The structure of professional attorney's consciousness

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The problem of studying consciousness has been quite relevant and significant throughout the lifetime of psychology, since it is the consciousness that builds the inner picture of the world and forms a semantic representation of reality, performing the reflective, regulatory and instrumental functions of the human psyche. Consciousness arises and forms in the process of regulation of social activity and allows a person to set himself a certain goal, to isolate himself from the outside world, to determine his attitude to the objects and phenomena of the outside world. The objective necessity of successful socio-economic development of the Ukrainian society, the task of formation of the state of law, implementation of a complex of measures related to the implementation of legal reform lead to an increase in the role of professional attorney, their responsibility for the results of their activities.

The professional consciousness of attorney is a special phenomenon of modern reality, the study of which is possible only with a thorough analysis of it as a theoretical and legal construction. Proceeding from the approaches developed in psychological science, in some cases, this kind of consciousness can be regarded as a set of views, ideas, theories, representations and feelings of a group of people with a certain status of a attorney, with respect to the law, current and desirable. In others - as a "reflection of legal reality" by attorney in the process of carrying out their professional activities. Features of the content of professional consciousness of attorney should be analyzed, based on the following elements: professional knowledge, attitude to the profession, skills of professional behavior.

Key words: professional consciousness; attorney; legal activities.

Introduction

The problem of studying consciousness is quite relevant and significant throughout the lifetime of psychology, since it is the consciousness that builds the inner picture of the world and forms a semantic representation of reality, performing the reflective, regulatory and instrumental functions of the human psyche. Consciousness arises and forms in the process of regulation of social activity and allows a person to set himself a certain goal, to isolate himself from the outside world, to determine his attitude to the objects and phenomena of the outside world. The objective necessity of successful socio-economic development of Ukrainian society, the task of formation of a

law-governed state, implementation of a complex of measures related to the implementation of legal reform lead to an increase in the role of professional attorney, their responsibility for the results of their activities (Meszerina, 2005).

The goal of article is to determine the structure of the professional consciousness of the attorney.

Theoretical research

According to Shevchenko, "studying the consciousness of the person is now among the most important scientific problems, because consciousness is not only fundamental,

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but also the limiting concept in the system of psychological research. Representatives of various scientific schools have developed a set of concepts of consciousness, but for a long time the notion of consciousness had no clear definition and mechanism of understanding" (Shevchenko, 2005, p. 98).

In modern psychology, the problem of consciousness is widely discussed by various scholars. Yes, O.M. Leontiev believes that consciousness is a picture of the world, which opens to the subject, in which he included himself, his actions and states. In his opinion, at first consciousness exists only in the form of a mental image, and at a later stage, the subject of consciousness becomes activity, aware of the actions of other people, and through them the actions of the subject (Leontiev, 1982).

By B.G. Ananiev, the individual development of consciousness is carried out through the transition from the consciousness of individual moments of action to purposeful planned activity. He believed that consciousness, as an active reflection of objective reality, is the regulation of the practical activity of man in the surrounding world (Ananiev, 1980).

According to O.R. Ratnov, in the structure of the personality's sense of justice, each of the functions correspond to the following blocks: legal knowledge; legal assessments; legal guidelines. The necessity and amount of legal knowledge of the individual are due to the extent to which it is involved in the system of legal relations. Acquisition and assimilation of legal knowledge is carried out with the help of social and legal experience of the individual. Passing through the consciousness of the individual, legal phenomena cause a value-for-yourself attitude: evaluated as legal knowledge, and legal reality in terms of this knowledge. There is a process of not direct reproduction in the actions of the individual of the knowledge gained, but there is a redefined version, correlated with views on legal obligations. After that, a legal guideline is drawn up that reflects readiness for certain legal behavior. The block of legal guidance also contains a tendency to assess legal phenomena, based on the direction of legal behavior. It affects both the regulating (instructive) and the cognitive (cognitive) and law-creating (value) functions of justice (Ratnov, 1981).

Thus, according to E. M. Kurslayev, consideration of the functions of professional consciousness must be carried out according to the following distribution: cognitive (informational); estimated; Regulatory Cognitive (informational) is aimed at obtaining certain professional knowledge, including information about the current legislation, the practice of its implementation. The evaluation function allows to evaluate legally significant events, facts, circumstances, documents on the basis of comparison of them with the values adopted in society or the perceptions of individuals about them. The practical implementation of such a function determines the legal guideline of the attorney, which in turn determines the legal orientation, representing an internal program of action in a legally significant situation. In choosing an option of behavior an important role is played by the legal orientation of the attorney, his value relation to the law. With the help of regulatory function, a certain mechanism for regulating behavior or actions is made, taking into account legal

guidance and legal orientation. The result of the regulatory function is the behavioral reaction (position) of the attorney in the form of lawful or unlawful behavior (Kurlaeva, 2004).

Results & Discussions

The professional consciousness of attorney is a special phenomenon of modern reality, the study of which is possible only with a thorough analysis of it as a theoretical and legal construction. Proceeding from the approaches developed in psychological science, in some cases, this kind of consciousness can be regarded as a set of views, ideas, theories, representations and feelings of a group of people with a certain status of a attorney, with respect to the law, the current and the desirable. In others - as a "reflection of legal reality" by attorney in the process of carrying out their professional activities. Features of the content of professional consciousness attorney should be analyzed, based on the following elements: professional knowledge, attitude to the profession, skills of professional behavior. There is no doubt that knowledge of the current legislation in attorney is the most complete, voluminous and deep in comparison with other citizens, because it merges with professional knowledge. Moreover, the knowledge of attorney is not only more thorough, they reach the expert level, and given that in the professional consciousness of attorney, in addition to the practical, there is a theoretical level, one can speak of a deeper penetration of the right into their consciousness.

In this regard, it should be noted that professional consciousness covers not only the sphere of positive law, but also law as a philosophical category. attorney, on the one hand, in their practical activities are dealing mainly with the norms of written, current law, on the other, have the necessary training to rise to the level of abstract comprehension of positive law. This, in our opinion, allows them to be not just attorney, but attorney in the very best meaning of the word, that is, to feel right. In some cases, this circumstance will be the sole basis for distinguishing a attorney from a person who knows certain provisions of the current law (due to the peculiarities of professional activity or for other reasons). Such knowledge, as already noted, is unsystematic and is related to one or another legal situation.

As the main functions of forming the professional consciousness of attorney can distinguish epistemological, law-making, regulatory, legal-law functions. These functions of professional consciousness most fully express its social role and purpose in the system of professional activity. Each of the functions is due to objective practical goals, tasks and is aimed at servicing human rights practice.

In psychological literature it is customary to distinguish, as a rule, two levels of social consciousness: everyday (empirical) and scientific (theoretical). The result of the reflection on the first of them - the knowledge of phenomena, on the second - the knowledge of entities. The level of social consciousness of the individual - an indicator of the depth of knowledge of nature and society, measures of practical human activity. It is associated with a specific

character, degree of reflection of the surrounding reality, as well as with the features of the social function.

As P.P. Baranov (1988), professional consciousness is a complex system of education, which contains various

elements that form its structure, and consideration of which is important in connection with the changes that have experienced the current professional activity of attorney (Fig. 1).

Fig. 1. The structure of the professional consciousness of the attorney

The professional consciousness of a number of scholars tends to be regarded as a complex system, the content component of which contains rational, emotional, informational, evaluation and volitional elements (Baturkin, 2004; Borax, 1986).

Regarding the legal aspects of professional consciousness VO Strong definition of the sphere that the researcher relates to different branches of law. This, first of all, knowledge of legal norms, legislative acts, codes, value attitude to law, legal behavior, psychological settings regarding the rule of law (Suslov, (1997).

The professional consciousness of a modern attorney and its main components are distinguished by the ability to continuously develop and improve in the process of legal activity, the ability to overcome the difficulties in one or another section of such activities, which contributes to the creative activity of a attorney. Hence, readiness for a certain type of legal activity is not only the previously acquired specialized legal knowledge, skills, skills, legal settings, mental qualities of a specialist, but also the actualization of these components, their active use to enable the implementation of specific legal actions at this moment. Such an internal attitude of the attorney for concrete actions, the mobilization of all components of professional consciousness for the implementation of active and appropriate law enforcement actions can be called

situational (temporary) readiness for enforcement activities (Klishina, 2008).

Applying structural-functional analysis in relation to investigation of legal consciousness of G.P. Klymova, the researcher came to the conclusion that it is multicomponent and concentrates in itself rational-ideological, emotional-psychological and instructional-behavioral elements (Klimova, 2012). The first element of the scholar includes legal knowledge, values and ideological principles, a set of legal ideas, theories, views, which in a conceptual, systematic form reflect the legal reality in the semantic categories and subjective representations in the consciousness of the individual, and here it is possible to include traditions and norms of law system and its institutions. The second element includes a set of legal feelings, which have their manifestation in the form of confidence in the fairness of human rights, impatience to their violation, experience, mood, habits, which are formed under the direct influence of the legal life of society. Given that it is a question of subjective-psychological peculiarities of the process of reflection of legal reality, we note that components included in the emotional and psychological element of legal consciousness have different degrees of dynamism at once. Nevertheless, these phenomena are orienting the person, is a connecting link between consciousness and its behavior,

between the ideal desired goal and the practical embodiment of it in reality.

Instructive-behavioral component of professional consciousness are legal guides and appropriate stereotypes of behavior that promote the transfer of ideas and values to the plane of practical implementation.

The behavior of attorney reveals the real meaning of their professional consciousness. As a result, in the structure of professional consciousness advocates it is expedient to identify behavioral components that make up their value orientation and readiness for activities in the field of legal regulation.

All considered elements of professional consciousness are relatively independent and at the same time interconnected, intertwined, forming a specific integrity - professional consciousness of attorney. The nature of knowledge and ideas, values and beliefs, emotional states and psychological feelings, attitudes and guidance, prevailing patterns of behavior determine the content of professional consciousness of attorney.

The professional consciousness of attorney is among the forms of social consciousness, brought to life by the need for a special kind of regulation of the nature of communication between people. In the structure of society's life, social consciousness in any form performs certain social functions. All forms of social consciousness are forms of reflection, therefore, of the knowledge of social being. That is, social consciousness fulfills the social function of cognition of social being, the function of cognitive, epistemological. This determines the peculiarities of the exercise of professional consciousness as cognitive, and practical functions (Baranov, 1991).

Conclusions

Thus, professional consciousness is the most advanced form of consciousness of attorney. It is a form of specialized consciousness that reflects the specifics of the socio-legal reality with which attorney deal in the process of carrying out their professional activities. The elements of professional consciousness are professional knowledge, feelings, value orientations, legal settings, stereotypes of socially active lawful conduct and professional experience, are objectively characterized by goals, tasks, the nature of advocacy and the working conditions of attorney.

System analysis of the structure of professional consciousness of attorney proves that this is a multilevel hierarchical entity, in which consciousness is a component of the higher socio-psychological level of organization of professional activity and behavior of the personality of a human rights activist. In constant interaction with other levels of personality development as a holistic functional system, the professional consciousness of a attorney acts as a psychological mechanism for motivating and self-regulating his professional activities. For the practical level of professional consciousness attorney are characterized by higher forms of social activity - law-making. In the process of this activity, the formation of such important structural structures of professional consciousness as professional skills such as professional skills, habits, traditions, proposals

for the improvement of human rights practice is formed in the attorney.

Studying the structure and content of professional consciousness of attorney allows you to know its essence, meaning and role in the legal culture of society. The importance of research into the content of professional consciousness is due to the ability to outline the main directions, to develop measures to prevent the inertia of thinking, bureaucracy, formalism in work and corruption in human rights activities.

The development of the professional consciousness of attorney is conditioned by the constant interaction of two factors: the objective (socio-economic structure of society, the level of social justice, the norms of morality and law existing in society, the system of general and professional legal education) and subjective (the system of acquired legal principles, norms morals and rights on which the psychological structure of the professional activity of the attorney is based).

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