

**Kuchuk AM. Implementation of western legal concepts: human rights.** The article focuses on the necessity of a permanent study of the state of introduction of the Western legal concepts into the national system of law, given that there are no comprehensive systemic studies of the state of implementation of the values of the Western legal tradition in Ukraine nowadays.

It is noted that the important values of the Western legal tradition are human rights, the rule of law and constitutional democracy. These values were not recognized as such within the Soviet legal system.

The first important value of the Western legal tradition is human rights and, accordingly, human dignity. Without the second there can be no words about the first. Recognition of dignity of each person stipulates the recognition of the existence in a person of human inalienable and inviolable rights. That is why the main social value is the person himself / herself (and not the collective (group), as it was in the Union of Soviet Socialist Republics, because in order to achieve a bright future – the formation of a communist system – it was possible and it was considered necessary to neglect even the life of an individual). In the textbooks on the theory of state and law, in scientific publications even to this day it is often used the term “common good”

It is emphasized that “the common good” has no meaning other than the literal: “the totality of that which is good for all particular people”. But in this case it can not serve as a moral criterion. That is why, within the Western legal tradition, the principle of proportionality is used, which ensures the rights of an individual, including from the majority. For the domestic system of law, the principle of proportionality is new, and until recently it was generally not spoken about (especially considering the absence of its textual consolidation in legal acts).

Till today many domestic lawyers (including scholars) understand human rights as those opportunities that are provided by the state and must be fixed in the text of a legal act.

In the Ukrainian legal discourse, it is almost always the question is about human rights, to which correspond the responsibilities of a person. Verticality is immanent to human rights: the state is their destination, and not another person. Therefore, human rights and human responsibilities are different and unrelated phenomena.

It is emphasized on the necessity of following the chosen vector of social development, not trying to combine inconsistent theories.

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