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## **LEGITIMATION OF DIGITAL EDUCATIONAL TRANSFORMATIONS: A PHILOSOPHICAL AND LEGAL DIMENSION**

*The article умочнює several aspects of the philosophical and legal analysis of the phenomenon of legitimising digital educational transformations in Ukraine. The digitalisation of education is conceptualised not merely as a process of technological modernisation, but as a complex socio-normative transformation that reshapes the ontology of the educational space, epistemological models of knowledge, communicative practices, and mechanisms of socialisation. The understanding of legitimisation is further developed as a multidimensional process that integrates legal regulation, public recognition, ethical justification, and value-based consensus. Particular attention is paid to the role of social trust, communicative rationality, and institutional responsibility in the formation of the legitimacy of digital educational strategies. It is demonstrated that the sustainability and effectiveness of digital reforms in education depend on their alignment with humanistic and democratic values.*

**Keywords:** legitimisation, philosophy of law, digital education, educational policy, human rights, social trust.

**Problem Statement.** The current stage of development of Ukrainian society is marked by profound transformational processes driven by digitalization, European integration aspirations, globalization challenges, as well as the conditions of a full-scale war. In this context, education emerges not merely as a sphere of knowledge transmission, but as a strategic domain for shaping value orientations, legal consciousness, and the social responsibility of future generations. The active implementation of digital strategies in the field of education in Ukraine foregrounds the question not only of their normative justification, but also of their social and axiological legitimacy.

A philosophical and legal reflection on the legitimisation of digital strategies in education makes it possible to move beyond a purely instrumental or managerial approach to digitalization and to conceptualize it as a complex sociocultural and

normative phenomenon. Legitimacy in this dimension is understood not solely as compliance with formal legal norms, but as an integrated combination of legality, social trust, communicative consensus, and conformity with human rights. For this reason, the analysis of digital transformations in education requires the application of an interdisciplinary methodological framework drawing on the philosophy of law and the theory of state and law.

***Analysis of recent research and publications.*** The classical understanding of legitimization is associated with the works of M. Weber, who conceptualized it as the foundation of social domination. The scholar identified three ideal types of legitimate domination – traditional, charismatic, and rational-legal – emphasizing that the latter is decisive for the modern constitutional state governed by the rule of law. Rational-legal legitimization is grounded in the recognition of universally binding, formally established norms and procedures that are perceived as just and expedient [1]. In the philosophical and legal dimension, this implies that law acquires legitimacy not solely through coercion, but through the conviction in its rationality and normative justification.

The further development of the problem of legitimization has taken place within the framework of interdisciplinary research, in particular in the works of J. Heidorn, who systematizes and compares the approaches of M. Weber, N. Luhmann, and J. Habermas. In his view, legitimization is a dynamic process that evolves in tandem with transformations in society and forms of governance. J. Heidorn emphasizes that under conditions of increasing social complexity, traditional foundations of legitimacy lose their universality, and law increasingly requires additional mechanisms of justification – procedural, communicative, and functional [2].

The historical dimension of legitimization makes it possible to observe the variability of its forms and mechanisms. A. Kurylenko, analyzing the transformation of approaches to the legitimization of power across different historical periods, demonstrates that the transition from traditional and charismatic models to rational-legal ones did not eliminate the need for the axiological justification of authoritative decisions [3]. On the contrary, in contemporary conditions, legitimization increasingly depends on transparency, participation, and communicative openness, which is particularly significant for the digital age, where technological solutions in themselves do not generate trust unless they are embedded in a system of meanings that is comprehensible and acceptable to society.

S. Maksymov, examining the principles of the legitimization of law, underscores that law does not become legitimate automatically upon its adoption, but only insofar as it corresponds to fundamental social values and prevailing conceptions of justice. The scholar emphasizes that legitimization is a multi-level process combining normative, social, and axiological dimensions [4, pp. 4–5]. In this sense, legality

constitutes merely a formal prerequisite of legitimacy, whereas its essence lies in the internal acceptance of law by society. This approach is particularly relevant for understanding digital transformations, where the pace of normative change often outstrips the level of public comprehension and acceptance.

Philosophical and legal analysis of legitimization is inconceivable without addressing the relationship between law and state power. V. Smorodinskyi notes that the legitimacy of authority is grounded not only in legal procedures, but also in the capacity of power to act in accordance with societal expectations and moral standards [5]. Law, in this context, performs a dual function: on the one hand, it legitimizes authoritative decisions, and on the other, it itself requires legitimization through public trust. Under conditions of digital change, this interdependence becomes more acute, as digital strategies are often perceived as instruments of control or technocratic governance, thereby necessitating additional philosophical and legal justification of their social expediency.

Contemporary approaches to legitimization increasingly emphasize the role of civil society. O. Ivanchenko conceptualizes the legitimacy of law as a specific process of recognizing its justice by social actors, stressing that without the active participation of civil society no legal norm can be considered fully legitimate [6]. In this understanding, legitimization transcends a state-centric model and emerges as the outcome of public dialogue, societal reflection, and axiological consensus. For digital transformations, this implies the necessity of involving educators, learners, experts, and the wider public in the formulation and evaluation of digital strategies, thereby ensuring their social acceptability.

In the context of digital change, legitimization acquires particular complexity, as digital strategies transform not only institutional mechanisms, but also everyday practices, communication, and the identities of social subjects. The formal legal entrenchment of digital solutions in laws or strategies is a necessary, yet insufficient, step. Without axiological acceptance and social approval, such changes remain external and potentially conflict-generating. It is for this reason that philosophical and legal reflection on legitimization makes it possible to conceptualize digital transformations as a process of coordination between normative requirements, societal expectations, and ethical principles.

It may be concluded that, in the philosophical and legal dimension, legitimization appears as a multidimensional process that integrates formal legal recognition, social approval, axiological acceptance, and the normative consolidation of change. An analysis of scholarly approaches allows us to assert that the legitimacy of digital transformations depends less on their technological efficiency than on the capacity of law and public policy to integrate these changes into a system of humanistic and democratic values. In this sense, the concept of legitimization functions

as a methodological key to understanding digital strategies as socially significant and socially justified processes.

***The purpose of this article*** is to provide a philosophical and legal analysis of the legitimization of digital educational transformations in Ukraine, substantiating their legitimacy as a multidimensional process that integrates legal regulation, societal recognition, and humanistic values.

***Presentation of the main material.*** The application of the concept of legitimization as a methodological tool provides a foundation for an in-depth analysis of a specific sphere in which digital transformations acquire particular social significance – education. The educational domain is especially sensitive to change, as it integrates legal norms, value orientations, and everyday social practices within which technological innovations directly affect the formation of personality and the structuring of social relations.

The digitalization of education should be understood not merely as the technical implementation of information and communication technologies in the learning process, but as a comprehensive transformative social process that reshapes the educational paradigm, communication models, the roles of educational actors, and modes of knowledge production. This transformation has ontological consequences for the educational space itself: it modifies the boundaries of the learning environment, reconstructs modes of access to knowledge, and reconfigures the mechanisms of socialization of participants in the educational process. An analysis of contemporary research allows for the identification of several interrelated dimensions of this transformation: spatial-ontological, epistemological, communicative-institutional, and axiological.

The ontological transformation of the educational space is manifested in the fact that the traditional coordinates of «classroom – teacher – student» are increasingly replaced by hybrid models in which physical space is supplemented or even partially displaced by digital environments. The notion of educational space acquires a virtual extension: online platforms, repositories, adaptive systems, and open-access resources create new conditions for the existence of knowledge as something accessible anytime and anywhere. This is emphasized in analyses of the ontology of the digital learning environment, where scholars highlight the transformation of its properties toward networked, modular, and context-oriented structures [7]. As a result, the very nature of «spatial presence» changes: presence is no longer synonymous with physical localization, but is instead defined by participation in the informational and communicative flows of digital platforms.

Review studies emphasize that digital technologies not only facilitate access to information, but also transform the methodology of teaching – from reproductive practices to active, problem-solving, and project-oriented approaches, in which the

role of the teacher evolves into that of a facilitator or moderator of educational trajectories [8]. This shift in epistemological logic has significant implications for the assessment of learning outcomes and for the criteria of academic integrity.

Traditional pedagogy emphasizes the formation of a critical and autonomous mind, capable not only of acquiring knowledge but also of critically evaluating and creatively developing it. Digital strategies that incorporate automated learning systems, recommendation algorithms, and adaptive technologies entail the risk of passive information consumption and dependence on technological solutions. At the same time, there emerges the danger of manipulation, fragmentation of attention, and a decline in the capacity for deep reflection.

Digital strategies also transform the architecture of communication: asynchronous and synchronous formats, multimodal channels (video, chats, forums), and learning analytics generate new scenarios of pedagogical interaction. Ukrainian scholars underline that digital transformation functions simultaneously as a trend and as a challenge for the pedagogical community, requiring a rethinking of professional roles, the expansion of digital competences, and changes in the organizational models of educational institutions [9; 10].

Mechanisms of socialization undergo significant change as well: the digital environment shapes new norms of communication, identity, and collective behavior. Online communities, virtual clubs, and collaboration platforms create environments in which socialization occurs not only through formal educational practices, but also through informal digital interactions. While this opens opportunities for inclusivity and expanded access, it simultaneously generates risks of fragmentation, information bubbles, and the weakening of interpersonal skills traditionally formed in physical educational contexts [11].

The sociocultural dimension of digitalization lies in the reconfiguration of societal expectations regarding the functions of education. Digital strategies, as demonstrated by studies of domestic scholars, form part of broader educational reforms accompanied by changes in cultural practices, value priorities, and modes of state governance in education [9]. Consequently, digitalization cannot be successful without taking contextual factors into account, including infrastructural readiness, the level of digital competences, political will, and societal consensus on the goals of transformation.

It is important to note that digital strategies alter not only the modes of educational delivery, but also the models of regulation and evaluation. The use of learning analytics opens up possibilities for more fine-grained measurement of educational trajectories, while simultaneously raising issues of ethics, privacy, and algorithmic fairness. Practices of digital surveillance or automated assessment may affect learners' motivation and generate problems of trust if they are not accompanied

by transparent normative safeguards and inclusive dialogue among all stakeholders in the educational process [8].

Central to all of this is the question that determines the meaning and direction of the legitimization of digital education: does it preserve its human-centered character? In other words, does the human being – with their uniqueness, dignity, and creative potential – remain at the core of digital transformation, or does education become an object of technological influence, algorithmic structures, and managerial decisions? The answer to this question determines not only the legal and ethical acceptability of digital reforms, but also their social effectiveness. Only insofar as digital education preserves and enhances the values of humanism can it function as a genuine platform for the development of future generations.

The effective integration of digital strategies requires not only technical modernization, but also profound reflection on their social, cultural, and ethical implications, attention to infrastructural and human-resource preparedness, and open dialogue among state institutions, the educational community, and civil society. Such an approach makes it possible to transform technological innovations into genuinely transformative and socially legitimate practices.

It is precisely at the level of law that the values, meanings, and goals outlined in the theoretical analysis of digital transformation in education are institutionalized. Normative and legal mechanisms are intended not only to formalize technological innovations, but also to endow them with the status of socially recognized and binding rules, aligned with the principles of justice, equality of access, and respect for the autonomy of educational actors. Therefore, the analysis of the legal foundations of digital strategies emerges as a key stage in the transition from a conceptual vision of digitalization to its practical implementation within the framework of state educational policy.

The foundations of the digitalization of education are laid down in the provisions of the Constitution of Ukraine [12], which guarantees everyone the right to education, equal access to educational opportunities, and the protection of fundamental human rights and freedoms. Although the Constitution does not contain an explicit reference to digital education, its norms establish a framework for the legal regulation of digital strategies, insofar as any innovative forms of learning must comply with the principles of legality, non-discrimination, and respect for human dignity.

The basic sectoral normative act is the Law of Ukraine «On Education» [13], which enshrines the principles of accessibility, quality, and inclusiveness of education, and also recognizes the possibility of using digital technologies in the educational process. This law provides a general framework for the implementation of distance, blended, and innovative forms of learning, defining education as an open system capable of modernization.

Special laws, in particular «On Higher Education» [14] and «On Complete General Secondary Education» [15], further develop the provisions of the basic law by adapting them to the specific characteristics of the respective levels of education. They affirm the autonomy of educational institutions, which constitutes an important precondition for the implementation of digital strategies, while simultaneously establishing requirements for the quality of the educational process.

Of particular significance in the context of the digitalization of education is the Law of Ukraine «On Personal Data Protection» [16], which defines the legal boundaries for the processing of information concerning participants in the educational process. The use of digital platforms, learning management systems, and educational data analytics creates new risks to privacy. The existence of this law is an important factor in fostering public trust in digital educational practices; however, its general character necessitates adaptation to the specificities of the educational sphere, especially with regard to the storage and use of learners' data in digital environments.

The strategic dimension of the normative and legal framework for the digitalization of education is represented by resolutions of the Cabinet of Ministers of Ukraine. The Concept for the Development of Digital Competences identifies education as a key instrument for the formation of skills necessary for life and work in a digital society [17]. This document contributes to the alignment of educational policy with the needs of the digital economy, while at the same time emphasizing the role of the state in ensuring equal access to digital knowledge. Its strategic nature allows one to speak of a gradual transition from the situational use of technologies to a systemic digital policy in education.

The Strategy for the Digital Development of Innovative Activity of Ukraine up to 2030 expands the scope of digitalization by integrating education into the broader ecosystem of innovative development [18]. In this document, education is conceptualized as a source of human capital and innovative potential, which reinforces its strategic importance. At the same time, the coherence between this strategy and sector-specific educational regulations remains partial, which complicates the practical implementation of digital strategies at the level of individual educational institutions.

An important area of legal regulation is also the Concept for the Development of Artificial Intelligence in Ukraine, which creates the preconditions for the introduction of algorithmic solutions into educational processes [19]. It foregrounds issues of ethics, responsibility, and transparency in the use of artificial intelligence, which directly affect trust in digital educational innovations. At the same time, the absence of specialized legal norms governing the application of artificial intelligence (AI) in education indicates the need for further specification and refinement of legal regulation.

The practical normative support for the digitalization of education is implemented through subordinate legislation, in particular orders of the Ministry of Education and Science of Ukraine concerning the organization of distance learning [20]. These acts played a key role during the pandemic and under martial law by ensuring the continuity of the educational process. At the same time, their temporary and adaptive character revealed the limitations of regulatory mechanisms that are not always capable of ensuring the long-term stability and predictability of digital educational practices.

It should be noted that the normative and legal foundations of digital strategies in Ukrainian education are characterized by the presence of basic legislative guarantees and strategic guidelines, while simultaneously suffering from fragmentation and insufficient coherence. Formal legal certainty is ensured through laws and subordinate acts; however, public trust in digital educational practices depends on the extent to which these norms correspond to the real needs of participants in the educational process and effectively safeguard their rights. The further development of digital strategies in education requires not only the expansion of the normative framework, but also its philosophical and legal reflection, aimed at reconciling innovation, humanistic values, and legal stability.

At the same time, the mere existence of normative and legal guidelines does not in itself guarantee the full legitimization of digital strategies in the field of education, since law delineates only the formal boundaries of what is permissible, without eliminating the tensions that arise in the course of their practical implementation.

In the context of digital reforms in education, it is important to emphasize that normative and legal acts often fail to take into account the complex nature of the educational process and the value orientations of the pedagogical community. As noted by E. Najafli, in the process of building a digital state in Ukraine, maintaining a balance between formal legality and social acceptance is crucial for the sustainable development of the digital environment, as a lack of legitimacy threatens the derailment of reforms and the erosion of institutional trust [21]. While legality establishes minimum standards of conduct, legitimacy is oriented toward the voluntary acceptance of digital innovations through their conformity with ethical norms and humanistic principles.

Moreover, the issue of alignment between digital solutions and fundamental educational values is of particular importance. The Law of Ukraine «On Education» [13] enshrines such values as ensuring equal access to quality education, supporting freedom of learning and self-expression, and fostering critical thinking. These values should not be lost in the course of digital transformation; on the contrary, they should acquire new opportunities for realization through digital strategies. This requires a systemic approach that includes ethical standards of digital education,

the development of digital competence, and the cultivation of digital ethics among all participants in the educational process.

Within the study of the legitimization of digital reforms in Ukrainian education, it is essential to consider not only the normative framework, but also the processes of social acceptance. Psychosocial factors – such as trust in digital tools, the level of information culture, and the participation of educators and learners in the design and implementation of innovations – largely determine the success of reforms. The absence of this component leads to formal implementation without genuine use of digital opportunities and to negative reactions within the educational community [22].

In this regard, J. Habermas's theory of communicative action [23] acquires particular significance, as it links the legitimacy of normative decisions not to coercive power or the traditional authority of institutions, but to the achievement of rationally motivated agreement among participants in public discourse. According to Habermas, legitimacy arises when norms can be accepted by all potentially affected actors under conditions of open, reasoned, and non-dominative communication. This approach makes it possible to distinguish legality as compliance with procedural requirements from legitimacy as social recognition and axiological acceptance of normative decisions.

At the same time, communicative legitimization has its limits, especially in crisis situations such as war or states of emergency, when the state is compelled to act under conditions of accelerated decision-making. Nevertheless, even under such circumstances, the principles of communicative rationality do not lose their relevance, as they may be implemented through feedback mechanisms, ex post deliberation, and the subsequent revision of digital strategies.

One of the key problems complicating the legitimization of digital strategies in education remains digital inequality and unequal access to educational opportunities. Despite declarations aimed at expanding access to knowledge, digitalization often reproduces or even exacerbates existing socio-economic disparities. Studies of Ukrainian regions reveal significant differences in access to high-speed internet, digital infrastructure, and the population's level of digital competences [24]. In rural areas, frontline regions, or among socially vulnerable groups, digital educational platforms frequently become a barrier rather than an instrument of inclusion. Under such conditions, a digital strategy loses its moral legitimacy, as it contradicts the principle of equality of educational opportunities enshrined in the Constitution of Ukraine and in sector-specific educational legislation.

Moreover, one of the principal challenges to the legitimization of digital transformation concerns transparency and trust in algorithmic systems, which are increasingly employed in educational environments for assessment, management,

and the personalization of learning. S. Grimmelikhuijsen and A. Meijer identify six major threats to the legitimacy of algorithmic decision-making, among which opacity, bias, and the absence of human oversight are particularly critical for the educational sphere [25]. In this context, the lack of clear mechanisms of control and public participation undermines societal trust in digital educational practices.

Algorithms are increasingly used to make managerial decisions, rank learners, predict educational outcomes, or identify «at-risk» groups. Scholarly literature emphasizes that algorithmic decision-making is not neutral, as it reflects the values, assumptions, and interests of its designers. In the educational context, this generates serious risks to fairness and equality. Algorithmic systems may reproduce discriminatory practices, reinforce social stereotypes, or constrain learners' educational trajectories on the basis of opaque criteria. The absence of intelligible mechanisms for contesting algorithmic decisions and ensuring human oversight erodes trust in such systems and, consequently, in digital strategies more broadly [26]. From the perspective of legitimacy theory, this signifies a loss of procedural justice, which is no less important than outcome-based effectiveness.

A particularly serious problem concerns the risks to the right to privacy and the protection of personal data in the course of the digitalization of education. The issue lies not only in the technical security of data, but also in the lack of transparency regarding who uses educational data, for what purposes, and on what grounds. Algorithmic systems for performance analysis, adaptive learning, or monitoring learners' activity create the risk of transforming education into a space of total surveillance, which contradicts the right to private life and the principle of respect for human dignity – both of which are fundamental to the legitimacy of any public policy. In the absence of clear ethical standards and accountability mechanisms, digital strategies are perceived as a threat rather than as a resource for development.

The legitimacy challenges of digital transformation in education in Ukraine arise at the intersection of technological efficiency and humanistic values, technical sophistication and social trust, normative-legal certainty and social justice. Addressing these challenges requires comprehensive approaches that include the development of transparent algorithmic models, the expansion of public participation in digital reforms, the improvement of the legal and regulatory framework, and measures aimed at overcoming the digital divide. Only within such an integrated context can digital educational strategies be not merely effective, but also legitimate from the standpoint of societal consensus and humanistic ideals.

An important element of the legitimization of digital reforms is institutional responsibility, which entails not only compliance with legislation, but also the willingness of state and educational institutions to assume responsibility for the consequences of digital decisions. As noted by A. Kurylenko, the historical evolution

of the legitimization of authority demonstrates a transition from personalized forms of responsibility to institutional mechanisms based on procedures, accountability, and control [3]. In the field of education, this means that the implementation of digital platforms, algorithmic assessment systems, or management tools must be accompanied by clear mechanisms of responsibility for errors, malfunctions, and violations of the rights of participants in the educational process.

Institutional responsibility is closely linked to the principles of transparency and accountability, which acquire particular relevance under conditions of algorithmic governance of education. Research on the legitimacy of algorithmic decisions shows that the opacity of such systems significantly undermines trust in them, even when they formally comply with legislative requirements [27]. In this context, education becomes a space in which not only digital competences should be developed, but also a critical understanding of the principles underlying the functioning of digital technologies.

The digital learning environment, as noted by A. Tovstyi and other scholars, possesses its own ontology that transforms traditional conceptions of educational interaction, presence, and responsibility [7]. In such a space, it is particularly important to ensure a balance between technological efficiency and the humanistic values of education. It is precisely trust in the institutions that implement digital solutions that determines the willingness of participants in the educational process to accept these changes and to integrate them into their own educational practices.

The problem of trust is further complicated by unequal access to digital resources, which gives rise to the phenomenon of the digital divide. Research indicates that regional and social disparities in access to digital technologies may intensify educational inequality, thereby undermining the legitimacy of digital reforms [24]. In this sense, the institutional responsibility of the state lies not only in introducing innovations, but also in creating conditions for their equal and fair use.

Particular attention should also be paid to the issue of digital ethics and academic integrity, which directly affect perceptions of digital reforms. Scholars emphasize that the use of artificial intelligence and digital tools in education requires clear ethical guidelines and rules; otherwise, the risk of undermining academic standards increases. The formation of a culture of academic integrity in the digital environment constitutes an important factor in fostering trust in educational institutions and in their reform initiatives.

The philosophical and legal concept of legitimising digital educational transformations proposes an integrative approach that encompasses a set of interrelated elements, namely regulatory and legal frameworks, ethical content, humanistic values, and social trust. This approach makes it possible to establish a solid foundation for the sustainable development of digital education in Ukraine

by preventing a rupture between formal rules and the practical acceptance of reforms and by ensuring the deep sociocultural adaptation of innovations. The implementation of this concept will contribute to the creation of an educational environment in which digital technologies serve both the individual and society, where the rights and freedoms of all participants in the educational process are guaranteed and protected, and where reforms are not imposed as top-down directives but emerge as the outcome of a shared value-based choice. Such an approach constitutes a key prerequisite for the sustainable development of education in the digital age and for the formation of an innovative, open, and humane educational system.

**Conclusion.** The legitimisation of digital strategies in the sphere of education in Ukraine is a complex, multi-level, and interdisciplinary process that cannot be reduced either to the formal legal institutionalisation of digital innovations or to assessments of their technical efficiency alone. In the philosophical and legal dimension, legitimisation appears as a dynamic interaction between law, public policy, social practices, and value orientations, within which digital transformations acquire or lose social meaning, trust, and recognition. For this reason, the digitalisation of education must be conceptualised not merely as an instrument of modernisation, but as a profound transformational process that reshapes the ontology of the educational space, the epistemology of knowledge, communicative models, and mechanisms of socialisation. It can therefore be argued that the legitimisation of digital strategies in the educational sphere of Ukraine should be understood as a continuous process that integrates legal regulation, ethical reflection, and sustained public dialogue.

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## ЛЕГІТИМАЦІЯ ЦИФРОВИХ ОСВІТНІХ ТРАНСФОРМАЦІЙ: ФІЛОСОФСЬКО-ПРАВОВИЙ ВІМІР

У статті уточнено окремі аспекти філософсько-правового аналізу феномену легітимації цифрових освітніх трансформацій в Україні. Цифровізація освіти роз-

глядається не лише як технологічна модернізація, а як складний соціально-нормативний процес, що змінює онтологію освітнього простору, епістемологічні моделі знання, комунікативні практики й механізми соціалізації. Доповнено розуміння легітимації як багатовимірного процесу, що поєднує правове регулювання, суспільне визнання, етичне обґрунтування й ціннісний консенсус. Особливу увагу приділено ролі соціальної довіри, комунікативної раціональності та інституційної відповідальності у формуванні легітимності цифрових освітніх стратегій. Доведено, що сталість і результативність цифрових реформ в освіті залежать від їхньої відповідності гуманістичним і демократичним цінностям.

**Ключові слова:** легітимація, філософія права, цифрова освіта, освітня політика, права людини, соціальна довіра.

