

FORMATION OF PRACTICAL SKILLS OF APPLICANTS IN LEGAL EDUCATION BASED ON A COMPETENT APPROACH: WORLD EXPERIENCE AND UKRAINIAN PROSPECTS

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Abstract: Currently, the system of legal education in Ukraine is quite complex and interacts with other systems: political, economic, cultural, social. Under these conditions, the system of legal education cannot be passive; it significantly and dynamically affects the environment, forming a civilized democratic legal field. Legal education is the most attractive not only for young people, but also for a wide range of specialists who intend to move up the service hierarchy. The article analyzes the actual state of legal education, the most important methodological approaches to the content of legal education in modern conditions of social and legal development both within the framework of the domestic state and from the point of view of world practice.

Keywords: Competent approach, Legal education, Legal theory, Ukrainian practice, World practice.

1 Introduction

The involvement of the legal sphere of education in the system of market relations requires updating its content and improving the technologies and methods of professional training. At the same time, in different strata of society, claims arise related to the inadequate quality of the training of lawyers, which are caused by a number of factors, such as:

- Changing the role of the lawyer in society and on the legal services market;
- The presence of various high-quality requests to lawyers from employers, the scientific and educational community, representatives of the legal profession, the state, society, etc.;
- Growing public reflection on law and the legal profession;
- Growing tension between legal education, professional practice and market demands [28].

The main direction of transformations of higher and secondary specialized education is their integration with practical activities and science, as well as the development of the creative personality of the future specialist in the team. Reforming education at this stage is carried out taking into account the peculiarities of territorial labor markets, the socio-demographic specifics of the structure of labor potential, the current conjuncture of jobs, the dynamics of employment in various sectors of the economy in each specific region, trends in the investment activity of market entities, modernization of production technologies, the nature of the influence of market relations to territorial redistribution and professional mobility of personnel [7].

The cardinal changes that have occurred recently in the higher education of Ukraine require the formation of a new content of professional education for future specialists, which will provide the necessary level of professional knowledge, the acquisition of professional competence, the development of creative abilities, a professional type of thinking, the formation of independence and dynamism in decision-making, the ability to apply the acquired knowledge in their professional activities. The principles of teaching determine conceptual ideas regarding the structure and content of education, professional training of future specialists [14]. They are used as specific recommendations regarding the process of forming the professional competence of future specialists, the organization of the educational process, the observance of which is the key to the effectiveness of pedagogical activity. The principles reflect the relationship between the patterns of the educational process and learning

objectives. The total number of principles in didactic theory is not clearly defined. It determines the relevance of this study.

According to the information of the Ministry of Education and Science of Ukraine, as of March 15, 2016, the number of licensed places for the training of lawyers (bachelor + specialist + master) was 108,227 places. The number of graduates was (by government order / at the expense of individuals and legal entities): bachelor – 4769/17615; specialist – 1243/9812; master – 2587/6324. In total, 42340 lawyers were trained in 433 educational institutions. The number of universities, together with their branches, which have licenses for training: bachelor – 139, bachelor + specialist – 146, bachelor + specialist + master – 147, master – 1 [18].

Over the past 10 years, the United States Agency for International Development (USAID), the OSCE and other foreign organizations have repeatedly allocated funds to Ukraine for scientific and practical research in the field of education. The most significant reports on the most important projects are presented on the official website of the Ministry of Education and Science of Ukraine in the section "Materials processed by the Working Group on the development of the Concept for improving legal education for the professional training of a lawyer in accordance with European standards of higher education and the legal profession" [7], as well as the above website presents a draft Concept for the improvement of legal training and education for the professional training of a lawyer in accordance with European standards of higher education and the legal profession.

2 Literature Review

The formation of a system of market relations entails social transformations. Social development in the XXI century confirms the assumptions put forward in the works of many authors [6]. Material progress is only a necessary condition for the formation of a new society, as sufficient should be considered a change in the value orientations of a person. A characteristic feature of society in the XXI century becomes the presence of a component of knowledge in each product and service, not only as a factor in creating surplus value, but also in competitiveness. The knowledge-based economy is emerging, the information environment acts as the main production resource, and entrepreneurship is considered as the most economically productive form of management [29].

The world is on the verge of global social change: new social groups are being formed that will become its driving force. Given the conditions, the adherence of the post-Soviet school to 6 traditional educational models conflicts with the demands of society for readiness to act in a changing world. The formation of a system of market relations requires a transformation of people's thinking [9]. Education as a social institution solves the problem of preparing members of society with economic thinking, requires new approaches to teaching, the use of advanced pedagogical experience and predetermines the use of non-traditional forms, methods and means of teaching and upbringing, and with them new forms of activity of objects of the educational process that carry in itself the features of both training and labor.

The most effective form of activity is built on the model of interactive learning, which assumes that the object of learning in the educational process also acts as its subject. Interactive methods contribute to the formation of competence, teach democracy, communication, think critically and make your own thoughtful decisions. Interactive learning technologies are based on didactic approaches such as cognitive (or traditional), socio-role and behavioral [31]. The cognitive (or traditional) approach is aimed at developing theoretical thinking and cannot provide a high level of motivation to study the material of the discipline

and effective interaction of participants in the educational process. In professional training, it is effective only for students with high self-motivation and conscious professional self-determination [1-5]. The socio-role approach is aimed at assimilating the subject's role positions in the structure of socio-economic relations and creates conditions for professional self-determination and the formation of the business qualities of the individual. Its effectiveness is based on the presence of at least a general idea of the essence and content of specific role functions in the student, and on the teacher's perfect mastery of the material of the academic discipline and an arsenal of various active teaching methods for the timely change of traditional roles and methods of behavior in the classroom.

The didactic system attracts the attention of many researchers, especially when it comes to its scientific status, requirements for its design, as well as its significance for the practice of higher educational institutions [8, 10-12]. A generalization of the latest publications, in which the solution of this problem was begun, showed that the attention of domestic teachers is mainly focused on the study of individual aspects of the design of didactic systems, which allows one to study didactic systems at a certain stage of the development of society, as well as their main characteristics. Researchers note that the most productive and promising is such a didactic system, in which the educational process is organized taking into account the professional orientation, as well as focusing on the student's personality, his interests, inclinations and abilities [30, 32].

3 Materials and Methods

This study was based on the following competency-based approaches to the formation of practical skills of applicants in legal education:

Cognitive (or traditional) approach. Aimed at the development of theoretical thinking; assimilation by students of knowledge of basic economic and professional concepts and theories; the formation of basic skills of analysis, generalization, classification and characteristics of the phenomena and patterns of the economic life of society. Forms and methods of implementing the approach: forms and methods of work, the subject of which is the reproduction of the studied material of the discipline with various methods of activating traditional training sessions [13].

Socio-role approach. It is aimed at mastering the role positions of the subjects in the structure of socio-economic relations, professional self-determination and the formation of the business qualities of the individual. All economic phenomena and patterns are considered from the point of view of certain subjects of economic processes. Forms and methods of approach implementation: various active teaching methods and changes in traditional roles and behaviors in the classroom.

Behavioral approach. Aimed at the formation of students' competencies regarding adequate response and decision-making in problem situations. Forms and methods of implementing the approach: solving practical problems; simulation modeling of the organization of joint professional activities; presentation of projects.

The behavioral approach is aimed at the formation of students' competencies in terms of decision-making, and the use of game forms creates an opportunity for them to master the corresponding activity and at the same time gain experience of its "experience", forming their own attitude towards it [15, 20-23]. Its effectiveness is based on the distribution and change of role positions between the participants in the game in the process of solving practical problems, organizing joint activities, collective discussion of solutions, presentation and defense of their projects.

The behavioral approach allows to implement the principle of conscious learning and form the practical experience of your own professional legal activity, disciplines, increases self-

esteem, and creates a positive emotional background. The purpose of this article is to summarize the theoretical, methodological and practical experience of forming a competent specialist in the legal industry, capable of independent activity and social interaction in the conditions of the formation of society in the XXI century [38].

4 Results

The main tasks to be performed within the Bologna process are reduced to six main positions:

1. The introduction of two training cycles: the first – for obtaining a bachelor's degree with a duration of 3-4 years of study, the second – for obtaining a master's degree (1-2 years of study after bachelor's degree) or for a doctorate;
2. The introduction of a system of credit units (in each of the national educational systems, the calculation of the labor intensity of a student's academic work should be carried out in credits, which will ensure their accumulation, the implementation of the concept of "lifelong learning" – Life Long Learning);
3. Quality control of education (agencies created on accreditation, independent from national governments and international organizations, standards of transnational education will be established) is based not on the duration or content of training, but on the knowledge, skills and abilities that graduates have acquired;
4. Expanding the mobility of students, teachers and other personnel for mutual enrichment of experience (it is planned to accelerate changes in national legislative acts on the employment of foreigners);
5. Ensuring the employment of graduates (the orientation of higher education institutions to the final result implies that the practical use in the interests of the whole of Europe of the academic degrees and qualifications of graduates should be ensured; professional recognition of qualifications should be facilitated on the basis of a joint diploma supplement recommended by UNESCO);
6. Ensuring the attractiveness of the European education system, which will be the result of the implementation of innovations, will increase the interest of the whole world in higher education in Europe.

Among the six tasks identified, as we can see, there are three main strategic goals of the Bologna process:

- 1) Increasing the competitiveness of European higher education;
- 2) The mobility of students, teachers, administrative staff of European higher education institutions;
- 3) The ability of graduates of European higher education institutions to find employment in the global labor market [7].

All other measures – the introduction of a two-stage higher education, the introduction of a European sample of the diploma supplement, the European system of credits, the harmonization of national systems for assessing the quality of education and accreditation, etc. – are only tools for the implementation of three main goals [16]. By accepting the basic requirements of the Bologna Process, each country has the opportunity to deepen these requirements, while remaining unique, unique in a single educational space. The desire of Ukraine to join the European educational space is an urgent internal need due to the demands of the labor market and global trends in the development of educational activities [33-35, 37]. The task of Ukraine is to build a national education system that would be able to harmoniously combine with foreign standards.

Having studied the texts of these draft laws and related materials to them, we considered it necessary to bring our thoughts, comments and suggestions to the attention of the scientific community [36]. Do the authors of the draft laws really believe that ensuring the effectiveness of the further development of legal education and access to the legal profession really depends

on the legislative regulation of these processes? Will the existence of a separate law become a guarantee and guarantee of real changes in education and science in our conditions of the flourishing of legal nihilism inherent in both society and the state?

The answer to this question is set out in the explanatory notes to the draft laws:

- To the first – the adoption of the bill will transform the legal profession into an independent profession aimed at establishing the rule of law and protecting human rights and freedoms;
- To the second – the adoption of the bill will introduce European standards for the training of lawyers (jurists), ensure admission to the profession of highly professional specialists, ensure an increase in the quality of legal services, the effectiveness of the activities of public authorities and the subsequent approval of Ukraine as a democratic, rule-of-law state.

In our opinion, these are very noble and important goals that can lead to an increase in the level of domestic legal education, however, when analyzing draft laws, a number of questions arise:

1. How is legal education fundamentally different from other professional education, that a separate law is proposed to regulate it?
2. What is the reason for the reform of legal education in Ukraine?
3. What professions are legal?
4. Is there a need to introduce new legal definitions, such as: lawyer; law school; law teacher; applicant for legal education; specialized qualification exam and others?
5. What are the main reasons hindering the improvement of the quality of legal education in Ukraine?

And of course, as conclusions:

6. What steps and who needs to be taken to improve the quality of legal education in Ukraine?

Instead of a detailed consideration of the articles of the draft laws, we will try to answer the above questions, which are of a fundamental nature.

Education is a purposeful cognitive activity of an individual to acquire knowledge, abilities and skills or to improve them. The process and result of a person's assimilation of a certain system of scientific knowledge, practical skills and abilities and the associated one or another level of development of mental-cognitive and creative activity, as well as moral and aesthetic culture, which in their totality determine the social face and individual identity of this person [14].

5 Discussion

World practice shows that a relatively small number of graduates of university law school become practicing lawyers or scientists. In order to become them, they, as a rule, first go on a long (1-2 years) internship in law companies or state legal structures (prosecutors, courts, government bodies), and only then choose their own path: future scientists and teachers – to the magistracy, future practicing lawyers – to a professional law school, where some prepare themselves for scientific research, others take a professional exam for the right to access the legal profession. This process continues for another 1-2 years [17].

Thus, the training of a lawyer-specialist (and not just a person with a university degree) in these countries lasts on average 6-8 years, and a legal career begins at the border of 30 years old, judges and prosecutors become at the age of at least 35-40 years with 7-10 years of professional legal experience.

Undergraduate law programs are expected to provide their students with a basic knowledge of philosophy and theory of law, constitutional law, public, private and criminal law, with the option of willing students to selectively attend special and in-depth study courses on selected topics in these basic sciences. Such training courses should provide students with in-depth knowledge, abilities and skills on the basic institutions of law, the interpretation of legislative norms and their application in the practice of real life of society and a particular person [47].

In addition, it is advisable for students of the bachelor's program to give a clear idea of the legal profession, its goals, objectives, mission, and features of certain types of legal activity in order to better prepare a young person for his future awareness of his choice in the context of self-realization in a particular area [37, 39-44]. A fairly long internship (industrial practice) will allow him to make a more conscious choice of his future life and professional path.

Professional law schools for the preparation of future practicing lawyers can be created as independent structural units at the law faculties of universities, or as independent educational institutions. 90% of teachers in such schools should be practicing lawyers with significant professional experience.

In parallel, these schools should:

- 1) Prepare for the professional exam for the right to access a regulated legal profession;
- 2) To teach specialized courses in certain areas of legal relations;
- 3) To form the skills of legal writing and Soft Skills (social skills of general and professional communication), as well as the principles and postulates of professional responsibility (deontological rules) of a lawyer.

Master's programs in jurisprudence should prepare, first of all, future researchers of social and legal phenomena, lawmakers and law teachers with appropriate educational programs.

It is important that professional public associations must participate in the licensing and accreditation procedures of law faculties of universities and professional law schools and their word is decisive [45].

The final version of the Concept, together with a step-by-step plan, a roadmap for implementation, should be discussed at regional legal conferences of the faculty of universities who wish to take part in such a discussion, as well as in legal public communities (Law Society of Ukraine, National Associations of Lawyers, Prosecutors and Notaries). And instead of putting it into effect by orders of ministries and departments, the Concept should be accepted for implementation at the All-Ukrainian Legal Conference, the Assembly of Lawyers of Ukraine.

Reforms can be effective only when they are recognized by all participants in their implementation.

In our country, there are essential prerequisites for the introduction of education according to the most modern standards. But there are a number of factors that hinder this process. One of them is the lack of philosophical foundations of the theory of designing didactic systems in line with the competence-based approach. So, the didactics of higher education requires new theories and concepts, in particular, the problem of developing the philosophical foundations of the theory of designing a didactic system for training specialists, which would be consistent with the competence-based approach, is ripe [46, 48]. The presentation of the results of the second task, defined in this article, will begin with a presentation of the essence of the concepts "theory", "didactic concept", "didactic system", and then proceed to the analysis of the basic requirements for their creation.

"Didactic concept" is considered by us as a system of views on processes and phenomena in education, or as a leading concept that determines the strategy of actions in the implementation of

reforms, programs, projects, plans, "didactic system" – a specially created integral unity of teachers, students, means, technologies and learning conditions, which allows you to build the management of the cognitive activity of students in order to achieve a certain level of their training [18]. Undoubtedly, the presence of a practical need, which the Bologna Declaration indicates, is not enough for the development of the philosophical foundations of the theory of the design of didactic systems, which is the subject of our scientific research, since this requires a certain level of development of the didactics of higher education itself [50-53]. Domestic science has already reached the required level of science; the creation of a theory can only be hindered by a lack of factual material and an unclear definition of the object of the theory. In our theoretical research, we tried to solve the problems associated with the search for factual material.

Didactics is inherently a pluralistic science, various philosophical foundations for constructing theories are allowed. This, of course, has its positive aspects. For example, it allows you to study the object of research from different angles. However, there is something negative in this, which, in particular, is explained by the inconsistency of the foundations of its construction, which sometimes leads to conflicting theoretical conclusions, unfounded and incorrect discussions, since the authors defending different positions are based on different principles [55, 56]. Therefore, we considered it necessary to avoid these shortcomings when developing the philosophical foundations of the theory of designing didactic systems for training specialists and, having accumulated various approaches, proposed a theory that would consider the problem as comprehensively as possible.

The essence of designing a didactic system for training specialists is to determine (analyze) the initial conditions, factors and characteristics of the educational process and build its predictable model. A didactic system is an ordered set of interconnected and interdependent integral structural and functional components that make up a single whole in their structure, united by common goals, motives and tasks aimed at educating and teaching the individual [9]. Schematically, a didactic system can be depicted as a connection between its elements – a teacher, a student; content of training; learning technologies; teaching aids (conditions); target; teaching environment;

F – quality (function) of the system; G is a system-forming factor, which, as a rule, means activity, its varieties and other interactions between elements.

Developing the philosophical foundations of the theory of designing a didactic system of training specialists in line with the competence-based approach, one should proceed from the main advantages of the theory that have developed in didactics. Among them: in the epistemological sense, it is an ideal model of a certain class of phenomena; proceeding from uniform (fairly general) laws and principles, it explains the essence of a certain class of phenomena; on the basis of an explanation provides for the course of events, the consequences of certain phenomena of a given class; makes it possible in practice to check the truth of the explanations given by it, and to establish the measure of phenomena, the unity of their qualitative and quantitative features, inevitably associated with formalization; describes the phenomena of this class in a rather specific language, a "sublanguage" of a given branch of knowledge; indicates the limits of the area where it is correct, as well as the reasons for the existence of such boundaries; plays an irreplaceable role of the method of scientific knowledge, linking the essential features of this class of phenomena with others; is "holistic", does not contain internal logical contradictions; is a system of evidence-based reasoning; relies on a certain system of cognitive methods and sooner or later finds practical application [49].

To build a new theory for the system of higher education in Ukraine, the theory of designing didactic systems for training specialists in line with the competence approach, which would be based on the principles of the Bologna Declaration, we used

as a traditional methodology, which is based on five main methods (analysis, synthesis, induction, deduction and reduction), and methods specific to didactics (the method of scientific knowledge and experimental research). The presence of experimental confirmation of the conclusions is a necessary condition for the construction of a didactic theory, in principle; it is a kind of symbiosis of empirical and theoretical conclusions [54]. We also meant that at the heart of the construction of the philosophical foundations of didactic theory should be a combination of formal and informal logic.

The first is represented by attempts at modeling, which are characteristic, in particular, of a systematic approach, and the second – by expert assessments. We took into account that the mathematical and statistical substantiation of expert conclusions is also not correct if the sample is not representative. The conclusions characterized the influence of the experimental didactic system of training specialists on the effectiveness of training (for example, the level of professionalism of students, the health of participants in the educational process, the influence of the experimental didactic system on the personal and professional qualities of a student). We admit the possibility of coexistence of various theories (theoretical constructions), but as a result of self-organization, only the one that corresponds to reality will "survive" and gradually "die off" and that does not correspond to it. The theory of designing a didactic system for training specialists in line with the competence-based approach is vital, is used in the educational process of higher educational institutions of Ukraine, will be supplemented and enriched with new ideas, which we are sincerely convinced of.

The advantages of the theory of designing a didactic system for training specialists is the use of various methodological foundations that underlie its construction – in addition to competence, a combination of systemic and synergetic approaches, as well as technological, activity, ergonomic, ecological (networking), personal approaches.

According to the third task of the study – the identification and theoretical substantiation of the principles of the formation of professional competence of future specialists, we note that the principles of teaching perform a regulatory function from the point of view of the philosophical foundations of designing didactic theories and methods of regulating the practice of the educational process. We agree that the content modules are built in accordance with the following principles: the purpose of the information material; combination of complex, integrating and own didactic goals; completeness of the training material in the module; relative independence of the module elements; feedback implementation; optimal transmission of information and teaching materials [24].

Analyze the possibilities of forming the professional competence of future specialists, which is provided by the observance of each of the principles.

The first of them – the principle of the targeted purpose of information material – indicates that the content of the information bank is built on the basis of a didactic goal. If it is required to achieve cognitive goals, the information bank is formed on the basis of epistemological criteria. If it is required to achieve the goals of activities, an operational approach is applied in building an information bank, as a result of which substantial modules of an operational type are created. The principle of combining complex, integrated and individual didactic goals is implemented to determine the structure of meaningful modules for studying academic disciplines. The complex didactic goal is the top of the pyramid of goals and is implemented by the entire set of content modules. It combines integrable didactic goals, each of which is realized by a specific module. Modules that correspond to the integrated didactic goals, constitute a comprehensive goal, are combined by a modular program. Each integrated didactic goal consists of separate goals, which correspond to one learning element in the module. The principle of completeness of the educational material in the module concretizes the modular approach and is revealed by the following rules:

- 1) The main points of the educational material, its essence are stated;
- 2) Explanations are given to this material;
- 3) Indicate the possibilities of further deepening the material or its expanded study by using a computer, other teaching methods, or recommending specific literary sources;
- 4) Practical tasks and explanations for their solution are given;
- 5) Theoretical tasks and answers to them are set.

The principle of relative independence of elements also implements a modular approach to the study of academic disciplines, aimed at isolating isolated elements from the content of training. It is closely related to the principle of constructing meaningful modules, which requires a combination of complex, integrable and separate didactic goals. The degree of independence of the elements depends on the degree of independence of the individual didactic goals, which make up one integrable didactic goal [16].

In accordance with the principle of implementing feedback, the process of assimilating knowledge should be controlled. To implement feedback for building a module, the following rules should be observed:

- 1) The possibility of feedback in continuity should be created, that is, it is necessary to provide the module with direct control means, which will show the level of the student's preparedness for mastering it;
- 2) Current, intermediate and generalized control should be applied: the first – at the end of each element, and the last – at the end of the module;
- 3) Current and intermediate control can be carried out in the form of self-control;
- 4) Both of them should contribute to the timely identification of gaps in the assimilation of knowledge, and in case of poor progress, clearly show which parts of the educational material should be repeated or learned more deeply;
- 5) Generalizing control should show the level of mastering the module; in case of insufficient assimilation, the student is offered to repeat the material (in the form of specific educational elements), for which unsatisfactory answers were received [25].

The principle of optimal transfer of information and methodological material requires the presentation of the materials of the module of the academic discipline in such a form as to ensure their most effective assimilation in specific conditions. In addition to these principles (according to P. Yutsvichene), the following important principles of the formation of professional competence of future specialists can be distinguished, such as: compression of educational information in a content module; generalization of knowledge; interconnectedness, logic of knowledge. The principle of compressing educational information in a content module is important for the formation of professional competence of future specialists.

In the modular construction of courses for intensive study of academic disciplines by specialists, through the establishment of links between the modules, the proper scientific content is achieved, which manifests itself not so much in a clear presentation, but in a logically correct sequence and systematic construction of a system of its internal relationships. The main definition of the method of intra-subject structuring includes the logical structure of educational material as a set of stable and ordered logical-didactic connections between its elements. The presence of a logical-didactic connection between any two elements of the educational material of the discipline means that the study (assimilation) of one element is based on the knowledge of the second element, that is, requires its preliminary assimilation. From a technological point of view, the intra-subject structuring of an academic discipline can be embodied in structural and logical diagrams, that is, in an image using graphs of a system of logical and didactic connections between elements from the leading direction of relationships.

Information is accumulated not only in the system, but also during the compilation of its functional parts and elements. The clearer the hierarchy of a logical structure, the higher its information content [24].

Legal education is a branch of education and part of the system of specialized education, therefore, it is subject to the principles of state policy in the field of education and the principles of educational activities, which are listed in sufficient detail in the article of the Law of Ukraine "On Education". Also, legal education is characterized by forms of organization of the educational process, types of training; the goal and objectives of scientific, scientific and technical, artistic and innovative activities; quality assurance system for higher education; licensing of educational activities and accreditation of educational programs; state control in the field of education, etc. – everything that is characteristic of education in general and other types of specialized education in particular: pedagogical, medical, economic, technical, veterinary, and so on.

In principle, the legal education system is no different from other systems of specialized education. In our opinion, and in terms of legislative practice, the adoption of separate laws on forestry, art history, agrarian and other entities is a false path that leads to duplication, complication, confusion and inconsistency of legislation.

The main principles of state policy in the field of education are defined in the Laws "On Education", "On Preschool Education", "On General Secondary Education", "On Out-of-School Education", "On Vocational and Technical Education", "On Higher Education" adopted by the Verkhovna Rada.

The Ministry of Education and Science of Ukraine is the main body in the system of central executive authorities that ensures the formation and implementation of state policy in the field of education, science and state supervision (control) over the activities of educational institutions.

The Ministry of Education and Science in accordance with the tasks assigned to it: develops and approves state educational standards for specific professions; carries out normative-legal and educational-methodological support of the functioning of educational institutions; carries out, in accordance with the established procedure, licensing of educational activities of educational institutions; develops draft licensing conditions and amendments to them; monitors compliance by licensees with the requirements of licensing conditions [17].

The Ministry of Education and Science, within the limits of its powers, issues orders that are mandatory for execution by central executive bodies, local administrations, local governments, enterprises, institutions and organizations, regardless of the form of ownership and by citizens – organizes and controls their implementation [19].

Thus, the analysis of the "Regulations on the Ministry of Education and Science of Ukraine" allows us to conclude that the Ministry of Education and Science of Ukraine has all the necessary powers to organize work on the implementation of state policy in the field of legal education.

Professional training of lawyers should take place in accordance with a set of requirements for personnel, educational, methodological, material and technical and information support of the educational process; requirements for the content and results of educational activities of higher educational institutions for each level of higher education, within each specialty on the basis of the mechanism for determining the list and content of subjects, their correlation, organization of practice, knowledge assessment procedures, methods of forming practical skills. The main criterion for assessing key knowledge, abilities, skills and professional values should be their compliance with the needs of employers and professional communities. In other words, the training of lawyers should be carried out in accordance with the standards of educational activities and the standards of higher education [26].

The development of educational standards is a direct functional responsibility of the Ministry of Education and Science of Ukraine, but the international community does not provide funding to fulfill its direct responsibilities, therefore, the ways of reforming in the field of legal education look confusing and vague.

In addition, in Ukraine, there is practically no framework for qualifications of the legal profession, professional standards of the legal profession and national standards of legal education, but this remained and remains outside the area of attention of the Ministry of Education and Science of Ukraine.

Currently, everyone is engaged in the training of lawyers: classical universities, specialized legal universities, non-core universities (technical, economic, pedagogical, transport, etc.), departmental universities [27]. The website of the state enterprise "Inforesurs" contains the "Register of educational institutions", which contains data on higher educational institutions and scientific institutions of Ukraine. As of the end of December 2017, in accordance with the register in the specialty "Law", training is carried out in 298 civil and 10 universities and colleges sponsored by government agencies. In terms of the number of licenses issued by the Ministry of Education and Science to universities of Ukraine for the training of lawyers, the specialty "Law" is in the middle of the top five:

- Accounting and taxation – 450,
- Finance, banking and insurance – 431,
- Law – 308,
- Economy – 305,
- Entrepreneurship, trade and exchange activities – 294.

For comparison, note that in Poland there are only 25 such universities (of which 10 are private), in Germany – 42, in the United Kingdom – 97, in the Netherlands – 10, in Austria – 5, and even in the United States of America – less than 200 [9, 14].

In our opinion, the modern process of comprehensive "reform", including in the field of education and science, was described very accurately by the adviser to the President of Ukraine, Director of the National Institute for Strategic Studies, Academician of the National Academy of Sciences of Ukraine, Doctor of Technical Sciences, Professor V.P. Gorbulin "... many key, meaningful essences of reforms are turning into a kind of simulacrum, where the process is seen as a result, and internal regression is seen as external progress.

Reform decisions that are made are often one-legged, ill-considered and are shaped so that one can report to donor structures, but not launch the process fully (often to the delight of those who are trying to reform directly). And this is a stone in the garden not only of the powerful teams, but also of various outside "reformers": the former often lack the will to change the way it was, for what is needed, and the latter - knowledge, real motivation and perseverance" [13].

Legal activity unites many professions, therefore it is impossible to provide a common platform for the classification of all legal professions. There are a sufficient number of classifications identified according to various criteria of legal professions: by belonging to the public service (public, private); by accessibility to a specific type of legal profession (open, limited and closed); by educational level (requiring higher legal education, requiring incomplete higher or secondary legal education, not requiring legal education); by professional specialization or by subjects of the implementation of activities (lawyer, investigative, prosecutorial, judicial, notarial) [26]; in the social sphere (legal activity in the sphere of economics, politics, the spiritual sphere); by type of employment (salaried and self-employed); on the content of intellectual activity (cognitive-search, organizational, reconstructive, registration, communication), etc.

Traditionally in Ukraine they train universal and wide-profile lawyers. In the first years, students study general humanitarian subjects: philosophy, sociology, cultural studies, logic; theory and history of state and law, constitutional law, civil,

administrative, and criminal law are taught as professional disciplines. In most educational institutions, in recent times, various specializations are offered, which begin in the third or fourth year. These are mainly criminal law, state legal, civil, economic and international specialization.

Law-making is the most important type of legal technique, which is characterized by certain rules (linguistic, logical, epistemological) – specific requirements for the process of developing a legal act. Since in the course of the development of the bill, the issues of the accuracy and adequacy of its textual form are resolved, there is a need for a clear and unambiguous formulation of concepts and definitions (definitions).

Legislative definitions are not only instruments of law-making technique, but also (in most cases) independent legal prescriptions, the violation of which, for the subject of law, may entail undesirable consequences. It is the definitions that ensure the stability of legal regulation today.

The texts of the current educational laws have a significant number of definitions related to education and science:

- The Law of Ukraine "On Education": teaching, educational institution, applicants for education;
- The Law of Ukraine "On Higher Education": institution of higher education, field of knowledge, applicants for higher education, qualifications, competence, licensing, educational activities, educational (educational and professional, educational and scientific or educational and creative) program, specialization in the specialty [24];
- The Law of Ukraine "On Scientific and Scientific and Technical Activity": adjunct, postgraduate student, production-oriented (branch) scientific institution, scientist, scientific activity.

At the same time, far from all concepts found in normative acts should be defined. According to law-making practice, the following concepts are subject to definition: imprecise; rare; special; foreign; complex legal; polysemantic; which are interpreted differently by legal science and practice; used in a normative act in a broad or narrow sense [16]. For the first time, a number of definitions have been introduced into the texts of the above draft laws, which are not present in the current regulatory legal acts.

In the project "On legal education and legal profession":

- A law teacher – a scientific and pedagogical employee of a law school who has a higher education and / or an academic degree in the specialty "Law", "International Law" and on the basis of an agreement (contract) carries out educational, methodological, scientific activities;
- Law researcher – a law school researcher with a higher education in the specialties "Law", "International Law", carries out research activities in the law school in the subject areas in the specialties "Law", "International Law";
- admission to the legal profession – the procedure for a person to acquire the right to practice the legal profession;
- Applicant for legal education – a person studying at a law school at a certain level of higher education in the specialty "Law" or "International Law" in order to obtain an appropriate degree and qualifications;
- A lawyer – a person who has received a legal education of the appropriate level in a law school with a degree in Law or International Law;
- A leading law school – a law school that carries out educational activities in the specialty "Law" or "International Law" at all levels of higher education, has a doctoral degree and in which there is a specialized academic council for the defense of dissertations for the degree of Doctor of Science in the specialties "Law", "International law";
- Regulated legal profession – a legal profession, admission to which and confirmation of professional competencies (qualifications) is regulated by the legislation of Ukraine;

- Specialized qualification examination – certification of a person applying for the relevant regulated legal profession;
- Legal education – higher education received in Ukraine in the specialty "Law" or "International Law", as well as higher education received in foreign countries and recognized in Ukraine in the manner prescribed by law as received in the specialty "Law" or "International Law";
- Law school – an institution of higher education or a structural subdivision of an institution of higher education, which operates in accordance with the issued license to carry out educational activities at certain levels of higher education in the specialty "Law" and / or "International Law" [29].

In the project "On legal education and general access to the legal profession":

- A lawyer – a person who has completed his studies at a law school and has successfully passed the Unified State Qualification Exam;
- Legal education – higher education in the specialty "Law", which is obtained according to the end-to-end program within the framework of the master's level of higher education;
- Law school – a university or a structural unit of a higher educational institution that trains lawyers.

In our opinion, none of the above definitions belongs to the category of imprecise, rare, special, complex legal and the like. But if we consider in more detail, then:

First, it is necessary to determine the use of the term "lawyer" or "jurist" and derivatives from it: legal or legal education, law or law school, etc.

Secondly, the higher education system of Ukraine consists of higher educational institutions of four levels of accreditation: the first level is a technical school, a school, and other higher educational institutions equated to them; the second level – college, other equivalent higher educational institutions; the third and fourth levels (depending on the results of accreditation) – conservatory, academy, institute, university. As you can see, the functioning of such educational institutions as a law school or a legal school is not provided for by the regulatory legal documents in Ukraine.

Thirdly, the definitions: a lawyer (jurist), a law teacher, a law researcher, an applicant for legal education, a regulated legal profession, a specialized qualification exam, admission to the legal profession are already consistently used in everyday life, scientific research, regulatory and educational documentation and are axiomatic (postulate) character, that is, not requiring definitions.

Thinking about improving the quality of legal education, let us once again draw attention to the main reasons that hinder this process, namely:

- The lack of industry standards for training bachelors and masters of law for a long time;
- The lack of universality of legal education. Regardless of the specialization, it must comply with a single standard, which must be based on universal requirements for the future of a lawyer;
- Imperfection (absence) of the system of state control over the level of professional training of lawyers;
- The lack of work to study the state of provision of legal personnel in the state (state executive bodies, local governments, law enforcement, judicial bodies, social protection bodies) and determine the need for lawyers of different educational and qualification levels of training and specializations;
- Pseudo-reform of legal education. The unprincipled position of the Ministry of Education and Science of Ukraine in licensing and accreditation, agreeing on adventurous admission rules, imposing certain non-legal subjects into the curriculum, unreasonably imitating low-

ranking European universities, ignoring the development of domestic law schools and teaching methods.

When studying the materials on reforming legal education in Ukraine and their presentation in this article, we were once again convinced that there was a substitution of concepts – instead of developing national standards for legal education, there is a decrease in the number of licenses for training lawyers in universities in general and the termination of such training in departmental and specialized educational institutions (pedagogical, agricultural, administrative, etc.), the Ministry of Education and Science declares the need to reform it under the pretext that the content and methodology of training lawyers in Ukraine retain the Soviet approaches and that this negatively affects the understanding of law by law students and the image profession.

6 Conclusion

The innovative movement, which is gaining strength with the introduction of the ideas of the Bologna Process, has actualized design activities in all structural links of the Ukrainian education system. The design of didactic systems for training specialists by a teacher plays a decisive role in the implementation of the tasks of the Bologna process in higher education institutions in Ukraine. Therefore, it is important that the design is theoretically substantiated, although it is not at all necessary to create a new theory or concept every time when constructing new didactic systems, programs, textbooks and teaching materials. It is quite possible to rely on ready-made knowledge. However, in order to create a life project of a didactic system for training specialists with a real positive creative professional-oriented potential that can change the state of affairs in practice for the better, didactics should be considered as the main, system-forming basis for the scientific substantiation of the project and the development of criteria for evaluating the design procedure in higher education institutions [9].

It is important to observe the highlighted principles of the formation of professional competence of future specialists, in particular: the purpose of the information material; combination of complex, integrating and own didactic goals; completeness of the training material in the module; relative independence of the module elements; feedback implementation; optimal transmission of information and teaching materials; compression of educational information in a content module; generalization of knowledge; interconnectedness, logic of knowledge. The use of the selected principles in the educational process will contribute to the deep and complete assimilation of educational material by students, stimulate creativity, develop professional skills, and form a stable interest in learning. Prospects for further research in this direction consist, first of all, in the real construction of the philosophical foundations of the theory of the didactic system of training specialists, taking into account the requirements for its design investigated in this article, the selection and analysis of general didactic and specific pedagogical principles of the formation of professional competence of future specialists in the process of studying academic disciplines [25].

Having carefully analyzed the actual state of legal education in Ukraine and its regulatory framework, we come to the following provisions:

- 1) The leading position in the complex of organizational and methodological measures to improve the quality of legal education belongs to the Ministry of Education and Science of Ukraine as the main body in the system of central executive authorities, ensuring the formation and implementation of state policy in the spheres of education and science, as well as ensuring the formation and implementation of state policy in the field of state supervision (control) over the activities of educational institutions.
- 2) Under the auspices of the Ministry of Education and Science, with the participation of the Ministry of Justice and the Academy of Legal Sciences, it is necessary to create a

- working group to develop uniform national standards of legal education in Ukraine (bachelor, master), setting specific deadlines for its adoption – to submit the developed standards for approval by the Cabinet of Ministers of Ukraine, and after their approval, to approve standard educational programs and standard educational plans;
- 3) Strengthen state control over higher education institutions that train lawyers. Concentrate training of lawyers at universities and specialized universities. To prohibit the training of lawyers in non-core, departmental educational institutions, as well as in structural divisions of all universities.
 - 4) Raise the requirements for accreditation examinations for training specialists with educational degrees "Bachelor" and "Master" in the field of knowledge "Law", while focusing on the following areas:
 - Staffing for the training of specialists (the presence of pedagogical staff on the staff, the number and educational qualifications of which ensure the implementation of educational activities on educational programs implemented in accordance with the license – obligatory during the period under review, and not at the time of the accreditation examination);
 - Educational and methodological support of educational activities (publication of textbooks, lecture courses and other educational and methodological literature by the teaching staff of the educational institution);
 - Information support (availability of legal literature on the subjects studied, subscription to specialized periodicals of domestic and foreign legal publications, access to electronic international educational and scientific resources in the field of law, including the Scopus and Web of Science databases);
 - Advanced training and postgraduate education of teachers (in domestic and / or foreign universities, determined by order of the Ministry of Education and Science of Ukraine) [45].
 - 5) To study the state of provision of legal personnel (in state executive bodies, local governments, law enforcement, judicial bodies, and social protection bodies) and determine the need for lawyers of different educational and qualification levels of training. Based on the results of this audit and taking into account the actual recruitment, to reduce the licensed volume of training for lawyers and establish a reasonable number of places for training lawyers under the state order.
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Primary Paper Section: A

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