



FEATURES OF LEGAL EDUCATION IN THE ASPECT OF THE FORMATION OF PROFESSIONAL LEGAL CONSCIOUSNESS IN LAWYERS

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ABSTRACT

Objective: The objective of this study is to identify and investigate issues related to enhancing the level of legal professionals' consciousness through a theoretical and legal examination of law school students' legal consciousness. It aims to explore the features of legal education, including specific aspects of using information technology in legal education. **Methods:** To determine the specificity of the socio-philosophical analysis of legal consciousness, dialectical-materialistic and phenomenological methodological approaches are employed. The analysis focuses on professional legal consciousness in both the narrow and broad senses. It examines the formation of specific areas of professional consciousness inherent to legal professionals, such as the acquisition of knowledge of current legislation and the development of necessary and adequate legal understanding. **Results:** The study reveals the characteristics of information technology and their significance in shaping legal consciousness during the implementation of political, educational, and upbringing objectives. It highlights the formation of knowledge about legislation currently in effect and the development in legal professionals of an appropriate understanding of the law as specific spheres of professional consciousness.

Keywords: Legal education; Legal consciousness; Information technology.





CARACTERÍSTICAS DA EDUCAÇÃO JURÍDICA NO ASPECTO DA FORMAÇÃO DA CONSCIÊNCIA JURÍDICA PROFISSIONAL DOS ADVOGADOS

RESUMO

Objetivo: O objetivo deste estudo é identificar e investigar questões relacionadas ao aprimoramento do nível de consciência dos profissionais do direito por meio de um exame teórico e jurídico da consciência jurídica dos estudantes de direito. Ele visa explorar as características do ensino jurídico, incluindo aspectos específicos do uso da tecnologia da informação no ensino jurídico. **Métodos:** Para determinar a especificidade da análise sociofilosófica da consciência jurídica, são empregadas abordagens metodológicas dialético-materialistas e fenomenológicas. A análise se concentra na consciência jurídica profissional, tanto no sentido restrito quanto no sentido amplo. Ela examina a formação de áreas específicas da consciência profissional inerentes aos profissionais do Direito, como a aquisição de conhecimento da legislação vigente e o desenvolvimento do entendimento jurídico necessário e adequado. **Resultados:** O estudo revela as características da tecnologia da informação e sua importância na formação da consciência jurídica durante a implementação de objetivos políticos, educacionais e de educação. Ele destaca a formação de conhecimento sobre a legislação atualmente em vigor e o desenvolvimento, nos profissionais do direito, de um entendimento adequado da lei como esferas específicas da consciência profissional.

Palavras-chave: Ensino jurídico; consciência jurídica; tecnologia da informação.

1 INTRODUCTION

The formation of a high level of legal consciousness is becoming a central idea of the entire legal education. The quality of implementation of this objective directly determines the professional level of the graduate: their competence, practical preparedness for the profession, resistance to professional deformation, and much more. Having well-developed legal consciousness, a lawyer can become an active carrier of legal culture and the ideas of democracy and justice and, therefore, successfully participate in reinforcing the rule of law and raising the legal culture and legal consciousness of the population. This is even more important given the recent increase in social demands addressed to the activities of legal professionals.

This testifies to the relevance of research on the key problems of raising the level of professional consciousness of a lawyer.

The object of the study is the social relations arising in the formation and development of a lawyer's professional consciousness.

The subject of research are the provisions contained in theoretical and empirical research developments devoted to the study of the problems of raising the level of





professional consciousness in lawyers.

The purpose of the present study is to identify and study the problems of raising the level of lawyer's professional consciousness.

Proceeding from the research goal, we establish the following specific objectives:

- to study the features of the professional consciousness of lawyers;
- to analyze the specifics of legal education;
- to analyze the features of formation of individual areas of focus in the professional consciousness of lawyers;
- to study the particular features of informatization in the aspect of legal education and the formation of legal consciousness.

Scientific novelty of the study consists in the coverage of the features of professional consciousness possessed by lawyers and legal education, as well as consideration of the key aspects of the formation of professional consciousness inherent in lawyers. It is worth noting that research in this area began quite a long time ago (Marx & Engels, 1961), yet it cannot be called exhaustive.

2 METHODS

We consider it fruitful to use dialectical-materialistic and phenomenological methodological approaches for defining the specifics of the socio-philosophical analysis of legal consciousness.

The dialectical-materialistic paradigm is geared towards the fact that society has a material basis (social existence) reflected by spiritual (social consciousness) and socio-political (superstructural institutions) phenomena. This approach also focuses on the fact that society develops and functions according to certain objective laws.

The phenomenological approach proceeds from the comprehension of society's main element, its primary basis – the individual, their goals and aspirations, realized in objects and processes, deeds, and activities. Phenomenologists E. Husserl, A. Schütz, T. Luckmann, P. Berger, and others examine the lifeworld as the sphere of the significant for a person in their life activity as the subject of social philosophy. Science has been repeatedly attempting to overcome the one-sidedness of each of the paradigms (in Marxism – underestimation of the role of the individual, in phenomenology – failure to consider the general social).

Many scientists distinguish the essential features in the category of legal





consciousness. Specifically, they list among them the fact that legal consciousness together with philosophy, science, religion, art, and morality is one of the forms of legal consciousness of society. Legal consciousness together with the law is part of other forms of social consciousness, yet it retains its characteristics. Legal consciousness in a multidimensional format reflects and illuminates the legal reality through the idea of how political, moral, and legal values relate to each other; awareness of the need to supplement and possibly modify the regulations currently in force; awareness of the need to form an effectively functioning legislative system; assessment of law, as well as the features of its implementation in life; understanding of the very need for law; etc. Further, legal consciousness has a close relationship with the law. This relationship has the nature of interaction, i.e. a relationship that has a reciprocal dependence. Furthermore, legal consciousness is ideal, meaning that it reflects material relations and legal reality. In this respect, being conscious and reflected, it is embodied in practice in the legal activity, actions, and behavior (lawful or unlawful). Moreover, being a type of consciousness, legal consciousness has a subjective nature due to the fact that it embodies subjective views on the lawful or the unlawful. Another important aspect is that legal consciousness depends on society and is formed by it.

The development of socio-philosophical aspects of legal science and the introduction of scientific methodology in legal research are prerequisites for maintaining legal science at the level of the objective logic of social development.

The study of legal consciousness is a multifaceted sphere, which also includes professional legal consciousness. N.Ia. Sokolov (1988) notes:

Materialistic dialectics, which is the basis for the method of legal science, is also the foundation for the theory of legal consciousness, one of the objects of study in which is the regularities of formation, development, and functioning of professional legal consciousness. Therefore, the application of the dialectical method in the study of professional-legal consciousness also implies the use of general and special methods on its basis and in close unity with it. Among the general scientific methods we distinguish, as a rule, methods used to solve specific research problems, including in the field of legal consciousness. These are analysis and synthesis, induction and deduction, analogy, comparison, and experiment. The same group usually includes statistical, mathematical, and cybernetic methods. As for special legal scientific methods, they typically include the formal-logical method of interpreting law, as well as the comparative-legal method (pp. 29-30).

It is imperative to proceed from the interpretation of the methods of legal education recognized by didactics as the methods of joint interaction between students and the teacher and focused on the effective solution of problems in the framework of training.





3 RESULTS

3.1 There are two meanings of the term "professional legal consciousness": broad and narrow. Strictly speaking, only the legal consciousness of lawyers is professional from the point of the nature and content of work and belonging to a professional group. The legal consciousness of all other professional groups can be called "professional" only in a broad sense of the term

In a broad sense, the term "professional legal consciousness" can be described as the legal consciousness of many different professional groups. Importantly, professional affiliation currently serves as an important component of personal social status. M. Weber was among the first to note this. The researcher examined education together with profession as an indicator of social status because both determine the content side of life and define a person's lifestyle overall. The scholar was concerned with only one side of the influence of profession on the life of an individual, specifically the system of "claim to positive or negative privilege with respect to social prestige" (Weber, 1994, p. 147). From this standpoint, Weber regards as a profession absolutely any occupation that yields monetary income, regardless of the level of qualification, the permanence of the occupation, etc. P. Sorokin continues Weber's work and, accordingly, sees profession in the same way, namely as "a normally lasting occupation of an individual, which gives them the means of subsistence". Sorokin (2008) notes another meaning of profession: "Mechanically, apart from the will and desire of the individual, it remakes them, creates them in its own image and likeness, determines their interests, beliefs, tastes, aspirations, and desires, in a word – their entire nature" (p. 183). All of the above has led to the point of view made by Sorokin, whereby people belonging to the same profession have a lot of common features despite individual characteristics.

The very fact of the profession affecting an individual's consciousness makes it possible to assert the validity of applying the term "professional legal consciousness" as a direct characteristic of the legal consciousness of members of absolutely any professional group. This understanding implies the refusal to contrast professional legal consciousness with the legal consciousness of other professional groups due to the fact that the specificity of professional activity makes it possible to assert the existence of specific legal consciousness of persons belonging to a particular





professional group (engineers, students, pensioners, etc.). It is also worth keeping in mind the need to use a comprehensive approach in shaping the personality of future lawyers (Malkov, 1995).

3.2 In the process of student training, priority should be given to active methods as the most effective for the development of skills and professional qualities

The use of traditional methods of legal education provides simple memorization of a certain order of right decisions by the student. Even in the utilization of active learning methods, it is sometimes observed that teachers, when motivating students to independently research an issue, assume there to be only one solution, which they try to instill in the learner as an indisputable truth. With this approach, when a graduate begins their independent professional practice, they are convinced that any task can be solved by the "right or wrong" algorithm and there is no need to use spiritual, volitional, or creative qualities.

3.3 The formation of the logical and normative block of the professional consciousness of a lawyer should include the following directions: 1) the formation of knowledge of the current legislation (i.e. specific provisions of legislation); 2) the formation of an adequate type of understanding of law (this may include such components as the understanding of the social nature of law, its principles, etc.). In this, all these types of knowledge should be associated with understanding and not mechanical memorization

The logical and normative block of legal consciousness characterizes legal awareness, knowledge and understanding of the law, the breadth of outlook, and the so-called verbal behavior (behavioral readiness). Students' knowledge about the law during legal education comes from a variety of sources since they are not isolated from the outside world. All information passes through the consciousness of the student. Thus, of great importance are the cultural level, living conditions, personal and civic position, the general situation of human rights protection in the environment of a particular individual, etc.

The starting point in the study of the cognitive element of the legal consciousness of lawyers is establishing the meaning of the category of knowledge.

Alongside abilities and skills, knowledge is a mental formation that develops as part





of the individual obtaining professional and life experience and also presents the result of human learning activity. The outlined interpretation, however, does not allow to characterize the content of the learning process, i.e. what precisely the student should be taught. Pedagogical science understands knowledge as a reflection of objective reality in the form of laws, concepts, and ideas. In parallel, knowledge is an end result, which initially comes from perceptions, feelings, and images. In the formation of the cognitive component, it is important to bear in mind that the student typically possesses only empirical thinking and consciousness, which enables the repetition of what has been done or said by others (monograph or textbook authors, the teacher, etc.) without an understanding of the content aspect of the performed activity. Thus, the objective faced by the teacher is to support the development of theoretical consciousness and thinking. Legal education relies not on the study of individual examples but on summarization and abstraction and theoretical postulates derived by others. In turn, the task of the student in the educational process is to master the methods of independent application of an abstract general norm to a specific case. If the described abilities are not developed, the student's ability to mechanically memorize the studied material can consolidate, which eventually brings only ostentatious erudition and not developed intellect.

Some scientists propose to distinguish two components of legal consciousness: 1) knowledge of current legislation and 2) awareness of the law as a socio-cultural phenomenon. Others give a more detailed characteristic of legal knowledge, including 1) clear knowledge and understanding of concepts and terms, without which the comprehension and analysis of legal norms are impossible; 2) in-depth knowledge of legal principles, which allows giving an overall assessment of the legality of certain behavior; 3) knowledge of the structure of legislation, which allows finding legal norms; 4) knowledge in the field of legal sciences, which allows carrying out the analysis, interpretation, and application of law norms; 5) clear knowledge of the social role of law, the need for strict compliance with its requirements and prescriptions. A third group of researchers emphasizes the unity of consciousness and activity (Levanskii, 1986). Analysis of the cognitive function of legal consciousness (an indicator of which is the condition of the logical-normative block) points to the following characteristics: the amount of legal knowledge and its depth, the level of legal thinking, i.e. understanding of the requirements of the legislator and the essence of legal phenomena and processes, and the ability to analyze and compare them with





legislative provisions and draw the right conclusions on this basis. Furthermore, the formal system of knowledge is noted to be insufficient. The main task should be not simple memorization of information but the development of legal thinking. All of this translates into the idea that education and upbringing should not be replaced by the process of giving information.

3.4 The role of information technology in the formation of legal consciousness increases significantly in the implementation of political, upbringing, and educational goals

Informatization initially referred to the process of communication, as well as information technology and computer-integrated resources aimed at the formation of new properties that allow for organized and most effective implementation of the real activities of the society and the individual. Information is a part of the culturological, social, and technological process, greatly associated with major transformations in public life. Successful implementation of this process is impossible without the efforts of the state in represented by its bodies and the community of digital resource users in various aspects, including reducing information illiteracy, using new advances in digital technology, and forming the corresponding culture. Digitalization undoubtedly enables the successful resolution of the issues of optimizing various productions and changing the way of life of particular social strata. Furthermore, digitalization brings about a new system of values. Certain types of activity become less time-consuming, and electronic documents are used as evidence in court proceedings (Stankevich & Solovev, 2021). Additionally, a greater amount of information is consumed by human intelligence, and there emerges an interest in knowledge, a great volume of which is freely accessible. That notwithstanding, there is a possibility of the individual's legal consciousness and consciousness overall changing. In this vein, of interest is the position of researchers who question the idea that the demand for knowledge needs to rise and that the ability to be creative is the requirement imposed on citizens in the information society.

There certainly are some advantages to the informatization of society (Drozdova et al., 2019), namely the public availability of information, citizens having much greater opportunities to create, disseminate, transmit, and search for the most diverse information, the ability to search for solutions to various issues independently, the high level of the digital technical base, the development of information technology, and the





creation of new opportunities to express the viewpoints of various social groups and individuals. The available information technology is an efficient tool to influence the target audience and society overall and will be used as such depending on the legal consciousness of those utilizing it. Thus, on the one hand, information technology exerts influence on people's legal consciousness; on the other, the content and application of this technology depend on the creators of the content and the people using it. Upbringing and education in the legal and information spheres in a complex will allow optimizing the development of legal consciousness in the framework of the information society.

Scientists logically indicate that informatization affects the entire legal sphere, including legal education, law enforcement, and lawmaking (Drozдова et al., 2021). Information technology is increasingly used in preparing various legal documentation, court proceedings, the enforcement of court rulings, and the organization of learning activities. It is no longer surprising to see terms such as artificial intelligence, the algorithmization of law, digital law, machine-readable law, etc. entering the modern lexicon.

People living on opposite sides of the planet can communicate regardless of their political views as a result of information technology, and the social, national, and geographical borders become blurred, providing for the formation of a universal information space. A contemporary progressive person is constantly interacting with a variety of gadgets in their lives; this takes place not only as part of work activities but also during recreation. A person thus receives most of the information they need, including in the legal sphere, directly from digital sources.

Consequently, the importance of information technology for the formation of legal consciousness majorly increases in the process of implementation of political, upbringing, and educational goals.

4 CONCLUSION

The revival of legal education, which began in the late 1980s, was primarily associated with the establishment of law institutes and faculties in most Russian universities (Volkov, 2021). The entire complex of actions aimed at improving the level of legal education should be formed considering its interests and new challenges arising in general and legal education, assuming the competent adoption of other





countries' experience. In this connection, scientific, pedagogical, and research work is crucial to prevent the situation where research works more often examine the personality of the perpetrator and the ways to influence them, while the personalities of those fighting crime receive much less attention (Kravtsov, 1985).

In the study of the formation of legal consciousness specifically as part of legal education in lawyers, great importance is gained by the issue of the role played by information technology in this process. It is important to understand the possible extent of state control over educational organizations in this aspect (Stankevich et al., 2021).

The establishment of the information society leaves its mark on legal consciousness (Riasnianskaia, 2022). Information technology, having become an inseparable part of modern life, requires sound legal regulation and, consequently, affects legal consciousness.

From this, considering the outlined processes taking place in contemporary Russian society, we can conclude that the study of legal consciousness, legal education, and digitalization is an urgent and multifaceted matter (Parygin, 1974).

Overall, the formation of legal consciousness is a process of social significance that requires close attention given the profound importance of legal consciousness for the formation of civil society.

Research into the features of the formation of legal consciousness in law school students in today's information society is topical both in the theoretical and empirical aspects.

We agree that the digitalization of all spheres of social life is a modern reality, permeating all areas of public life – from pedagogy to digital financial assets (Smirnov, 2022). Of interest is the point of view expressed in science, according to which it is necessary to strengthen educational work, in particular, by offering young people positive alternatives to staying in the digital space. Various institutions, including family, educational institutions, youth organizations, and the state, need to work on this matter in a complex (Kovalev, 2021).

Considering the multifaceted attitude to law that lawyers have, we conclude that it can typically be described as "respect" (Kryzhanovskii, 1984). A positive legal social attitude is an indispensable element in the content of this term; it also incorporates an understanding of the need for law for society in the sense of its broad interpretation.

In legal science, this is customarily covered by the term "solidarity with law", understood as the acceptance of legal norms as intrinsic, as inner alignment with the





law directly. It is, therefore, logical that the level of understanding of legal principles and the desire to implement them in life is much higher in law school students than in regular citizens.

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