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PSYCHOLOGICAL AND LEGAL DETERMINANTS OF THE PROFESSIONAL LEGAL IDENTITY OF THE LAWYER

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PSYCHOLOGICAL AND LEGAL DETERMINANTS OF THE PROFESSIONAL LEGAL IDENTITY OF THE LAWYER

Oksana MELENKO[1]

Abstract

Radical changes in the domestic legal life have a large impact on the understanding of law, legality, nomocracy, law-making and law-enforcement activities, legal culture, human and civil rights and freedoms. That is why the most expedient is the study of professional legal consciousness, taking into account the essence of the phenomenon of "legal consciousness", which is studied through the prism of the basic provisions of the psychological, sociological and communicative theory of law. Such an approach creates the preconditions for research and professional justice of the lawyer, the essence and features of which are specified in the content of legal psychology and legal ideology, in the system of legal knowledge, representations, values orientations inherent to lawyers.

The professional legal consciousness of a lawyer determines the role of law-making and law-enforcement activity and acts as an important guarantee of the rights and freedoms of man and citizen, ensures the perfection of the form and content of sources of law.

The system analysis of the professional activity of the lawyer proves that this activity is a multilevel hierarchical entity in which legal consciousness is a component of the higher, socio-psychological level of the organization of the behavior of the individual. In constant interaction with other levels of personality development as a holistic functional system, the expert's legal consciousness acts as a psychological mechanism of motivation and self-regulation of professional activity. The analysis of objective factors of lawyer's development allows the lawyer to identify the main determinants of this process as a system of social phenomena such as the socio-economic structure of society, the level and categorical structure of social justice, norms of morality and law, the system of general and vocational education. The most important subjective-psychological factors of the development of professional justice of a lawyer is a system of assimilated legal concepts-categories and principles on which the psychological structure of his professional law-enforcement activity is based.

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The leading role in the state of the legal profession of lawyers has a scientific, theoretical, professional legal knowledge, including knowledge of domestic and European jurisprudence.

Keywords:

Legal consciousness; professional legal consciousness of a lawyer; psychology of professional activity of a lawyer.

1. Problem statement

The legal consciousness of modern Ukrainian society was formed throughout the history of Ukraine, transforming and taking on different pecularities of each period, political regime and economical system. The rapid development of legal studies was in the 60-80s of the XX century. Since the 90s, scientific publications have a fairly wide range of thoughts and ideas about the essence of legal consciousness. Each time, the changes that take place in our society's life, lead to a rethinking of legal reality, cause new interpretations of old concepts, including legal consciousness.

Legal consciousness is one of the key problems of legal science, since it, as one of the forms of social consciousness, performs extremely important functions and tasks, and implements common goals in the system of social relations.

Legal consciousness as a part of human consciousness is capable, together with the right to act as a regulator of legal relations in society, and sometimes for a certain period to fulfill this role independently. This circumstance, as well as the fact that all individuals, their groups and society, possess legal consciousness, testifies in general to the importance of this phenomenon as a factor in the formation and functioning of the state and social system. Only if the principle of the rule of law, the idea of human rights and freedoms is deeply rooted, the state can become truly democratic and legal in the legal conscience of citizens. The formation of civil society directly depends on the depth of consciousness of its values and the desire to implement them on the part of participants in such a society.

The problem of the formation of legal consciousness of lawyers, the study of it, as the defining category of professional training and the conditions that ensure it and in the future, the implementation of professional activity has always been relevant and has been among scientific research scientists. After all, a high level of legal consciousness of lawyers is of great importance for the existence and development of the rule of law

and civil society. This is of particular importance when analyzing the activities of the judiciary and law enforcement officials.

In this regard, it is necessary to investigate the psychological and legal aspects of the legislator's legal consciousness and the belonging of the level of legal consciousness of legislators, which can become the foundation for the formation and development of state and public institutions on the principles of democracy.

At the present stage of development of Ukrainian society, we can state with confidence that the legal and psychological sciences do not sufficiently investigate the current state of the professional legal consciousness of the lawyer, as a type of legal consciousness, factors that predetermine its formation and development. In our opinion, it is the professional legal consciousness that influences the proper law-making activity of a specialist and is to a certain extent an important factor in the implementation of law enforcement in guaranteeing human and civil rights and freedoms. Due to the fact that the lawyer's professional legal conscience depends on the temperament, individual style of the motivational, cognitive, emotional and communicative sphere, social orientation of the method of forming, accumulating and absorbing legal knowledge, understanding and perceiving the law, it can be deep or superficial. Which in turn will affect the implementation of the legal activity itself. Consequently, the psychological component of pravnka professional activity in the study of this legal phenomenon cannot be lost.

Not fully, and only recently, the professional legal consciousness of the legislator has been studied in the context of individual professions and relevant professionals. That is the subject of the study of professional legal consciousness are the subspecies of professional legal consciousness, in particular, the legal consciousness of judges, prosecutors, lawyers, notaries. In our opinion, such a division looks completely logical and justified, because the representatives of all these legal professions have different goals and tasks that are achieved and implemented by them using different methods. Therefore, the scientific development of the problem is predetermined by the need to search for effective ways to create optimal and universal technologies for the formation and improvement of the process of legal consciousness of all legal professionals.

This article is one of the many attempts to study the axiological and ontological essence of the legislator's professional legal consciousness, calling for a certain scientific and practical discussion, as a result of which new approaches can be developed in the field of understanding professional sense of justice, psychological and legal aspects of its composition, elements, ways of formation. The result of consideration and analysis of the problems

we have declared may be a better understanding of the very essence of professional legal consciousness through the prism of psychological and legal peculiarities in the integral plan, which will lead not only to the latest scientific developments in this field, but also greatly facilitate law enforcement itself as such in the process of legal activity.

2. Presentation of basic material of the article

The study of the issues as separate aspects of the comprehensive paradigm of professional legal consciousness involved many scholars. At present, the world has seen many works devoted to the mentioned problems, as a philosophical, psychological, and legal nature.

The psychological literature presents the results of theoretical and empirical studies of various aspects of legal consciousness. The questions of the nature, structure of the phenomenon, its determination, types, functions are considered in the writings of Yu.P.Bytyak, N.A. Bura, L.V. Vasiliev, O.O.Ganzenko, L.M.Gerasina, O.G. Danylyan, O.P. Dzhoban, N.Yu. Dymydova, M. I. Yenikeev, O. V. Zemlyanska, Yu.Yu. Kalynovsky, I.V.Kovalenko, V.O. Konovalov, V.V. Lunyov, O.V. Petryshyn, O. Yu.Todyk, I. E. Farber, Yu.V.Chufarovsky. A significant number of scientific papers are devoted to the problem of legal education, its role, in the formation and development of legal consciousness and legal culture as a reliable means of crime prevention. These are the works of A. K. Dolgovoy, O. I. Dulova, L. M. Zyubina, K.Ye.Igosheva, V.O. Konovalova, D. P. Kotov, O. G. Ratinov, V. O. Tatenko, N.O. Tkacheva. In the domestic and foreign psychological and legal literature, the subculture of children's delinquency is considered (A. Cohen, V.F. Morgun, J. Sutherland, W. Helly, A. Huton).

Among modern authors who have made a significant contribution to the study of theoretical legal and legal-psychological aspects of legal consciousness should be called V.D.Babkin, R.S.Bayniyazov, O.M. Bandurka, V.I. Barka, P.P. Baranov, P.D. Bilenchuk, M.M. Gurenko-Weizman, S.D. Gusarev, R.A. Kalyuzhny.

Professional legal consciousness of a lawyer was studied directly or indirectly by well-known scientists P.P. Baranov, Yu.M.Groshevyy, M.V. Kostytsky, V.V. Korobka, Yu.O.Legeza, V.Ya.Marchak, O.K.Chernovskyy, V.V. Mukhin, S.S. Slivka, M.Ya.Sokolov, V. I. Tsarenko.

But, in our opinion, it should be noted that the study of the psychological and legal determinants of the professional ethics of the lawyer requires a comprehensive study, precisely because of the prism of the interaction of psychological and legal sciences. Therefore, at present, both in

the field of theoretical legal science and in the field of direct practical jurisprudence, this problem is extremely updated as the development of both the practical and theoretical constituents of the sphere of application of law in the society. It is precisely in determining the main subject of the research directly the issues of the psychological and legal factors, the axiological component of our research is based, and its novelty lies in the current analytical view on the ontological aspects of the mentioned problem and the definition and study of its axiological components.

The content of legal consciousness is determined by the conditions of the formation of thinking about social reality as legal, the perception of the phenomenon of law in society as such. This process is largely influenced by legal ideas, which include consciousness of the law, sense of law, legal ideal and legal reality. Substantial influence on the content of the legal consciousness causes the system of practical definitions done by this community. These include concepts that characterize the structural properties of a law (law, duty, rule of law, legal requirement, legal status, etc.), functional properties of law (application of law, interpretation of law, legal assessment, legal regulation, law-making, legal education , and the like), as well as concepts that reflect the value properties of the law (freedom, justice, equality, public good, legality, responsibility, etc.).

Legal consciousness displays legal validity. In this regard, through the analysis of legal consciousness, its development and specificity, it becomes possible to know how the law functions in society, how the society as a whole, and individual citizens perceive the law, relate to it, recognize or not recognize the values enshrined in it, norms, principles, ideas, and the like. In view of this, consideration of various problems of legal conscience, many of which are still debatable, is of deep importance in the system of psychological legal knowledge. To date, there is no single view on the concept of justice, its study, occur mainly in terms of the impact on it of certain social, political, state and other phenomena and the study of the results of such influence. In legal science, the interaction of legal conscience with other legal categories, such as law and order, legality, and legitimacy of state power, is not clearly analyzed.

In order to define legal consciousness, it is necessary, first of all, to consider the concept of "consciousness", because legal consciousness is a derivative form of consciousness. And consciousness, in turn, can be considered from several sides.

From a philosophical point of view, consciousness is the sensation by each person of his own existence and his actions. At the same time, as Jean Paul Sartr ("Imaginable", in 1940) noted, to exist and be aware of the existence is the same. One can also agree with the opinion of Rene

Descartes that the presence of consciousness implies the existence: "I think, it means I exist" ("Reflections on the method", part IV, in 1637) [1].

Consciousness can be considered as a sphere of the psyche, which includes the sensation, perception and memory representations that are realized by a person at a certain point in time, that is, those aspects of mental activity that the subject draws attention to [2].

Summarizing the different definitions of consciousness, it can be argued that the most common understanding of consciousness in modern scientific research implies that this is a niche, an inherent quality of people, which consists in a generalized and purposeful reflection of reality, an imaginary construction of actions and prediction of their results, regulation and self-control of behavior, which has external forms of displaying a creative character and is language related. The main interconnected elements of consciousness include: consciousness of phenomena, abstract thinking, knowledge, self-consciousness, emotions, will, intuition [3].

It is believed that the prerequisite for the emergence of consciousness is the mapping, which in turn is the ability of material objects, processes, phenomena, to reproduce the objects of the external world associated with them. In the context of human display, it is necessary to distinguish between the concepts of "psyche" and "consciousness". The psyche consists of interconnected systems of conscious (thinking, feeling, attention, memory, will) and the unconscious (emotions, skills, automatic actions, instincts, intuition). Note that psychology studies the history of the emergence of consciousness, its reflex mechanisms, manifestations in different life situations, including in the state of anomaly.

At the level of modern legal psychology, consciousness is viewed as the highest level of mental reflection of reality and self-regulation inherent in man as a socio-historical creature, which is characterized by such features as the ability to master the body of knowledge summarized by the experience of mankind; presence of self-awareness, understanding of its physical and mental properties; understanding of the purpose of its activities [4].

Researchers and scientists paid no less attention to the study of such a form of consciousness as legal consciousness (C. Lombroso, E. Ferry, R. Garopalo, L. Petrazhytsky, S. Gogel, I. Ilyin), while it should be noted that the psychological nature in general, and some of the psychological aspects of legal consciousness in particular have not been studied enough by both Ukrainian and foreign scientists. The specificity of legal consciousness in comparison with other areas of consciousness (political, moral, aesthetic, etc.) in this case is the consciousness and the feeling of the connection of phenomena and processes with legal consequences, legal regulation, legal rights, duties and sanctions.

A significant contribution to the development of the concept of legal consciousness in the late nineteenth - early twentieth century was made by the Russian scientist I.O.Ilyin, in his understanding the prerequisite of a normal, healthy right was laid in the person, in his legal consciousness - the free, loyal, creative state of the soul.

The scientist has developed three rules of legal consciousness, which provide:

1) to comply with the voluntary laws and fight loyally for the new, the best;

2) to free yourself internally with the help of a voluntary obligation and seek freedom only through the law and under the law;

3) to learn the art of removing from the law its true and just essence, with the help of legal conscience, creative reading of the law.

Although the scientist did not give the only universal definition of sense of justice, he noted that sense of justice is the will to law, the will to the goal of the law and the ability "self-consciously" to motivate his actions with the consciousness of this goal. He believed that the indisputable root of justice lies in the respect of a person for himself, his own spiritual dignity (the law of spiritual dignity), ability, self-control and self-government while independently establishing the limits of acceptable behavior (law of autonomy) and mutual respect and the trust of the parties, which are the basis for private and public legal relations (the law of mutual recognition). For I.O.Ilyin, legal conscience is a collection of beliefs about the law, the state, the whole organization of public life; it is the main source of natural law, as well as the universal connection, between law and morality, between natural and positive law. Spiritually healthy and faithful legal conscience is the main thing that the state needs and the right for its prosperity [5].

Legal consciousness was researched by the famous Russian lawyer P. I. Novgodorodtsev, who in his work "The Crisis of Modern Legal Consciousness" (in 1909) noted that the crisis of legal conscience is a consequence of the crisis of individualism and the Western European theories of law and the legal state [6].

One of the first who began to consider law as a mental factor was L. Petrazhitsky. The scientist showed the mutual influence of law and public consciousness ("popular psych"). These two phenomena, in his presentation, form each other, and the result of this interaction will be the formation of an absolute social nature. He came out with the fact that the right is rooted in the psyche of the individual and argued that the lawyer would be mistaken if he began to look for the legal phenomenon "somewhere in the space above or between people, in the "social environment", while this phenomenon occurs in him, in the head, in his

psyche, and only there". The interpretation of the law from the position of the psychology of the individual, considered L.Petrazhitsky, allows to put the legal science on the ground of reliable knowledge obtained through self-observation (introspection method) or observations of the actions of others.

N. Motuzov noted that legal consciousness expresses an assessment of the right in terms of its fairness or injustice, rigor or not rigor, perfection or imperfection, effectiveness or not efficiency. The scientist believed that sense of justice sometimes includes polarly opposing judgments about law, a positive or negative reaction to its action. At the same time, not only law, laws, but also other legal phenomena are evaluated - legality, law and order, law-making, justice, acts of justice, the course of legal reform of the activities of the judiciary, law enforcement agencies and others.

According to O. Danilyan, legal conscience is a concept and concepts that express the attitude of people to the current law, knowledge of the measure in the behavior of people from the point of view of rights and obligations; these are legal theories, legal ideology. Within this approach, legal consciousness is the ideological expression of objective social relations, which, in turn, reflect the economic and social relations that dominate society. The law affects the formation of legal consciousness, and legal consciousness is implemented in law and justice [7].

Yu.Yu. Kalinovsky defined legal consciousness as a set of evaluative thoughts and attitudes that determine the attitude of the subjects of social relations (social groups, individual citizen or society as a whole) to law and current legislation, as well as the practice of its application, legal (or illegal) customs, value orientations that regulate human behavior in legally significant situations. The legal consciousness of society combines both the axiological dimension (the dominant legal values for a particular type of society) and the ontological dimension - the ways and forms of being of legal consciousness, in particular historical conditions. Legal consciousness is based on the communicative value background, which was formed in one society or another and is a well-established notion of good and evil, fair and indiscriminate, allowed and not allowed, traditional and not traditional [8].

By definition of O.M. Bandurka, S.P. Bocharova, O.V.Zemlyanska, legal consciousness is considered as a sphere of individual consciousness, which reflects the legal reality in the form of legal knowledge, evaluative attitude, to the law and practice of its application, legal attitudes and value orientations that regulate human behavior in legally significant situations [9]. According to V.L. Vasilyev, legal consciousness is a system of ideas, emotions and feelings that express the attitude of the individual, group, society, to law and activities related to law. It reflects the legal reality in the form of knowledge about the law, understanding of what is the law it was

(related to the law of previous years) and which it should be (related to the future of law), as well as legal attitudes of behavior as a reaction to the assessment existing law, law enforcement bodies. Legal consciousness should be peculiar not only to the creators of legal norms and lawyers, but also to all citizens of the state [10].

It should be noted that today there are discussions about the sense of justice, and accordingly there is no universal definition of it. The fact is that legal consciousness is always considered in a certain theoretically applied context (in this case, a psychological one), which is defined by the subject of scientific research or practical use. However, despite the topic of a specific study, one should take into account already existing definitions of legal consciousness, expressed in a different context. We also note that the majority of modern and a significant part of pre-revolutionary scholars raise the legal consciousness to reflect the nature of the laws in mind.

Solving the question of how relevant is the study of justice, you can quote a famous French lawyer J. Carbonnier: "If a person owns a developed legal consciousness, then is it so necessary information about the law. With such legal consciousness, a citizen is able to understand for himself what is legal" [11] .

Thus, the most common in modern legal literature is the definition of legal consciousness as a sphere of consciousness, which reflects legal reality in the form of legal knowledge and evaluative attitude to the law and its implementation, social and legal attitudes and value orientations that regulate the behavior of people in society in legal meaningful situations. Legal consciousness is often also defined as a set of attitudes, theories, ideas and feelings of people (their teams, classes, to a certain extent of society as a whole) regarding the current and desired law and order.[12].

The definition of legal consciousness as a legal thinking, a component of a democratic legal and common culture of mankind, which is crucial for a country, seems to be quite and helps to determine its development strategy; means by which a person interacts with the law, the law, the state, and through them the economy, politics, culture, life, etc. [13].

Legal consciousness on the content may differ in its focus, that is, to be positive or negative regarding the perception of law as a social phenomenon. In the case of positive consciousness, a person is aware of legal processes and legal activity as a positive phenomenon necessary for the development of society, for himself, for the protection of the rights and freedoms of individuals, for the maximum realization and coordination of their interests. In the case of a negative legal consciousness, a person is nihilistic, skeptical, or indifferent to legal institutions and legal instruments as certain means of state and public organization. This level of legal

consciousness can be defined as illegal or criminal. In this case, it is necessary to distinguish the negative attitude towards the official (state) law enforcement agencies (disrespect, mistrust) and at the same time a positive attitude towards the law in general, respect for the rights of others. That is, a person can have a very high individual level of legal consciousness and at the same time not perceive or even oppose the existing legal system or its individual institutions. On the other hand, a person can have very detailed, deep knowledge in the legal sphere, even professionally engage in law enforcement, lawfulness or law-making activities, but at the same time have a low level of legal consciousness and in general be a criminal.

Today, it can be stated that legal conscience has become one of the leading categories of legal psychology and is of paramount importance in supporting the rule of law and relevant legal institutions. Within the framework of legal mediation of individual behavior, the category "consciousness" is represented by "legal consciousness" as the ability to assimilate legal knowledge, determine its attitude to legal norms (categories, institutions) and behave in accordance with their requirements. Thus, legal consciousness is most appropriately defined as the sum of knowledge, perceptions, beliefs, reasoning, emotions, in the field of law.

It is obvious that legal consciousness depends on the legal experience and behavior of both the individual and the group and society as a whole; From the point of view of psychology, legal consciousness is primarily determined by psychological factors of a person's behavior, the anomalous or normal character of the individual consciousness.

One of these issues is the problem of forming legal consciousness of lawyers, studying it as the defining category of training and the conditions that provide it. A high level of legal consciousness of lawyers is of great importance for the existence and development of society. This plays a crucial role in the analysis of the activities of the judiciary and law enforcement officials.

Thus, there is no doubt that the legislator has the relevant knowledge, skills, is aware of and evaluates the state-legal processes, able to make responsible decisions from the position of fairness or injustice of the law, to think critically and logically. That is, the level of professional legal consciousness is unconditional. And, of course, the legislator's professional legal consciousness will differ from the usual in scope and depth of legal knowledge and the ability to apply it.

When we talk about the professional level of the lawyer (which characterizes the attitude to the law of practicing lawyers, civil servants, that is, people who have special education, in-depth and formalized knowledge of the principles and norms of law, their ability to apply in practice in

various spheres of social relations: economic, civil, marriage and family, criminal, etc.), we definitely mean the level of his professional legal consciousness.

The leading role in the development of professional legal consciousness of lawyers is played by legal education (study). It is the most effective and efficient form of education of justice, because it gives a certain system of legal knowledge. Such studies are carried out in schools, colleges, universities, refresher courses for employees of different categories.

Theory and practice show that the development of a young specialist and the development of his, as a result, professional sense of justice, contribute to his due professional training. In particular, the main tasks that emerge from the strategy of legal education of legislators are to form legal knowledge - knowledge of legal norms and the practice of their use; to inculcate skills to use legal and regulatory tools for solving practical tasks; facilitate the acquisition of practical skills, skills of law, and not only its interpretation, apply technologies of psychological and legal processes. Knowledge not only in the field of law, but also in the field of psychology. It is psychological knowledge that will contribute to the legislator proper perception, understanding and, as a result, the application of legal norms, the possession of organizational skills, the wealthy to make responsible and competent decisions that guarantee the rights of individuals, legal and social protection of citizens; the formation of moral and legal beliefs and attitudes based on the priority of universal human values [14].

Professional legal consciousness and the corresponding hierarchy of legal values are formed not only due to the legal experience of society, but associated with the selectivity of information about the environment of a particular person, which is determined individually by a set of major trends. This individual selectivity creates the foundations of the formation of different personalities under the same environmental conditions and turns out to be in their motivational sphere, emotional characteristics, cognitive style and communicative properties.

The process of formation of professional legal consciousness of a lawyer has leading trends that have been reflected in scientific works. The leading individual trend determines both temperament and the individual style of the motivational, cognitive, emotional and communicative sphere, and the main aspects of social orientation. L. M. Sobchik identifies certain areas in the mind of a lawyer, which differ in each depending on the leading trends.

Motivation, emotional characteristics, type of thinking and style of interpersonal behavior, make individually the typological basis on which the personality is formed in the process of interaction with the environment

[15], so that it implicitly influences the level of professional consciousness of the lawyer.

To clarify the process of formation of professional legal consciousness are also important legal feelings of the person that may have different qualitative and quantitative characteristics. The feeling of certain rights and duties, justice, dignity, autonomy, is predetermined by certain qualities of a person: pedantry, the ability to lead or subordinate to the leader, the ability to intuitive thinking and forecast, formally logical or visual figurative perception.

Today, it is almost impossible to live in society without knowing the legal rules that regulate people's behavior. As stated I.O.Ilyin: "A person cannot do without legal consciousness, because any chance meeting with another person, any conversation, any neighborhood, not to mention participation in any association, immediately raises a question about my right and your right, about mutual obligations, about the laws"[5]. Knowledge of existing laws, understanding the need to implement them, becomes important for each person. In addition, the vital self-determination of a person largely depends on a person's consciousness of the law. This is predetermined by the fact that the acquisition of knowledge in the process of legal education is associated with a deepening understanding of reality and the development of interest in the legal ideals of modern society. In the process of legal education, the ability to properly navigate in complex conflict situations is consolidated, and purposeful legal education gives a powerful impetus to the development of legal consciousness.

The establishment of the essence of legal education and disclosure of its value at the present stage of the creation of the state in Ukraine largely depends on the understanding of the law itself (the moral), because "the interpretation of the legal worldview will inevitably be predetermined by the legitimacy of its bearer" [16].

In addition, the very content of educational influence will largely depend on what type of legal understanding is its basis.

The essence of legal education is the formation of the legal setting and coordination of the aspirations and expectations of the individual with the interests and expectations of society, that is, the process of developing strong legal ideas and principles in the legal consciousness of students, the formation of legal culture.

For a lawyer, in the process of implementing professional skills, knowledge and skills that are directly related to legal consciousness, professional memory in its long-term form is capable of storing large amounts of professional legal knowledge, as well as accurately using this knowledge in terms of operational (short-term) memory [9].

The activities of lawyers are clearly regulated by legal norms (legislative acts, regulatory documents). This feature distinguishes the work of lawyers from numerous branches of human practice, where the performance of work is determined by general plans or instructions and creates a greater opportunity for the free exercise of personal ideas about the most effective organization of labor. Legal regulation subordinates the activity of the legislator to ordinal, clearly established norms of the law. Failure to fulfill or improperly performed by a lawyer of his official duties is always a violation of one or another law.

This entails increased professional responsibility for their decisions in their professional activities. The sense of responsibility is unquestioningly a consequence of the formed level of professional consciousness.

The main success factor of the professional activity of a lawyer is the system of professionally important qualities of his personality as a specialist. This system includes a set of personal qualities, professional knowledge, skills and abilities that ensure success in achieving goals, implementing tasks and individual stages of the legislator's professional activities, including the ability of an individual to realize the law as the highest value in society, that is, a high level of professional legal consciousness is a key to competitiveness.

3. Conclusions

Legal consciousness is the main and organic component of the legal life of society. As a specific form of public consciousness, legal consciousness is a cognitively evaluative attitude of people to the past and current legislation, to law, justice and the legal order. This is an consciousness of the objective necessity of law in modern society, its social purpose, and its connection with such democratic ideals as justice, freedom, the natural and inalienable rights of the individual.

Legal consciousness is a complex systemic education, which is the highest level of a person's psychological activity, at which the understanding of law takes place.

It is clear that the legal behavior of a person directly depends on the level of his legal consciousness, which in turn can depend on knowledge or ignorance of legal norms, attitude, to relevant state institutions (legislative, judicial, law enforcement), positive or negative attitude to existing legal prohibitions and sanctions for their violation.

Since the time of active scientific research in the direction of studying the concept, elements, methods of formation and development of the aviation industry, the studies of the professional legal consciousness of

the lawyer have had both theoretical and practical significance. Legal consciousness, professional legal consciousness of the lawyer, has been and remains the subject of study of jurisprudence, sociology, philosophy, psychology. And each of these sciences, depending on the subject of their study, considers these phenomena in its own way, but all scientists are unambiguous in that the psychological component of such a phenomenon has an extraordinary significance and underlie subsequent scientific research.

In our case, at the junction of psychological and legal science, the issue of the concept, essence, nature and other elements of legal consciousness is the subject of study of legal psychology as an integral science. The results of this science can be used by scientists in various industries.

Consequently, taking into account the psychological essence of legal consciousness, its formation, and the state, the determining factors are: mentality, culture of the legislator, individual perception of law and legal education, in particular, responsibility for their own and, accordingly, other people's actions, general humanization of legal goals activities and methods of its implementation. Legal consciousness and professional consciousness of the legislator, in particular, is an indicator of the mental health of the person who applies the law, his inner culture, the formation of his professional environment, conscious perception, understanding of the law, respect for the priority of human rights. Unquestioningly, a high level of professional legal consciousness is evidenced by emotional intelligence, the ability of the legislator to think critically and analytically, to investigate and analyze facts, to argue a legal position.Stable legislation, a clear mechanism for its implementation and a high level of legal culture influence the formation of the legal consciousness of the legislator in the best way.

And, of course, the most important psychological and legal factors for the development of a legal professional legal consciousness is the system of legal concepts, categories and principles that it has learned, on which the psychological structure of its professional law enforcement activity is based. The leading role in the development of professional legal consciousness of lawyers is played by scientific-theoretical and professional legal knowledge, legal education.

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