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PSYCHOLOGICAL COMPONENTS OF THE DEVELOPMENT OF LEGAL AWARENESS OF FUTURE LAWYERS

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Honcharov A.V., Honcharov M.V. Psychological components of the development of legal awareness of future lawyers.

The article examines the psychological components of the development of legal awareness of law students.

It has been established that the main criteria for the development of legal awareness of future lawyers are legal knowledge, the level of legal education, attitude to legal norms, the stability of legal beliefs, value orientations, the formation of legal attitudes and the compliance or non-compliance with the law revealed in behavior. Each of these aspects is essential, and at the same time, it serves as an indicator reflecting the level of remoteness (low, medium, high) in the development of legal awareness of students who in the future should connect their lives with the legal sphere. An important factor for determining the level of legal awareness of students is their own behavior, which can be constructive or destructive in relation to current legal norms.

Each of the above-mentioned elements of the model of progress in the development of students' legal awareness combines a psychological aspect and a pedagogical approach. The process of forming students' legal awareness depends on various mental aspects, such as perception, attention, memory, thinking, as well as sensations that affect the processes of perception and assimilation of information. A person's actions and decisions are controlled by psychological characteristics and states, such as abilities, needs, motives, will, feelings, emotions, character, values. As communication and the performance of legal functions occur, interaction with other people actively affects the development of a lawyer's legal awareness and his ability to regulate his own legal behavior.

Legal awareness in lawyers is of a theoretical and practical nature, since the main goal of their work is to apply theoretical knowledge (scientific research) in practice. Law affects the consciousness of the relevant persons, performing their functions.

When establishing new guidelines for Ukrainian legal policy, it is necessary to take into account that the formation of legal awareness in lawyers occurs under the influence of the social environment. This influence is due to objective conditions and subjective factors that operate both at the level of the general environment and at the immediate level, permeating all aspects of social life.

Key words: legal consciousness, legal education students, components of legal consciousness, professional legal consciousness, source of legal consciousness.

Гончаров А.В., Гончаров М.В. Психологічні компоненти розвитку правосвідомості майбутніх юристів.

У статті розглянуто психологічні компоненти розвитку правосвідомості студентів юридичного профілю.

Встановлено, що основними критеріями розвитку правової свідомості студентів майбутніх юристів є правові знання, рівень правової освіченості, ставлення до правових норм, стійкість правових переконань, ціннісні орієнтації, сформованість правових установок та виявлена у поведінці відповідність чи невідповідність праву. Кожен із цих аспектів є суттєвим, і водночас, він слугує як показник, що відображає рівень віддаленості (низький, середній, високий) у розвитку правової

свідомості студентів, що у майбутньому мають пов'язати життя з правовою сферою. Важливим фактором для визначення рівня правової свідомості студентів є їхня власна поведінка, яка може бути конструктивною чи деструктивною по відношенню до актуальних правових норм.

Кожен з вказаних елементів моделі прогресу в розвитку правосвідомості студентів об'єднує психологічний аспект і педагогічний підхід. Процес формування правосвідомості студентів залежить від різних психічних аспектів, таких як сприйняття, увага, пам'ять, мислення, а також відчуття, які впливають на процеси сприйняття та засвоєння інформації. Дії та рішення людини контролюються психологічними характеристиками та станами, такими як здібності, потреби, мотиви, воля, почуття, емоції, характер, цінності. У міру спілкування та виконання правових функцій взаємодія з іншими людьми активно впливає на розвиток правосвідомості юриста і на його здатність регулювати власну правову поведінку.

Правосвідомість у юристів має теоретико-практичний характер, оскільки головною метою їхньої роботи є застосування теоретичних знань (наукових досліджень) на практиці. Право впливає на свідомість відповідних осіб, виконуючи свої функції.

При встановленні нових орієнтирів української правової політики необхідно враховувати, що формування правосвідомості юристів відбувається під впливом соціального оточення. Цей вплив обумовлений об'єктивними умовами і суб'єктивними факторами, які діють як на рівні загального оточення, так і на ближчому рівні, пронизуючи всі аспекти суспільного життя.

Ключові слова: правосвідомість, здобувачі освіти юридичного профілю, компоненти правової свідомості, професійна правосвідомість, джерело правосвідомості.

Problem statement. The study of consciousness is the subject of a significant number of sciences, in particular psychology, philosophy, sociology, etc. At the same time, the conclusions drawn in the direction of questions of human consciousness are inextricably linked with the level of development of science at a specific stage of its existence. At the current stage of development of psychological science, one can count a significant number of definitions of the concept of consciousness. In the most general form, consciousness can be considered as the highest level of mental reflection of reality by a person, its manifestation in the form of generalized images and concepts. There are often situations when the concept of «consciousness» is intertwined with other terms, in particular «soul», «conscience», «memory», «knowledge» and «mind». It is important to know and take into account these differences when building a component structure [1, p. 21].

At the level of an individual, legal consciousness covers various aspects of the mental sphere. Among them, one can distinguish the cognitive aspect (including empirical experience in the field of law, legal ideas and legal thinking), the evaluative aspect (which includes legal emotions and feelings, which reflect non-reflexive assessments of legal reality, as well as reflexively grounded legal values and value orientations) and the motivational-volitional aspect (including the attitudes of legal consciousness, which become a direct construction of legal behavior, as well as the ability to self-control and self-regulation, which is represented by the will) [2, p. 12].

The state of development of this issue. The psychological components of the development of legal consciousness of future lawyers were studied by such scientists as, for example, I. Bakhnovska, A. Lalueva, L. Makarenko, I. Chalchinsky, S. Kononenko, P. Kravchenko, O. Kobets, A. Lutsky and others.

The purpose of the article is to investigate the psychological components of the development of legal consciousness of law students.

Presentation of the main material. When studying the problem of legal consciousness, it is important to take into account that there are various internal and external factors that affect it and determine the patterns of its development. These factors include the level of development of the cognitive and emotional-volitional spheres, the peculiarities of the social environment, the nature and form of psychological influence at a particular moment in a person's life. These factors play a role not only in the formation of the peculiarities of legal consciousness, but also affect the development of the personality in general, shaping the choice of psychological strategies for its implementation [3, p. 63].

In our study, we rely on the general principle of unity between consciousness and human activity. The activity approach indicates that the development of consciousness occurs as a result of activity, finding its manifestation and embodiment in it. This means that the structure of individual legal consciousness can be revealed through the results of its functioning, their final product. Thus, it is important to study the functional-psychological structure of legal consciousness. In the scientific literature, this position is traced in the studies of many scientists. They identify three main functions of legal consciousness: cognitive, evaluative and regulatory. The main components of legal consciousness are also determined by these functions [4, p. 17].

The cognitive activity of a specialist is associated with specific legal knowledge and skills, in other words - with legal training. The evaluative function is manifested in the system of assessments and opinions on legal issues, as well as in assessing the interaction of law and its implementation in practice. The regulatory function is implemented through socio-legal guidelines and values [5, p. 20].

Each component of legal consciousness corresponds to a certain stage of formation. R. Muslumov identifies three stages of the formation of legal consciousness of lawyers: informational, value and activity. The goal of these stages is the consistent achievement of levels of legal consciousness. The first stage is aimed at transferring specific legal knowledge to the lawyer. However, it is not enough to have a certain amount of legal knowledge and know the norms of current legislation; it is important to understand the requirements, goals and purpose of these norms. The development and formation of legal views is a long-term and complex process that begins with observations of legal phenomena in social life and reaches an understanding of their causes, relationships and general moral and legal aspects. On this basis, legal ideas, evaluation of behavior, beliefs are formed, which serve as a guide for determining methods of action in the field of law. The value stage plays a key role in the formation of a lawyer's behavior, which is accompanied by the analysis of acquired legal knowledge, awareness of basic legal ideas and principles, and determination of personal attitude towards them. The stage of practical formation of legal consciousness of lawyers is characterized by the prediction of their socio-legal behavior, mastering the skills of making the right decisions in difficult situations and applying their knowledge in practice [6, pp. 28–33].

Researchers offer various criteria for assessing the cognitive component of legal consciousness. For example, I. Vorobyova uses the term "system of legal knowledge" to distinguish substantive knowledge in the field of law, different from fragmentary data indicating an insufficient level of the cognitive component of legal awareness (insufficient knowledge). The system of legal knowledge involves mastering the principles of law and a minimum of knowledge in various branches of law. Thus, knowledge can be assessed by the degree of its systematization: systematized, insufficiently systematized and unsystematic [7, p. 6].

Some researchers emphasize the importance of the parameters of breadth, completeness and depth. Breadth and completeness reflect the quantity of knowledge in law, and depth allows us to assess the quality of knowledge. The breadth of legal awareness depends on the coverage of various branches of law. The completeness of legal awareness is checked within each branch of law. According to the criterion of depth, three levels of mastery of legal knowledge can be distinguished: 1) formal knowledge – a basic level, limited to information about the existence of legal concepts, norms, etc.; 2) understanding of meaning – the ability to judge the content and purpose of legal principles and norms; 3) ability to apply – the ability to apply abstract knowledge in practical situations [8, p. 67].

Most modern scientists use a scale to assess the level of knowledge of legal phenomena and facts, which includes various degrees: lack of knowledge, knowledge at the level of cognition, reproduction, understanding, skills and conviction.

Depending on the subject that acts as the source of legal consciousness, individual, group and social legal consciousness can be distinguished. Individual legal consciousness, which belongs to an individual, should be considered as the relationship between subjective and objective (individual and social) aspects in his consciousness. Legal consciousness, as a component of individual consciousness, arises under the influence of the personal unique circumstances of a particular person. Its features are determined by the character, needs, motives, goals and values of the person, etc. In parallel with this, it is the result of the socio-historical development of society and the phylogenesis of humanity. Therefore, individual legal consciousness can be considered as a system of knowledge and values, which is determined by the social context, but is individually determined, and which forms the basis for the manifestation of legal (in accordance with the laws) or illegal (violating the law) behavior of a person [2, p. 11].

When analyzing the emotional-value component of legal consciousness, it is important to take into account the level and nature of the emotional-psychological attitude to law, which includes an assessment of the received legal information, legal activity, law and order and law enforcement agencies. This analysis can allow us to draw conclusions about the attitude of the individual to various aspects of the legal environment.

It should be noted that the formation of legal consciousness of lawyers occurs in parallel with the development of their personality, which includes the expansion of knowledge, cognitive processes, increasing the level of cultural education and worldview positions, and so on. The legal culture of the individual determines the ability to consciously control their behavior, to be reasonable about their own needs and desires, and to avoid mechanical fulfillment of external requirements.

The development of legal consciousness of lawyers has a clearly defined and regular nature, expressed in qualitative, quantitative and structural changes. The conditions for the development of legal consciousness of lawyers are understood as a set of phenomena on which the emergence, existence, functioning and development of this phenomenon depend. Psychological and pedagogical conditions for the development of legal consciousness of law students include a set of measures in the educational process that ensure the achievement of the necessary level of legal consciousness by future specialists.

It can also be concluded that legal consciousness has its own special forms of existence: 1) institutional, which finds its consolidation in documents; 2) non-institutional, which is expressed in legal thinking, will and feelings and is present in a «non-objectified» state, but can be recorded in writing (in scientific publications, fiction, personal documents). Accordingly, the non-institutional form can be divided into: a) theoretical legal consciousness and b) everyday legal consciousness. The latter includes the ideas, feelings and will of citizens, their subjective attitude to the current law, knowledge of existing laws and their assessment, convictions in the legality or illegality of judicial actions, as well as an assessment of the justice or injustice of the legislation itself [2, p. 11].

For an external description of legal consciousness in a complete and deep sense, in addition to the analysis of individual structural elements, scientists also recommend taking into account integrated indicators. R. Muslumov believes that the most complete picture of legal consciousness can be obtained by considering the following criteria: the level of knowledge of the law, a positive attitude to legal behavior, a favorable assessment of legal norms, the willingness to carry out legal instructions, the struggle for one's own rights by legitimate means, the willingness to participate in monitoring compliance with legal norms. In studying the problem of the development of levels of legal consciousness, most researchers are based on an integrative approach, which involves determining a system of criteria that reflect the most important aspects of legal consciousness. According to this concept, the level of legal consciousness is determined by the understanding of legal aspects by a lawyer, in particular, his knowledge of the basic norms and principles of law. Another important indicator of legal awareness is the depth of understanding of the socio-personal significance of legal norms, which contributes to their «feeling» and positive emotional perception. This criterion fixes the personal attitude of a lawyer to legal norms, institutions and behavior in the legal sphere and allows us to distinguish three levels of legal understanding: 1) superficial informational knowledge of the content of legal norms; 2) the level of partial legal conviction, when a significant part of legal norms remains personally inactive for the lawyer; 3) a high level of complete legal understanding, when legal norms are considered by the lawyer as socially and personally necessary, are internally accepted by him and turn into his personal beliefs. The last criterion is their inclinations, legal attitude and upbringing of lawyers.

A holistic assessment of the structural components of legal awareness allows us to distinguish three levels. High level, where all components of legal awareness are positively directed and receive a stable high score according to all criteria within each component. A feature of this level is the development of needs and skills in independently replenishing legal knowledge and an active legal position. This level is also called a developed or positive legal consciousness, and it involves systematized and deep knowledge, as well as active interaction with the law [10, p. 148].

The average level reflects a situation where legal feelings, knowledge and attitudes have a certain unity and stability, but legal behavior depends on external factors and circumstances. Lawyers of this level are characterized by sufficient awareness and stability of legal behavior, but less activity. The average level includes adequate knowledge of the law, a positive attitude towards it, the ability to apply legal knowledge in practice and positive motivation for behavior.

The low level indicates insufficient awareness and stability of the main components of legal consciousness among lawyers, and legal behavior depends on a specific situation due to unformed internal regulators. This level reflects insufficient awareness of legal norms, indifferent attitude towards them, unstable legal position and failure to take appropriate actions in the legal sphere.

Thus, the legal consciousness of an individual has a complex structure that combines various psychological aspects. For an objective assessment, it is necessary to take into account all components of the structure and their interaction in the complex. The most generalized and integrating criterion of a person's legal consciousness is the criterion of legal behavior. It is through the legal behavior of an individual that his legal feelings, relationships, knowledge and principles are revealed.

Based on the depth and methods of perception of legal phenomena that are subject to legal assessment, it is possible to distinguish levels of legal consciousness that depend on the target orientation of subjects operating in the field of legal regulation. This means how deeply and adequately they understand legal reality. Among such levels, one can distinguish theoretical and practical.

Professional legal consciousness of lawyers has a theoretical-practical character, since the main goal of their work is the application of theoretical knowledge (scientific research) in practice. Law affects the consciousness of relevant persons, performing its functions. Individual legal consciousness acts as one of the instruments of direct influence of legal norms on social practice. Thus, it can be concluded that the effectiveness of legal institutions is determined by a complex of characteristic properties and features of the legal consciousness of the persons representing them [2, p. 13].

Thus, the process of forming legal consciousness includes targeted, specific and operational individual work based on the use of various methods. This process takes into account the individual psychological characteristics of each lawyer.

The main feature of the professional development of specialists in the legal fields is the need to create emotional readiness for professional activity during the period of study in higher educational institutions. Emotional readiness is an important regulator for achieving satisfaction from work and a sense of satisfaction from its content. It also involves inner peace during work, self-confidence and a positive attitude towards oneself as a person. Emotional readiness for professional activity is determined by the level of development of a specialist's emotional competence as a result of his emotional intelligence.

Conclusions. The formation of legal awareness of lawyers requires the presence of appropriate professional morality, a system of moral and moral-legal norms that regulate their actions and behavior in professional activities. Since professional morality is variable and adaptive and reflects social conditions and the development of the legal profession, it affects the formation of deontological legal awareness. On the other hand, professional morality helps lawyers make the right choice when performing their duties and effectively implement optimal solutions in practical activities. Thus, there is another way to form legal awareness - increasing the level of moral self-control in lawyers. This means that lawyers must develop principles and rules of behavior that would limit the possibility of committing immoral acts. That is, each action of a lawyer must be endowed with conscious control from morality. This principle is formed in lawyers on the basis of high moral qualities and acquired life experience.

Thus, a theoretical analysis of the problem of the psychological components of legal consciousness of future law students showed that this phenomenon includes a significant number of components and segments, which only in the case of combination and interdependent complementarity give us the opportunity to understand the phenomenon of legal consciousness holistically and generally.

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