

## FORMATION OF PROFESSIONAL CULTURE OF FUTURE LAWYERS IN HIGHER EDUCATION INSTITUTIONS

### ФОРМУВАННЯ ПРОФЕСІЙНОЇ КУЛЬТУРИ МАЙБУТНІХ ЮРИСТІВ У ЗАКЛАДАХ ВИЩОЇ ОСВІТИ

*The article is devoted to analyzing the features of forming the professional culture of future lawyers in the process of professional training in higher education institutions of Ukraine. The need to form the professional culture of future specialists in the field of law as an integral component of their general culture is substantiated. Based on the analysis of scientific and pedagogical sources, the essence of the concepts of "culture" and "professional culture" is revealed. It is determined that the increase in the role of law in the process of building a democratic, legal state and the formation of civil society puts forward advanced requirements for the professional training and legal culture of lawyers. It is noted that the professional legal culture is a complex of different types of cultures, among which the following are identified: legal, political, moral, psychological, aesthetic, economic, ecological, religious, pedagogical and physical. The paper outlines the essence of the concept of a lawyer's professional culture, determines the stages of its formation and emphasizes the multidimensionality of the specified category. It is found that the formation of the professional culture of a future lawyer occurs during the study of such disciplines as philosophy of law, cultural studies of law, legal psychology, legal ethics, legal deontology with the use of innovative teaching methods and techniques, which contributes to the formation of solid theoretical knowledge and practical skills in future lawyers, enhances positive motivation for learning, affects the development of intelligence, assimilation of basic principles and norms of morality, rules of official etiquette. It is concluded that professional culture fundamentally affects the professional activity of a lawyer, is associated with the continuous process of his upbringing, education, and is determined by the specifics of his legal activity. It is emphasized that representatives of the legal profession should serve as an example for citizens in observing the law, ethics and justice, and their professional culture should be a model of high standards and form the basis for the formation of the authority of a lawyer and trust in him from society.*

**Key words:** professional culture, professional training, higher education institution, legal education, future lawyer, law.

*У статті висвітлено особливості формування професійної культури майбутніх*

*юристів у процесі професійної підготовки в закладах вищої освіти України. Обґрунтовано необхідність формування професійної культури майбутніх фахівців у галузі права як невід'ємної складової їхньої загальної культури. На підставі аналізу науково-педагогічних джерел розкрито сутність понять «культура» та «професійна культура». Визначено, що підвищення ролі права в процесі розбудови демократичної, правової держави та становлення громадянського суспільства висуває підвищені вимоги до рівня професійної підготовки та правової культури юристів. Відзначено, що професійна культура юристів є комплексом різних видів культур серед яких зосереджено виокремлено такі: правова, політична, моральна, психологічна, естетична, економічна, екологічна, релігійна, педагогічна та фізична. В роботі окреслено сутність поняття професійної культури юриста, визначено етапи її формування та зазначено увагу на базативності вказаної категорії. Виявлено, що формування професійної культури майбутнього юриста відбувається під час вивчення дисциплін філософія права, культурологія права, юридична психологія, етика юриста, юридична деонтологія з використанням інноваційних методів та технологій при їх викладанні, що сприяє формуванню у майбутніх юристів міцних теоретичних знань, практичних умінь і навичок, посилює позитивну мотивацію до навчання, впливає на розвиток інтелекту, засвоєння основних принципів і норм моралі, правил службового етикету. Зроблено висновок про те, що професійна культура фундаментально впливає на професійну діяльність юриста, пов'язується з безперервним процесом його виховання, освіти, обумовлена специфікою його юридичної діяльності. Підкреслено, що представники юридичної професії повинні виступати прикладом для громадян у дотриманні закону, етики та справедливості, а їх професійна культура має бути взірцем високих стандартів і складати основу для формування авторитету правника та довіри до нього з боку суспільства.*

**Ключові слова:** професійна культура, професійна підготовка, заклад вищої освіти, юридична освіта, майбутній юрист, право.

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**Problem statement.** Professional training of qualified, competitive specialists in the field of law is one of the priority factors in the development of Ukraine as a legal and democratic state. In this context, the importance of the legal profession and the responsibility of higher educational institutions for training highly qualified legal specialists who, in the process of practical activity, are guided by the principles of the rule of law, know and respect the laws, are responsible for the decisions made, are fair and humane. In accordance

with the requirements of European integration, legal education should be aimed at training an active, professional specialist who is able to think creatively, independently acquire knowledge and use it in practical activity. In addition, the educational process aimed at training specialists in the field of law should ensure the development of high culture, humanistic worldview, high moral qualities in students, form creative competent legal specialists, educate patriotic feelings and high civic activity of student youth.

The formation of the professional culture of future lawyers in the process of professional training is relevant both in theoretical and practical dimensions, as it reflects the modern requirements of Ukrainian society for the development of Ukraine as a legal and democratic state. Democratization and changes in Ukrainian society, new requirements for education dictate the need to update the entire system of training future lawyers in higher education institutions. In this regard, the system of higher legal education is designed to create favorable conditions not only for the formation of a competent, competitive, highly qualified legal specialist, but also a person with a stable system of values. Therefore, the goal of modern professional education is to train a specialist as a carrier of general and professional culture, who not only interprets laws, but primarily acts as a carrier of ethical values and a guarantor of legal justice. Representatives of the legal profession should serve as an example for citizens in observing the law, ethics and justice, their professional culture should be a model of high standards and form the basis for the formation of the authority of a lawyer and trust in him from society.

**The purpose of the article** is to reveal the essence of the concept of "professional culture" of future lawyers, to outline the components of a lawyers' professional culture as a necessary condition for their professional success, and to identify the features of forming the professional culture of law students in higher education institutions.

**Analysis of recent research and publications.** The formation of professional culture of future specialists in the process of their training in the system of higher education is determined by the requirements for the quality of professional education and is one of the ways to implement the provisions of the National Doctrine of Education Development of Ukraine in the 21st century. The study of the issue of forming professional culture has been reflected in the scientific works of such researchers as O. Bandurka, V. Halchenko, V. Rybalka, L. Semenchuk, O. Skakun, G. Yavorska, I. Zyazyun, etc. The theoretical and practical dimensions have been the focus of extensive scholarly investigations, namely A. Bochevar, O. Didenko, Yu. Figel, V. Hryshko, H. Leshchenko, A. Pavlenko, B. Popadych, A. Rybachuk, V. Slugotska, S. Tsyganiy, O. Vashchuk, T. Yuzko, P. Yanchenko, and others. In legal literature, the issue of lawyer's professional culture in its various aspects has been studied, in particular in the works of Ya. Aronov, M. Burdonosova, B. Chuprinskyi, I. Ilyin, M. Kostytskiy, V. Kotyuk, L. Makarenko, S. Slyvka, V. Sushchenko, V. Tatsiy, A. Zhalinsky, I. Zelenko, etc. However, the complex and multidimensional nature of the professional culture of a future lawyer necessitates further elaboration of the content of this category and the analysis of its key components.

**Presentation of the main material.** The analysis of scientific and pedagogical literature indicates the absence of a single view on the essence and structure of culture, in general, and professional culture, in particular. In the Ukrainian Pedagogical Dictionary, "culture" is defined as a set of practical, material and spiritual achievements of society, which reflect the historically achieved level of development of society and man and are expressed in the results of activity [3, p. 182]. In a narrow sense, culture is an expression of the level of education, upbringing of a person, as well as the level of mastery of a certain field of knowledge or activity. Thus, the universality of the concept of culture allows us to consider it in a multivariate, multi-aspect manner as a cross-section of social life, a characteristic of the level of development of society and the individual, a system of socially regulatory norms, a mechanism for the transmission of experience, a phenomenon of self-determination.

Meanwhile, the term "professional culture" emphasizes that culture is considered in the context of a certain profession, determines its specificity and subject content, and affects the quality of its implementation. In the Dictionary-reference book on professional pedagogy the term "professional culture" is defined as a specific set of means, methods, forms, patterns and guidelines for the interaction of people in a professional environment, which they develop in joint professional activities; a system of collective values, beliefs, patterns and norms of production behavior inherent in a certain group of professionals. Professional culture is formed as an important mechanism of interaction that helps people live in a professional environment, maintain the unity and integrity of scientific and practical activities [5]. Therefore, we can conclude that professional culture is considered as a higher level of preparedness of specialists, which integrates deep knowledge in the relevant field of professional activity, is associated with adherence to the norms and rules of ethical behavior in the team, the ability to effectively communicate, interact and work in a team when performing professional duties.

The concept of professional culture is determined by the scope of the subject's professional knowledge application, namely, a specific professional culture is inherent to lawyers as well. We agree with the definition of Ya. Aronov, according to which the professional culture of a lawyer is a multicultural phenomenon that embodies a type of general culture of a person, the essence of which is determined by the ontology of the legal profession and reflects the experience of lawyers, both spiritual and material, as well as the expectations of society regarding the professional activity of a lawyer [2, p. 19].

The professional culture of a lawyer is formed in stages, because its foundations are laid in the process of obtaining higher education in the field

of law, and other components are acquired in the process of learning the specifics of legal activity. Regarding the latter, S. Slyvka specifies the gradual formation of the professional culture of a lawyer: 1) awareness by a lawyer of his purpose, when a certain adaptation occurs, familiarization with official and functional duties and the specifics of the work of a legal institution; 2) the formation of a lawyer as a professional is characterized by complete independence in professional activity, acquisition of certain skills, development of one's own style and culture of work, etc.; 3) reaching the heights of mastery, becoming a lawyer as a professional occurs after many years (for each individual) of work or does not occur at all [4, p. 60].

Defining the professional culture of a lawyer, scientists always emphasize the multidimensionality and depth of this concept. O. Anufrienko considers that the professional culture of a lawyer is the results of professionalism, understanding of legal phenomena, conviction in the value of law, which are determined by the scientific organization of labor, the intellect of the lawyer, legal morality, psychological and pedagogical skills and official etiquette [1, p. 132]. The professional culture of a lawyer, according to B. Chuprynsky, is formed from the ontological principles of law, aimed at the triumph of truth, goodness and justice in society. Types of cultures as factors of professional culture are recognized as a manifestation of the assimilation of the norms of natural law and the spiritual achievements of humanity in all spheres. They are based on the highest norms of morality, the laws of beauty, psychology, knowledge of the cultural and legal heritage and awareness of the political and legal goals of the Ukrainian nation, include the "dialogue of arts", are associated with the legal education of citizens, etc. [8, p. 8].

The analysis of scientific legal literature demonstrates a wide range of approaches to determining the content of professional culture and its elements. Thus, O. Skakun identifies such elements of the professional culture of a lawyer as legal, political, psychological, ethical, aesthetic, ecological, economic, informational culture [6]. S. Slyvka differentiates between spiritual, moral, aesthetic, national, pedagogical, political, economic, acting [4]. V. Sushchenko argues that the internal structure of the professional culture of a lawyer is made up, taking into account legal deontology as a science of proper professional behavior, of the following fundamental components: ethical, aesthetic, religious, political, economic, linguistic (communication), physical, legal culture [7, p. 29]. According to Ya. Aronov, there is almost no discussion about the belonging to the professional culture of a lawyer of such elements as: legal, moral, economic and political culture, which are decisive for the formation of a professional lawyer, which meet the requirements of today and should be

its immanent component of a lawyer both in periods of stable development of society and the transitional period which Ukraine is currently undergoing [2, p. 75]. Thus, the professional culture of lawyers is a complex of different types of cultures and, in our opinion, it is advisable to consider such basic levels of professional culture as: legal, political, moral, psychological, aesthetic, economic, ecological, pedagogical, religious and physical.

It is worth noting that professional culture characterizes the level and quality of professional training. In this regard, higher education institutions have an objective need to develop the strength and flexibility of the individual's mind in such a way that the renewal of knowledge, the acquisition of skills become a continuous process throughout life.

The formation of the professional culture of a future lawyer occurs, from our perspective, during the study of such disciplines as philosophy of law, cultural studies of law, legal psychology, legal ethics, legal deontology. The main tasks of these disciplines are the formation of a positive legal image, legal consciousness of a specialist, moral and ethical qualities of the lawyer's personality. In the context of modernizing the content of professional training of future lawyers in higher education institutions today, innovative teaching methods and techniques are being introduced, contributing to the formation of solid theoretical knowledge, practical skills in future lawyers, strengthening positive motivation for learning, influencing the development of intelligence, the assimilation of basic principles and norms of morality, and the rules of official etiquette. For example, resolving situations of moral choice in the process of seminar and practical classes helps to realize the ethical essence of the legal profession. Such innovative educational techniques as debates, discussions, collective creative cases of a moral direction, business and situational games, round tables, court sessions have proven themselves to be effective. Accordingly, the implementation of various types of innovative tasks forms the professional culture of future lawyers. Higher education graduates have the opportunity to practice themselves in their future professional activities, acting as a prosecutor, judge, lawyer, legal consultant, investigator, as well as a teacher and scientist.

Thus, the specificity of legal professional culture, as noted by S. Slyvka, is substantiated in the following functions: formation of a sense of moral and legal responsibility; adherence to the formed positive stereotype of behavior; development of moral justification of service relations; readiness to perform professional duties flawlessly; development of a culture of professional actions; coordination of public and personal interests of a lawyer; prevention of professional deformation; warning against manifestations of bureaucracy, etc. [4, p. 64].

**Conclusions.** Thus, the professional culture of a future lawyer is a complex multidimensional phenomenon constituting the basis of his positive image, contributing to the successful realization of the creative potential and professional abilities of future legal specialists. The formation of the professional culture of future lawyers is directly related to the continuous process of their upbringing, education and is determined by the specifics of their professional activity. Professional training of future lawyers in higher education institutions should be aimed not only at the theoretical and practical aspects of future professional activity, which will be the key to the high-quality performance of their duties, but also at the formation of professional competence as a component of professional culture. The formation of professional competence must necessarily begin with the formation of professional culture on the basis of general one.

It is worth noting that the modern processes of reforming and modernizing the system of professional legal education in Ukraine necessitate a comprehensive approach to the formation of the professional culture of future lawyers of the new generation. This process must meet the current challenges, in particular: integration into the European educational space, the need for prompt adaptation of specialists to the conditions of the information society, democratization and humanization of social life, the growth of the role of the individual in society, the development of its intellectual and creative potential. In addition, it is important to take into account the transformational changes in the education system caused by the information saturation of the modern educational

environment, as well as the role of legal education as a factor in the establishment of civil society and an important component of the development of the rule of law.

Prospects for further research are the determination of pedagogical conditions that ensure the formation of the professional culture of future lawyers in higher education institutions, as well as the comparative pedagogical research in the field of forming the professional culture of future lawyers in leading countries of the world.

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