoring. V. Horodovenko [6] reveals the approaches of the Constitutional Court of Ukraine to the issue of protection of social rights of man and citizen under martial law.

N. Mozol [11] characterizes the legislative challenges of martial law, and Ya. Petrunenko [15] studies the evolution of the ideology of social justice in the conditions of the wartime economy. O. Novikova [14] proposed a methodology for assessing justice in the processes of forced resettlement.

In addition, the report of the Council of Europe [16], the data of the Institute of Sociology of the National Academy of Sciences of Ukraine [3], the Laws of Ukraine and by-laws [2; 17–20], government documents [12; 13] were used for empirical support of theoretical provisions.

## 3. Problem Statement

The purpose of the article is to study the issue of social justice in Ukraine under martial law, introduced in Ukraine on February 24, 2022, in connection with the full-scale invasion of the Russian Federation. The study includes the evolution of theoretical approaches to social justice, its impact on the problem of social protection of the population, challenges for the most vulnerable segments of the population, transformations in politics and economics, as well as prospects for post-war recovery. The research includes the integration of updated data by the end of 2025, the analysis of reports from

governmental, non-governmental and international organizations, as well as the development of practical recommendations to ensure social justice under martial law.

#### 4. Methods and Materials

The study is based on a system of quantitative and qualitative methods. The analysis of scientific literature, in particular the works of Ukrainian scientists, as well as reports of the Council of Europe, Laws of Ukraine and by-laws, reports of the Institute of Sociology of the National Academy of Sciences of Ukraine, and government sources were used.

The empirical base includes statistical data: since the beginning of the full-scale invasion of the Russian Federation, 13.5 million Ukrainians, mainly from the East and South, have become internally displaced persons; GDP losses in 2022 amounted to 29.2%; If in 2019 the income gap was considered excessive by 94.1% of Ukrainians, then in 2023 this figure decreased to 73.5%.

Opinion polls reflect the perception of social justice (an increase in the average score from 2.39 in 2019 to 2.71 in 2023), cynicism about the authorities, and the solidarity of society.

Theoretical analysis includes the application of habitus theory to military families. The study is based on reports on social rights, economic losses, the state of the labor market and health care systems, as well as the Laws of Ukraine and by-laws that regulate social protection under martial law.

#### 5. Results and Discussion

As the analysis of Ukrainian legal thought shows, the understanding of social justice has undergone significant changes – from traditional ideas about equality to new challenges of wartime, where justice becomes not only a moral imperative, but also an instrument of national security. T. Balahura notes in his study that in the legal doctrine of Ukraine, social justice is based on constitutional principles, where it is interpreted as a proportional distribution of rights and duties with taking into account the vulnerability of individuals, especially in conditions of limited resources [1, p. 202].

Such an approach logically aligns with the system of social security, which, according to K. Gnatenko, forms the foundation of social security law. Thanks to universal norms, such as the minimum level of guarantees, this system ensures the predictability and stability of legal regulation [5, p. 53]. Under martial law, these principles become dynamic. The Constitutional Court of Ukraine emphasizes the state's obligation to strike a proper balance between restricting human rights and freedoms and preserving social guarantees, particularly in decisions regarding pension provision and medical care for military personnel [6, p. 148].

At the same time, the term “social security” acquires a dominant meaning, because it is a component of national interests. Thus, V. Kutsenko et al. consider social security as a key marker of sustainable development, where, integrating into the national security strategy, it acts as a barrier against social risks such as poverty, inequality and demographic crisis [7, p. 15]. S. Lyndiuk in his works characterizes this concept in detail: emphasizing the multidimensionality of the nature of social security in Ukraine under martial law, where it includes economic (income stability), demographic (migration and birth rate) and legal aspects (protection of human and civil rights) [9, p. 100] and the conceptual foundations of its provision under martial law, which include risk monitoring, state regulation and international cooperation [10, p. 210].

These theoretical approaches focus on the fact that under martial law, social justice is transformed from an abstract ideology into a tool for the survival of society, where solidarity (*54.2% of respondents note an increase in interclass unity – Y.B., H.S.*), is opposed to new manifestations of inequality, such as non-native access to evacuation, because it is easier for wealthy segments of the population to evacuate.

The 2023 study “Key Achievements of Ukraine” conducted by the National Social Service of Ukraine showed the evolution of society's perception of social justice: in particular, the average score on a scale from 1 to 5 increased to 2.71 points compared to 2.39 in 2019, and the share of those who consider society “unfair” decreased from 51.8% to 35.5%. In our opinion, this fact can be explained by the growth of national cohesion: the number of respondents who identify with Ukraine increased by 34% compared to 1992, and regional differences were leveled by the Revolution of Dignity and the full-scale invasion of 2022 [3]. However, at the same time, martial law has created new challenges, such as

cynicism towards the current government (*evidence of this fact is the increase in the cynicism index in 2023 due to war fatigue – Y.B., H.S.*), and the demand for justice for the punishment of war crimes (*this demand was most clearly heard in Bucha, where 460 civilians died – Y.B., H.S.*). The theory of habitus, which can be applied to the families of military personnel, makes it possible to conclude that martial law, by increasing the stigmatization of veterans of the Russian-Ukrainian war and widows, radically changes social practices [3].

Martial law has significantly affected the implementation of social human and civil rights, as it requires enhanced protection of especially vulnerable segments of the population through legislative adaptations and judicial control. V. Horodovenko, analyzing the approaches of the Constitutional Court of Ukraine to this issue, notes that “the state should provide a high level of social guarantees for both military and civilians, including through judicial control over the observance of constitutional rights, in particular regarding access to pensions despite all the restrictions of martial law” [6, p.149].

The Constitutional Court of Ukraine emphasized that, based on financial and economic opportunities, the state has the right to solve important social issues, but at the same time cannot ignore the basic rights of citizens. These rights include access to housing, pensions and medical care, despite the destruction of 739 health care facilities, 118 of which cannot be restored.

Ya. Petrunenko characterizes the transformation of ideas of social justice under martial law: traditional principles are revised in favor of national security, but at the same time attention is focused on solidarity and redistribution of resources, in particular through price restrictions [15, p. 46]. At the same time, state intervention should serve fair distribution, and not contribute to increasing inequality, as in the case of inflation in 2022, which amounted to 26.6% and had the most negative impact on the well-being of low-paid segments of the population. N. Mozol draws attention to the problems of updating the regulatory framework, because martial law exacerbates disproportions, and calls for the adaptation of the Laws of Ukraine and by-laws to protect the rights to work, because during the full-scale invasion, 2.4 million jobs, education, as funding for higher education decreased by 10%, and social benefits [11, p. 58].

The Council of Europe report prepared in December 2022 on the assessment of social rights needs during martial law confirmed these challenges: more than 1.5 million internally displaced persons faced a housing shortage as a result of damage to 44 million m<sup>2</sup> of residential buildings, access to payments and medical services in the temporarily occupied territories and in the “gray zone” deteriorated, especially vulnerable groups of people, that 90% depend on humanitarian aid, such as children, the elderly, and people with disabilities in need of priority protection [16].

In healthcare, inequalities were polarized: while patients with HIV/AIDS and tuberculosis were 72% and 54% satisfied with the quality of services provided, respectively, among patients with hepatitis and sexually transmitted diseases, only 36% considered them “bad/very bad”. Geographical disparities have also increased: patients noted that urbanized centers have better access to health facilities, while rural areas have limited access (36% of transportation problems for STD patients) [16].

In the labor market, the war caused a decrease in the level of employment of the population by 15.5% [8]. In 2023, 81% of workers had no uncertainty about future salaries, and 22.9% of respondents focused on survival [3].

Martial law has also increased the vulnerability of certain categories of the population, effectively making social justice a litmus test for an indicator of the state’s humanism. O. Novikova, studying the processes of forced resettlement, proposed a methodology for assessing social justice: the main indicators should be affordable housing, integration into communities, and monitoring of discrimination with an emphasis on the gender aspect, because 89% of IDPs are women [14, p. 115].

Based on the analysis of the data of the Council of Europe report, we state that internally displaced persons, demobilized military and people with disabilities are at risk of social isolation due to bureaucracy and insufficient rehabilitation; 3.4% of respondents are concerned about housing and benefits for IDPs [8]. Internally displaced persons also face the temptation to travel abroad, as the average salary in Ukraine is 430 euros, while in Germany and Poland it is 4100 and 1522 euros, respectively, which threatens the loss of human capital [16].

S. Lyndiuk notes that under martial law, ensuring social security requires an integrated approach: from the evacuation of institutions to strategic stocks of medicines and food, in principle, with the mandatory coordination of non-governmental organizations [10, p. 212]. V. Kutsenko et al. note that social security as a dominant social interest should be integrated into the policy of sustainable development, preventing post-war crises such as the demographic crisis [7, p. 16].

With the beginning of the full-scale invasion, stigmatization has increased significantly: 86% of HIV/AIDS patients and 58% of TB patients experience self-isolation, which is why they actually drop out of most social processes [16]. The psycho-emotional state of the population has also become polarized: the lower strata of the population show a higher level of fear and sadness, while the wealthier and younger ones show positive changes. At the same time, martial law creates unprecedented challenges for military families, changing social ties and habitus [3; 4].

In the languages of martial law, in order to achieve social justice, it is necessary to transform the economic and legal systems. For the sake of its proper approval, Ya. Petrunenko advises changes in ideology to the military context: to strengthen the role of the state in the redistribution of resources, but with transparency mechanisms, as in monitoring corruption in procurement [15, p. 47].

N. Mozol calls for legislative changes that take into account the realities of war, for example, simplification of procedures for IDPs [11, p. 59].

Significant progress was made in this area in 2024: the Demographic Development Strategy until 2040, the reform of psychoneurological boarding schools until 2034, laws on pensions for Crimeans and the rights of disabled people to work were adopted. 10 types of aid have been launched through the UISSS, a Social Web Portal has been created, and the accounting of humanitarian aid has been automated.

According to the recommendations of the Cabinet of Ministers of Ukraine, the key steps include the analysis of the status of persons receiving assistance (December 2022), the launch of the Unified Information System of the Social Sphere (December 2025), universal social assistance with a procedure for checking the financial condition (2024), the Social Code (July 2024) and the second pillar of pensions (2025).

Thus, in recent years, despite the war, Ukraine has made significant progress in the social sphere: the State Service for Children has been created, laws on simplifying the accrual of pensions for IDPs from the Autonomous Republic of Crimea and the rights of disabled people have been adopted, the insurance system ("ePotential") has been reformed, the market for services for cooperation with non-governmental public organizations has been opened, the adoption process has been simplified, 416 thousand rehabilitation aids have been purchased for UAH 5 billion. UAH; 125 thousand. people received assistance, programs for victims were updated. The 2023 study of the National Social Service of Ukraine "Key Achievements of Ukraine" showed that 62.1% of respondents considered their living conditions "satisfactory", 31.5% considered "poor", and 16.2% of households saved on food [3].

In 2025, the state focused on rental subsidies for internally displaced persons and voluntary supplements to the Pension Fund of Ukraine (UAH 50 million from 4.5 thousand people).

## **6. Conclusions**

Under martial law, social justice has become not only a legal imperative, but a guarantee of social stability and post-war recovery.

The theoretical foundations presented by T. Balahura [1] and S. Lyndyuk [9; 10], combined with the practical analysis of V. Horodovenko's [6] research, the Council of Europe report [16], the Laws of Ukraine [2; 17–20], by-laws and government documents [12; 13], demonstrate that martial law requires adaptive protection mechanisms, mitigating the perception of inequality through solidarity. At the same time, it creates new challenges for internally displaced persons, socially vulnerable segments of the population and the country's economy, stimulating transformations where social justice and security will be dominant.

Progress in ensuring social justice in Ukraine by fixing the development strategy at the legislative level, reforms in the field of social insurance and payments to internally displaced persons and vulnerable segments of the population, indicates some progress, but the problems of verification and financing remain relevant. Ukraine, relying on international support, public solidarity and constitutional principles, has every opportunity to turn the crisis caused by the full-scale invasion of the Russian Federation into an opportunity for a just recovery. Therefore, further research should focus on the post-war implementation of the principles of social justice, monitoring inequalities and integration into European standards.

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