

## VECTORITY OF THE TRANSFORMATION OF THE EMPIRE AS A FORM OF STATE SYSTEM

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### Summary

The article is of a scientific-research nature and is devoted to the analysis of modern vectors of development of empire as a form of state structure in the conditions of globalization and transformation of political systems. The subject of the study is the empire as a political model and legal form of state structure of a country, which, despite its historical heritage, demonstrates signs of adaptation and rethinking in the modern international context. The article examines the main approaches to the analysis of imperialism and modernization, as well as their connection with contemporary global challenges and digital transformations of society and state institutions. The purpose of the study is to identify conceptual transformations of imperial structures and mechanisms of their functioning in the present. The research was carried out using dialectical, formal-legal, structural-functional, and comparative-legal methods. The originality of the study lies in the attempt to carry out a comparative analysis of modern imperial strategies within the international political space. The modern world is rapidly transforming under the influence of digital technologies, globalization and socio-economic changes. So, on the one hand, technological progress promises new opportunities for humanity. On the other hand, there is a threat of the digital environment becoming an instrument of control, repression and neocolonial expansion. The practical value of the study lies in creating an analytical basis for further research into imperial forms of state structure and power, their impact on global security and political and legal stability.

**Key words:** post-globalization, state structure, empire, neoempire, form of state, digitalization.

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### 1. Introduction

Among the numerous current and still not finally resolved problems of jurisprudence remains the question of defining the concept of «state form». Such uncertainty is related to the meaning that researchers put into this theoretical and legal category, which in turn affects the mutual agreement with other legal concepts: «essence of the state», «content of the state», «historical type of the state», «mechanism of the state», and forms a holistic idea of the state as a socio-political phenomenon.

In the general theoretical aspect, the «state form» is studied in two main directions: 1) instrumental (practical-political) approach – analyzes the form of the state in view of the effectiveness of state administration, the stability of the functioning of the state apparatus, the peculiarities of the relationship between the government and the people and 2) scientific and cognitive (epistemological) approach – studies the relationship of the form of the state with its essence, content and historical type.

In countries with written constitutions, the form of the state is fixed by a separate chapter or section devoted to the constitutional system (for example, in Italy). Individual elements of the form of the state can also be reflected in provisions on the territorial structure or organization of state authorities. In countries with unwritten constitutions, the form of the state is determined through constitutional laws or historically formed conventional norms (for example, in Great Britain). A type of state system, along with unitary, federation and confederation, is empire, which in most studies of state forms is considered as a historical rudiment of state-building processes.

The form of the state, as a manifestation of the main characteristics of statehood – in particular its essence, content, functions and structure of power – has never been static or unchanging. The question of why one state has a monarchical form of government, and another – a republican one; why one is organized as a federation, and another as a unitary state; what circumstances determine the differences in the forms of the state regime within the same historical era – remains the subject of scientific discussions. In modern legal science, an idea of the form of the state as a complex and multidimensional phenomenon has developed, which has led to the active implementation of a systematic approach to the study of its problems and scientific prospects. The general theoretical aspects of this category are given special attention in the works of O. V. Zaichuk, N. M. Onishchenko, O. V. Petryshyn, S. G. Seregina and other scientists (*Zaichuk (ed.), Onyshchenko, 2008; Tsvik (ed.), Petryshyn, 2011*). Analyzing the form of the state, most lawyers attribute the empire to a historical example of the formation and development of a complex state, ignoring the possibility of the existence of a cyclical nature of the natural process of development of state and legal phenomena. In general, we can single out several main factors that collectively influence the formation of the state form: the conditions of its emergence (for example, the federal structure of the USA), historical traditions (preservation of the monarchy in Great Britain), the internal political struggle of the elites (frequent changes in forms of state government in African countries), the dominance of certain ideological and cultural values (the formation of a theocratic republic in Iran), etc.

Traditionally, the form of the state is considered as the organization of political power in the state, in the unity of three elements: the form of state government, system and regime. In view of this, the purpose of the article is to analyze and reveal modern vectors of the development of the empire as a type of form of state government. To achieve the set goal, dialectical, formal-dogmatic, system-structural and comparative-legal research methods were used. In particular, comparative analysis made it possible to identify the special features of neo-empire as a form of state structure compared to the classical form of empire, and the systemic approach contributed to the study of neo-empire as a complex phenomenon of the development of society and state-building processes. For Ukraine, the topic of imperialism is particularly relevant, because for centuries the state has been the object of imperial ambitions, which has formed the specifics of its national identity, political culture and statehood. Today, these imperial encroachments have again taken an aggressive form in the full-scale military invasion of Russia, which began in 2014 with the annexation of Crimea and escalated into a large-scale war in 2022. Russian aggression is a direct continuation of its imperial policy, which denies Ukraine's right to sovereignty, identity and independent development. This war once again emphasizes that imperialism is not a historical relic, but a real threat that requires Ukraine to consolidate national consciousness and consistently affirm democratic values and its own historical path. Analysis of the imperial legacy is critically important for building and preserving an independent state with a national identity and forming an effective foreign policy that takes into account both historical experience and modern global challenges. Only through a critical understanding of its past can Ukraine form a holistic development strategy capable of ensuring its subjectivity in international relations.

## 2. Methodology

In the course of researching contemporary directions in the transformation of the empire as a form of state organization under conditions of globalization and digitalization, a comprehensive set of legal methods was employed. These methods enabled a multidimensional analysis of the phenomenon, taking into account legal, institutional, and technological factors. The leading method was the formal-dogmatic approach, which facilitated the analysis of modern legal interpretations of the empire as a form of the state, as well as the mechanisms of state power influence within a neo-imperialist legal regime, digital sovereignty, and global legal order. The historical-comparative method was applied to study the evolution of the empire as a form of state in a historical context, comparing classical imperial models with contemporary forms of state dominance, including the transformation of the legal landscape under the influence of digital technologies. The application of the systems approach allowed the empire to be viewed as a complex political and legal construct, comprising institutional (static), legal (structural), and dynamic (digital) components. The use of the structural-functional method contributed to the analysis of how traditional elements of state authority (particularly lawmaking, coercion, and legitimation) adapt to new forms of digital domination. The dialectical method ensured a comprehensive approach to examining the contradictions between sovereignty and imperial expansion in the digital dimension. It allowed for the identification of the transformation of classical forms of the state under digitalization. At the final stage of the study, the functional method was used, enabling the differentiation of neo-imperial elements into positive manifestations (such as the unification of normative standards and the development of international law) and negative ones (such as digital colonialism and asymmetric regulation). Overall, the application of these methods made it possible to conduct a comprehensive, in-depth, and interdisciplinary study of the contemporary transformations of the empire as a form of the state in the context of global and digital changes.

## 3. Research and results

### 3.1. The form of the state in the classical general theoretical sense

The concept of «the state form» has ancient origins and is the result of a theoretical generalization of the individual state experience (for example, Great Britain, France, China, etc.). It encompasses a set of basic characteristics that have been considered decisive for describing the state since ancient times. Thanks to these characteristics, a more complete picture of the state of a particular country at a specific stage of its historical development is formed.

The concept of the state form is based on the philosophical understanding of the category of «form», which is interpreted: as an external manifestation of the essence (external form) and as a method of internal organization of the phenomenon (internal form) (*Blikhar, 2020: 241*). Thus, the form of the state is at the same time an external manifestation of its essence and content, as well as a method of internal organization of state power and its implementation. The state as a special political organization is endowed with certain substantive features that reflect its social essence with a manifestation in external form. Thus, the content of the state is revealed through the totality of elements and processes that form it, and the form of the state is an external expression of its content in space and time. The form of the state directly expresses its essence and content. The study of the state essence contributes to the disclosure of the will and interests of the layers of society that it protects; to establish the directions of development and

action of the state. The study of the state form reveals its structure, its main components and the exercise of state power. That is, the internal form of the state covers the most important aspects of the organization of state power and is distinguished by the complexity of its content. It determines, firstly, which bodies exercise state power, what is the procedure for their formation (formation) and the term of office. Secondly, it establishes how the relations between central, regional and local authorities are organized, as well as what is the form of the territorial organization of the state. Thirdly, it reveals what means, methods and techniques are used to exercise state power. Thus, given the above-mentioned subject area of research: empire as a form of state structure determines the external features of the implementation of state power in the country and the features of managing society, I use only its inherent political and legal regime – imperialism. It should be noted that imperialism as a scientific category remains an unpopular object of research both in the past and today. It is usually viewed through an economic prism, leaving out of consideration the equally important legal or political aspects.

### 3.2. Empire as a legal form of state structure

Imperialism is a multidimensional phenomenon. It cannot be reduced only to economic domination; it is not only a process, but also an ideology and even a philosophy of life, a political and legal regime in the state (*Howe, 2002: 22*). In the political context, it is the desire for control over other peoples and territories, in the legal context, it is the legal regime for exercising state power in a country, which is implemented by both force and hybrid methods. Imperialism is the domination or control of one country or group of people over others, often at their expense (*Trebina, et al., 2015: 296*); imperialism is considered a consequence of class struggle and an instrument of economic expansion, but this interpretation is considered somewhat simplified. Imperialism in the modern sense is not only the colonial conquest of territories, but primarily economic, technological and cultural expansion. Classical Marxist theory (R. Hilferding) interpreted imperialism as the highest stage of capitalism, when monopolies prevail, capital is exported and the world is redistributed between powerful states (*Vetrynsky, 2013: 30*).

From a historical point of view, imperialism in Europe had deep roots, in particular in the models of the Holy Roman and Ottoman Empires. In post-imperial centers – such as Germany, Austria – national identity was formed as a reaction to the imperial past. In peripheral regions, features of authoritarianism, religious conservatism and low institutional mobility are preserved. Imperialism as a political and legal form of the state regime is an indispensable component of the empire as a form of state structure.

The issue of the development of the empire as a legal form of the state in the modern context is quite complex and ambiguous, because the classical empire is a form of state structure inherent in past historical eras (*Tsvik (ed.), Petryshyn, 2011: 115*). However, some trends of modern global development allow us to talk about the reinterpretation of imperial forms of governance in new political and legal contexts. In particular, we can single out several main trends: 1) neo-imperialism and geopolitical expansion (China – economic expansion (One Belt, One Road Initiative), control over autonomies; use of legal mechanisms (referendums, «protection of compatriots») to legitimize imperial actions); 2) empire as a legal metaphor in supranational structures (the European Union is sometimes considered a «postmodern empire» – a supranational association with its own legal system; the USA – is sometimes considered an «empire of values» or an «economic empire» due to cultural and legal influence); 3) centralization of power and erosion of federalism (in some states, there is a strengthening of the center at the expense of autonomies. But the formal preservation of the federal system, but with imperial features (asymmetry in the rights of the subjects of the federation); 4) legal legitimization of expansion (imperial actions are disguised as «human rights» missions or «protection

of historical justice»; creation of quasi-states with their own legal systems dependent on the metropolis); 5) cultural and information empire (control over the information space, language policy, educational system – tools of soft imperial power; legal justification of language policy, historical memory, etc.).

### 3.3. Neo-empire – a modern form of state

In the 21st century, a new format of the political and legal regime of state power – neoimperialism – appears (*Kelly, 2025*). It is based on domination through the economy, technology, financial instruments, media and global platforms. The USA and a number of Western countries are accused of striving for cultural, political and economic hegemony under the guise of globalization. That is why anti-globalists often identify globalism with imperialism.

Modern «neo-empires» have distinctive features compared to classical empires. Thus, in addition to territorial expansion, the neo-empire sets political influence, economic expansion, «protection of its own» as its main goal, by conducting hybrid warfare, influence, and information aggression. For example, Russia (annexation of Crimea (2014), occupation of parts of Donbas, fullscale invasion of Ukraine (24.02.2022); North Korea (Strengthening control over Hong Kong, claims to Taiwan, construction of artificial islands in the South China Sea) (*Turanskyi, Haruk, 2019: 198*); Turkey (intervention in Syria, influence in Northern Iraq; soft expansion in regions with a Turkic population). Centralization of power occurs through the concentration and retention of state power in the hands of the President or a leader with a strong vertical, if there are autonomous entities in the state, they mostly have fictitious self-government and are under full control of the center (*Abramowicz, 2008: 254-257*). For example, North Korea (strict centralism, suppression of Uyghur autonomy, unification of the party line); Hungary (concentration of state power in the hands of the President of the country, reducing the powers of the opposition and the judiciary).

The legal system of a neo-imperial state is characterized by manipulative regulatory acts in the mechanism of legal regulation of social relations and the creation of loyal «law», imitation of legality and democracy while maintaining authoritarianism; the legal system as an instrument of anti-democratic state power. Thus, in Russia, the judicial system is completely dependent on the head of state, political persecution is a common phenomenon, illegal actions and human rights violations are justified by «wartime laws»; the DPRK is dominated by a one-party system, there is repressive legislation in Hong Kong (in particular, the National Security Law); repression through «extremism legislation» is widespread in Belarus. In the field of cultural policy, the state takes a position of sinicization, cultural expansion, forced Russification, implementing the ideology of «protecting traditions», restoring «historical justice». For example, in the DPRK, Internet censorship is carried out (the Great Firewall of China), culture and language control is carried out in Tibet, or in the USA, soft power law is used through the spread of ideological influence in social networks and cultural expansion English-language content (*Cooper, 2006: 89*). The legitimation of state power is formally based on the alleged «will of the people», «historical narratives», supported by media resources, ideological mobilization and historical mythology. For example, Iran (export of the Islamic revolution, influence in Lebanon, Syria, Yemen under the religious banner).

In an empire, the form of state government and the form of state-territorial organization are usually characterized by close overlap, which is revealed through the organizational-structural (static) aspect of the state. At the same time, there is also a functional dimension of the empire, which is manifested through the state-legal regime. This regime integrates elements of the form of government and territorial organization, creating a single system of central and local authorities, which, within their powers, manage the state and society. The state-legal regime is

a set of principles, forms and methods of implementing state power, which are enshrined in the norms of law. Accordingly, the activities of both central and local state authorities in a neo-empire are actually carried out outside their competence and in violation of legal norms (*Chernetska, 2021: 27*). That is, the legal regime of a neo-empire can be defined as illegal, because state power is seized and held by force, coup or rebellion, without following democratic procedures. In such conditions, the existence and activity of power structures contradicts legal norms, is based on coercion, ignoring the will of the people (*Marushchak, 2024: 109*).

While imperialism is usually characterized by conquest and rule, and colonialism by migration and residence in conquered territory, neo-imperialism is the domination, and sometimes even hegemony, over others, mainly through formally free legal agreements, economic power, and cultural influence; it is a modern version of imperialism, based on economic and technological superiority in the context of globalization. One of the many definitions of the form that US political power and economic dominance took in the 20th century, especially during and after World War II, is neo-imperialism (or «informal empire», «imperialism without empire», «empire of freedom», and «Pax Americana») (*Kelly, 2010: 16-21*). The United States is not the only neo-imperialist state in history, and neoimperialism is not exclusively a phenomenon of the 20th and 21st centuries. However, the United States is dominant in the spread of neo-imperial strategies in the process of state formation, in contrast to directly colonial or imperial strategies of state development. And the second half of the twentieth century is a period when neo-imperialism as a political and legal regime in the state became the dominant mode of global political power. The United States and its partners sought to maintain global stability through: a military-base network (location of military bases on different continents) – an instrument of selective intervention without annexation); legal regimes (WTO, IMF, rating agencies) – standards that limit the economic sovereignty of states; cultural hegemony (media, digital platforms) – the formation of a unified symbolic «economy of desires» (*Nye, 2003: 77-III*). In these conditions, states are forced to build policies between the liberal norms of the global center and local socio-cultural structures, often reproducing the asymmetry of state power.

The state in its modern form arises as a result of the European balance of power and the competitive expansion of empires. Imperialism – as the center's desire for political and economic expansion – has always been a dual process: on the one hand, the presence of expansion – the forcible or institutional subjugation of the periphery; on the other – institution-building – the imposition of governance models that later become the basis for new national states. That is why imperial practices not only destroyed traditional orders, but also, paradoxically, created the prerequisites for the modernization of statebuilding processes. Imperialism became a nationalist idea that rejects universalist ideas.

### **3.4. Digitalization of state-power relations as a modern vector of empire development**

The development of digital technologies has contributed to the emergence of the phenomenon of the so-called «digital mania», which is manifested in an unconditional fascination with the digitalization of all life spheres.. The form of the state is no exception, which is also affected by digitalization as a result of the process of state-power relations modernization. The digitalization of state-power relations as a result of the state forms modernization arose as an attempt to improve the mechanisms of the transition of societies from the traditional state to the modern one (*Najafti, 2022: 205*). It is based on a bipolar model of societies, where traditional structures are characterized by authoritarianism, religiosity and staticity, and modern ones are characterized by mobility, rationality and innovation. Modernization is interpreted as not only an economic process, but also a change in the system of values and social guidelines.

This has become a new technocratic myth, according to which it is digital transformation that should lead humanity out of the historical crisis. However, in practice, we observe the growth of «digital bureaucracy», which not only does not reduce, but paradoxically strengthens «paper» bureaucracy, depersonalizes the individual, replaces humanistic values with algorithmic structures and contributes to the immersion of society in the «digital Middle Ages».

Without proper socio-economic and legal organization, the digital environment risks turning from an instrument of development into a mechanism of alienation, therefore it is appropriate to preserve and use in the mechanism of legal regulation of social relations a system of Christian legal norms, legal traditions that form the concept of the spiritual development of the state and society as an alternative to the technocratic determinism of social relations.

An empire is a state whose legal and political systems are based on the dominance of the center over the periphery, and such a state strives for the global spread of its power in order to achieve absolute security. Imperialism is a political and legal regime created to maintain the empire and focused on control over other states. It is political dominance that provides a state with the ability to influence key decisions, primarily in the security sphere. This is the main goal of imperial strategy.

#### 4. Conclusions

Despite numerous definitions of empire, imperialism, fundamental research on the legal or political content of this phenomenon remains scarce. Historically, the economy has been an instrument of politics, not vice versa. It is the desire for political power and territorial control that is the main driving force of imperialism. Geopolitics, which serves as its ideological basis, is also oriented towards control over territories. However, global challenges such as international terrorism, the proliferation of nuclear weapons, the influence of TNCs and digitalization require new approaches to the analysis of imperialism. Modern strategies should be based not on military force, but on new forms of influence and interdependence. The inertia of thinking within old geopolitical paradigms can slow down the development of the international system and endanger global security. Modern neo-empires take on the form, but mask the essence. They operate within the legal framework of modernity (constitutions, elections, courts), but use them as instruments of imperial dominance, not of the true rule of law. Although the classical empire as a legal form of the state has almost disappeared, its features are being transformed and adapted in modern political practices. The main features – centralization, asymmetry, expansion – may be preserved in the legal systems of states or supranational structures. In addition, the phenomena of digitalization, modernization, and imperialism are closely interconnected. Digital progress can become a driver of human development only under the condition of a humanistic approach and socio-economic justice. Modernization must take into account cultural specificity and the plurality of historical paths. And imperialism – as a political and economic strategy – requires constant critical reflection, especially in countries that have experienced colonial or imperial dependence. For Ukraine, understanding these processes is the key to forming an independent, responsible, and progressive model of state development in the era of global transformations.

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