

REPORT

“The Role of Legal Education in Shaping Students’ Understanding of the Law”



ЛЗИ Agency for Legislative Initiatives



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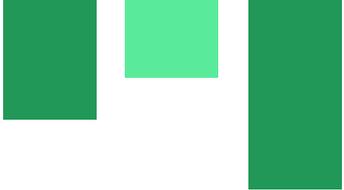
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Summary

In order to find out how the legal understanding of students majoring in “081-Law” evolves during their studies at higher education institutions, a questionnaire survey was conducted. The survey involved 143 students, including 109 first-year and 34 fourth-year students, representing six higher education institutions in Ukraine. Based on the survey results, the author identified the factors which correlate with specific types of legal understanding among students enrolled in the Bachelor’s degree programme who took part in the survey.

The study revealed that students’ perception of law differs between theoretical knowledge and its practical application. In particular, at the level of theoretical knowledge, both first-year and fourth-year respondents share the ideas of natural law to a greater extent. At the same time, the acquired knowledge is implemented in practice in a completely different way. It is significant that both first- and fourth-year students who took part in the survey, in 50% of cases, solve practical situations based on the sociological concept of law understanding.

The results of the survey showed that, as students progress through higher education (particularly at the bachelor’s level), their *theoretical* legal knowledge undergoes significant changes. This is evidenced by a shift in students’ preference for a specific type of legal understanding according to this indicator. In fact, in the fourth year of study, the number of students with positivist approaches decreases, while the number of those who adopt the sociological concept (in terms of theoretical understanding) increases.

At the same time, the situation regarding the *practical* application of legislation is changing, though not so significantly. On the one hand, despite studying legal disciplines daily for four years, fourth-year respondents, like first-year respondents, are equally distributed according to the following scheme: the largest number of supporters of the sociological concept, followed by positivists, somewhat fewer supporters of natural law, and the smallest number of students whose type of legal understanding has not been fully formed. On the other hand, the survey showed that there are still more supporters of the positivist approach in practice than those who really want to implement the ideas of natural law (the positivism rate increases by 13%). Unfortunately, this trend is concerning, as it indicates that, in fact, most teachers fail to instil in students the attraction to the natural law concept (at the level of practical skills).

The dependence between the interests of the surveyed students in learning and their inclination to a certain type of legal understanding was established only in relation to a few disciplines, namely:

- Students who prefer to study the subject “Theory of State” are more inclined to a positivist understanding of law;
- Students who enjoy studying the subject “General Theory of Law” are more inclined to a positivist understanding of law at the level of theoretical knowledge. At the same time, such students are more inclined to the sociological concept at the level of law application;
- Students who enjoy studying the subject of advocacy are mostly inclined to implement the ideas of natural law at the level of law application. At the same time, these students are less inclined to sociological understanding of law in law application;
- There is a tendency that students who prefer to study Civil Law are more inclined to a positivist understanding of law in law enforcement;
- There is a tendency that students who prefer to study the subject of Theory of State are less inclined to natural law in law enforcement.

The values professed by the surveyed students also influence the way they perceive the law. In particular:

- Students who share the value of “respect for the law” are mostly inclined to positivism in their theoretical knowledge and practice. At the same time, they are less inclined to the concept of natural law at the level of rule application;
- Students who share the value of “justice” are more inclined to natural law understanding;
- Students who share the value of “humanity” are more inclined to the ideas of natural law and less inclined to positivist legal understanding at the level of theoretical knowledge and in law application;
- Students who share the value of “integrity” are more inclined to the natural law concept;
- There is a tendency that students who share the value of “impartiality” are more inclined towards natural law. At the same time, they are less inclined to a positivist and sociological understanding of law;
- There is a tendency that students who share the value of “honesty” are less inclined to sociological legal understanding.

The results of the questionnaire survey indicate that there is a tendency for students with experience in the field of law to be more inclined towards the sociological concept of legal understanding.

Among the surveyed students, those who rate the quality of legal education at their higher education institution higher are more inclined to natural law and less inclined to the sociological concept of law understanding.

The correlation between students' interests in learning and their assessment of the quality of legal education was established only for a few disciplines. In particular:

- Students who enjoy studying "General Theory of Law" rate the quality of teaching higher;
- Students who enjoy studying the subject of "International Protection of Human Rights" rate the quality of teaching lower;
- Students who like to study "Civil Law" and "Civil Procedure" rate the quality of teaching lower.

Students do not always choose a field of future professional activity based solely on their own interests in learning. Although the factor of interests in learning has a certain weight, it is not decisive. This can be explained by the fact that respondents are also guided by a number of other factors when choosing a professional career (e.g., desire to earn a high income, desire to help others, desire to gain high social status, help from friends with employment, advice from relatives or acquaintances, etc.)

Introduction

In recent years, Law has been one of the most popular study programmes among applicants. In particular, during the 2024 admission campaign, more than 40,000 applications were submitted for this speciality¹. As of 2024, the relevant education was provided in 174 higher education institutions (hereinafter — HEIs)². Every year, thousands of bachelors and masters graduate with degrees, start mastering legal professions, or find jobs in politics, business, or public administration. The specificity of legal professions, unlike many other professions, is direct interaction with people. This interaction mostly arises in order to resolve everyday legal issues, help or protect a person who finds himself or herself in a difficult situation. The degree of professionalism of a lawyer, which is based primarily on his or her understanding of the law, directly affects the quality of professional assistance provided and the ability to resolve complex legal cases, and thus the protection of inherent and inalienable human rights.

Understanding the nature of law, its role and importance in society shapes the worldview of lawyers, the foundations of which are laid during their studies at HEIs. Therefore, it is important to develop students' fundamental knowledge of law as a phenomenon. In this context, the question of how legal education affects the formation of students' legal understanding is crucial. Legal understanding is a certain image of law determined by the worldview of a particular person and which "reflects the most essential features of law"³. Accordingly, the specific content of the formed image of law affects the way law students or legal practitioners act in specific life situations.

In this regard, the study focused on finding out how students perceive the law, what place law and legal education occupy in their lives, and what legal instruments they tend to use to solve practical situations. These aspects were assessed in the context of the role of legal education in this process.

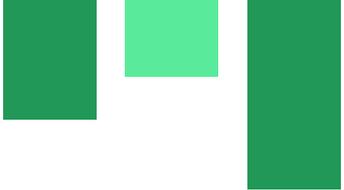
The study is structured as follows: first, a description of the methodology is given, which reveals the conditions and process of achieving the results of the study at various stages. The essence and importance of the role played by a particular legal understanding is described in Section 1 "General Characteristics of the Main Types of Legal Understanding", which is devoted to a detailed description of the three "classical" types of legal understanding: natural law, positivist and sociological. Section 2, "Factors Influencing the Formation of Legal Understanding in the Process of Studying at a Higher Education Institution (Based on the Results of a Questionnaire Survey)", analyses the results of a questionnaire survey distributed to first- and fourth-year students of the

1 Ranking of specialities in universities by the number of applications. Osvita.ua.

2 Universities of Ukraine. Osvita.ua.

3 General Theory of Law: Textbook / Edited by M.I. Koziubra. K.: Vaite, 2015. P. 32.

speciality “081-Law”. This section consists of 10 subsections, each of which describes the role of various factors in the process of forming the respondents’ perception of law. Based on the results of the study, conclusions are drawn about the place and role of legal education in the process of forming the legal understanding of future lawyers. As a result, the author provides recommendations for improving the educational process in terms of training graduates in the specialty “081-Law”.



Methodology

The purpose of the study is to explore how the legal understanding of students majoring in “081-Law” is formed and how it evolves during their studies at higher education institutions, and what factors influence it.

In line with this objective, this report addressed the following key questions:

- Is there a difference in the perception of law among first- and fourth-year students majoring in “081-Law”?
- What factors correlate with a certain type of legal understanding?
- Does the type of legal understanding influence the choice of a future legal profession?

To achieve the study’s objective, the following **research tasks** were formulated:

- Identify the predominant types of legal understanding among students at different stages of their study;
- Find out which subjects students are most interested in in each course;
- Examine the future career plans of law students;
- Analyse how the existing experience of professional activity (work or internship) affects the understanding of law;
- Analyse how academic performance affects the choice of future profession;
- Determine the extent to which students are satisfied with the quality of teaching legal disciplines;
- Identify the core values that are important to law students in each course.

The process of collecting the necessary information and processing it consisted of **three stages**:

- Desk research (selection of higher education institutions that train students in the speciality “081-Law”; highlighting the features of key concepts of legal understanding; analysis of factors that may have a correlation with the types of legal understanding of students);
- Questionnaire survey of first- and fourth-year students of the speciality “081-Law”;
- Statistical data analysis.

The survey involved 143 respondents: 109 first-year students and 34 fourth-year students. The respondents represent 6 Ukrainian higher education institutions:

1. National University of Kyiv-Mohyla Academy (Kyiv);
2. Taras Shevchenko National University of Kyiv (Kyiv);
3. Yaroslav Mudryi National Law University (Kharkiv);
4. V. N. Karazin Kharkiv National University (Kharkiv);
5. National University of Ostroh Academy (Ostroh);
6. I. I. Mechnikov Odesa National University (Odesa).

The survey was conducted **online** using a specially designed questionnaire through **Google-Forms** (Appendix). This questionnaire consisted of the following content blocks:

- General block with information about training;
- Demographic block;
- Theoretical block (10 questions to determine the type of legal understanding of students at the level of theoretical knowledge);
- Practical block (10 tasks to determine the type of legal understanding of students at the level of law application).

The respondents were selected through an email questionnaire sent to representatives of student self-government and the administration of law faculties/institutes of higher education institutions with its subsequent distribution to students. The survey was conducted from 22 November 2023 to 15 January 2024 inclusive.

The results of the questionnaire survey were used to determine the types of legal understanding inherent in the respondents, their motivation for choosing legal education, interests in learning, career preferences, work experience and internships, academic performance, assessment of the quality of legal education, and the values they profess.

The students' inclination to certain concepts of legal understanding was determined only in relation to three classical types — natural law, positivist, and sociological.

Confirmatory factor analysis (CFA) was applied to the theoretical and practical blocks of questions. Factor analysis made it possible to confirm the existence of 6 models of legal understanding (3 practical and 3 theoretical):

1. Positivist theoretical understanding of law (model quality indicators: CFI — 0.954; TLI — 0.923; RMSEA — 0.053; SRMR — 0.049);
2. Positivist practical legal understanding (model quality indicators: CFI — 1; TLI — 1; RMSEA — 0.000; SRMR — 0.040);

3. Natural law theoretical understanding of law (model quality indicators: CFI — 1; TLI — 1; RMSEA — 0.000; SRMR — 0.043);
4. Natural law practical understanding (model quality indicators: CFI — 1; TLI — 1; RMSEA — 0.000; SRMR — 0.046);
5. Sociological theoretical understanding of law (model quality indicators: CFI — 1; TLI — 1; RMSEA — 0.000; SRMR — 0.001);
6. Sociological practical understanding of law (model quality indicators: CFI — 0.985; TLI — 0.978; RMSEA — 0.014; SRMR — 0.054).

Through CFA, a number of hypotheses regarding the factor loadings of the six types of legal understanding were tested and a factor model was selected based on the hypothesis that demonstrates the highest quality indicators. In accordance with the hypothesis, the author identified the issues that are crucial for each of the three types of legal understanding in the theoretical and practical blocks. To determine the respondents' inclination to a particular type of legal understanding, only the answers to those questions that demonstrate the greatest impact on legal understanding were considered. For each student, the percentage of answers for each type of legal understanding was calculated using the formula:

$$\left(\frac{\text{number of positivist answers}}{\text{number of questions that have the greatest impact on positivist legal understanding}} \right) \times 100$$

Subsequently, the results obtained for the positivist, natural law and sociological understanding of law were compared and the highest value was calculated, which determined the propensity to a particular type of legal understanding.

The second approach to determining the dominant type of legal understanding was based on the formation of a threshold value equal to five answers indicating a certain type of legal understanding. In other words, if the respondent provided five or more answers that pointed toward either the positivist, natural law or sociological type, the student was considered to have a dominant legal understanding (one of these three). If the percentages indicating an inclination toward multiple types were equal, the student was not assigned to any specific category. During the analysis of the questionnaires, this approach showed the greatest alignment with the experts' assessment of the questionnaires, especially when considering responses to more fundamental questions.

The relationship between the types of legal understanding and various factors was established using the methods of logistic binary regression and linear regression. At the same time, when the p-value is in the range of 0.1-0.05 when considering the regression results, it cannot be stated that there is a statistically significant relationship between

the variables. At the same time, such p-values demonstrate that the existence of a certain relationship is *likely*. Therefore, such results were marked with the wording "there is a trend".

At the same time, the study has **methodological limitations**: it is not representative, as the ratio of first-year and fourth-year respondents is uneven. Accordingly, the results of the survey are valid only for those who took part in the survey and cannot be extended to the characteristics of all Ukrainian higher education institutions. However, the data obtained allow us to draw conclusions about the existence of certain trends and relationships.

Section 1

General Description of the Main Types of Legal Understanding



The typology of legal understanding is quite multifaceted, as specific types are distinguished according to a large number of different criteria. For example, most often these criteria are the ratio of the material and the ideal (in this case, we have materialistic and idealistic types of legal understanding), the attitude to the law of different nations (European, Muslim, Hindu-Buddhist types, etc.) or the characteristics of the subjects (collectivist and individualist legal understanding).

At the same time, the most common classification of types of legal understanding is based on the ideological criterion, which is based on the key ideas inherent in a particular type of legal understanding⁴. According to this approach, it is customary to divide into the following types:

- 1) Natural law (or jus naturalism);
- 2) Positivist;
- 3) Sociological.

This typology is commonly referred to as the classical one. In particular, its widespread use is confirmed by the fact that this classification has remained dominant in legal theory for more than a century⁵.

Below, we will look in more detail at the characteristic features that distinguish each of these three approaches.

1.1. Natural Law Type of Legal Understanding

The ideas of natural law date back to ancient times, to ancient Greece and ancient Rome. Even then, the essence of law was interpreted through such concepts as justice,

⁴ Kravtsov I. Concept and Main Types of Legal Understanding. Evropský politický a právní diskurz. 2018. Sv. 5, Vyd. 5. P. 69.

⁵ General Theory of Law: Textbook / Edited by M.I. Koziubra. K.: Vaite, 2015. P. 32.

freedom, equality, etc. The Latin phrase “Jus est ars boni et aequi”, which means “Law is the art of goodness and fairness”, is indicative in this regard. This approach characterises the attitude of ancient thinkers to the role of law in society, which is revealed through the need to profess moral principles. It is noteworthy that from this perspective, law does not depend on any social factors or the state.

The ideas of natural law were further developed during the Middle Ages and the Modern period. The trend towards the establishment of this concept of legal understanding can be traced to this day.

The natural law type of legal understanding has a number of peculiarities, so let us consider its features based on the following criteria.

Approach to Defining the Essence of Law

The conceptual provisions of the natural law doctrine state that **the essence of law is reduced to the idea of justice, which is embodied in such categories as human rights and human dignity**. In defining the concept of “justice”, the Constitutional Court of Ukraine noted that it should be considered as “a property of law, expressed, in particular, in the equal legal scale of behaviour and in the proportionality of legal responsibility to the offence committed”⁶.

Justice is reflected in the idea of human rights, which declares the need for equal treatment of all people, regardless of their nationality, religion, language, property or other status.

In turn, the doctrine of human rights is closely linked to the concept of human dignity⁷, which is a key criterion for assessing the attitude of authorities and others towards a person.

In general, these provisions demonstrate that **the natural law type of legal understanding is based on higher legal ideals** that are quite abstract and go beyond a clear statutory definition, but the natural law type becomes more specific in the process of making a court decision when the court is looking for arguments for or against the violation of a particular human right.

In view of this key provision — the disclosure of the essence of law through justice, human rights and human dignity — **law cannot be reduced to the texts of normative acts**. It is much broader in its content and essence.

⁶ Decision of the Constitutional Court of Ukraine in the case on the constitutional petition of the Supreme Court of Ukraine on the compliance of Article 69 of the Criminal Code of Ukraine with the Constitution of Ukraine (constitutionality) (case on the imposition of a lighter sentence by a court) of 02.11.2004, № 15-rp/2004, para. 4.1 of the reasoning part.

⁷ Decision of the Constitutional Court of Ukraine in the case on the constitutional complaint of Oleksii Volodymyrovych Abramovych on the compliance with the Constitution of Ukraine (constitutionality) of paragraph 2 of part two of Article 40 of the Housing Code of Ukraine (on discrimination in the exercise of the right to housing), paragraph 3.2 of the reasoning part.

Source and Main Purpose of Law

Within the concept of natural law, the primary source of law refers to phenomena such as human dignity and human rights. These categories are of key importance, as their safeguarding is at the heart of the **idea of human centrism (or anthropocentrism)⁸, which proclaims that human beings are recognised as the highest value**. From this perspective, the state is obliged to ensure proper protection of human dignity and guarantee the protection of rights and freedoms, as without this, the main goal of law — the establishment of justice in society — cannot be achieved.

The Relationship Between Law and Morality

The key provisions of the natural law concept stipulate that **law is always inherently moral**. There is no such thing as immoral law in principle. This means that if a rule of conduct (not necessarily embodied in a legal provision) is immoral, it will no longer be law. Accordingly, such a rule should not be followed.

This implies that any **norm must first be subjected to a critical assessment of its compliance with moral principles**. Unfortunately, regulations do not always pass this test. Certain laws or other legislative acts may not meet the requirements of morality at all. Traditionally, the laws of Nazi Germany are a good example in this regard. These acts grossly violated human rights, were unfair, immoral and discriminatory. That is, formally they can be called laws, but not law. Therefore, such acts should not be applied.

The Relationship Between Law and Legislation

According to the natural law concept, law and legislation are not identical. As noted above, **law is inherently fair, but this is not always the case with state laws**. This is because in the process of drafting regulations, certain provisions of the idea of human centrism are sometimes not considered. That is why such laws and regulations cannot be called legal. In particularly extreme forms, legislation can enshrine provisions that are immoral, allow for state arbitrariness, violate human rights, etc. However, as noted above, such provisions cannot be considered law. Therefore, law and legislation must be distinguished.

Priority principle of regulatory enforcement

Ideally, social relations should be regulated by legal laws, i.e. legislation based on the rule of law. However, unfortunately, state legislation does not always embody this

⁸ Anthropocentrism in law is a principle according to which a person is recognised as the highest value. The ideas of anthropocentrism are embodied in the provisions of Article 3 of the Constitution of Ukraine, according to which «a person, his or her life and health, honour and dignity, inviolability and security are recognised in Ukraine as the highest social value».

standard. While various concepts of legal understanding have different approaches to resolving inconsistencies between humanistic ideas, universally recognised human values and the requirements of existing regulations.

The concept of natural law asserts that in case of contradictions between the normative provisions of legislation and the ideas of justice, equality, inalienable human rights, etc., the latter should be given priority in application. In this case, **the principle of the rule of law is applied** as a manifestation of the “rule of law in society”⁹ (not legislation, but law!). This implies that law is superior to legislation. And accordingly, **it is the legislation that should be subject to law, and not vice versa.**

The Source of Fundamental Human Rights

The concept of natural law holds that **natural, inalienable human rights “are not granted by the state, but belong to the individual by nature** on a par with reason and other human qualities”¹⁰. This means that the very fact of the existence of these rights does not depend on the will of the state, its bodies (in particular, the parliament, which adopts laws regulating the procedure for the implementation of human rights), officials or employees. A person has these rights from birth, along with all other members of society. And the fact of living in a particular state, under a particular political regime, etc., does not matter, because state and political institutions cannot grant these rights because they do not have the competence to do so. Natural rights are automatically assigned to a person by virtue of the fact of birth. Natural rights serve as the primary basis for legislation that enshrines them. The constitution and laws are the result of the existence of natural human rights, and not vice versa.

The Role of Fairness in the Enforcement Process

The concept of natural law is based on the idea of justice, which plays a decisive role in the process of rule application. Justice is an abstract concept by its very nature, and therefore the understanding of its content may vary somewhat within different legal systems, as it reflects the social realities of each particular society. However, this category is traditionally revealed through such legal principles as proportionality, “equal treatment for equal treatment”¹¹, etc.

9 Decision of the Constitutional Court of Ukraine in the case on the constitutional petition of the Supreme Court of Ukraine on the compliance of Article 69 of the Criminal Code of Ukraine with the Constitution of Ukraine (constitutionality) (case on the imposition of a lighter sentence by the court) of 2 November 2004, № 15-rp/2004, para. 4.1, item 4 of the reasoning part.

10 General Theory of Law: Textbook / Edited by M.I. Koziubra. K.: Vaite, 2015. P. 33.

11 Pogrebnnyak S. Justice as a Principle of Law: Basic Aspects. Philosophy of Law and General Theory of Law. 2015. No 1-2/2015. P. 259.

Under the idea of natural law, legislation that does not meet these requirements should not be applied. Accordingly, **an unjust law is invalid, and therefore does not create legal consequences**. In this case, the people are not obliged to obey unjust rules of behaviour, and “lawyers must find the courage not to recognise their legal character”¹². This is because an unjust law cannot, in principle, give rise to rights as such. Anything that is unjust is not legal in nature.

At the same time, none of the types of legal understanding can be called perfect and without any reservations. This is due to the fact that each of them has both advantages and disadvantages.

For example, the **advantages** of the natural law concept include its **focus on establishing a trend towards the protection and defence of human rights, the embodiment of the ideals of justice, equality and freedom, the close combination of morality and law, the distinction between law and law, and the distinction between legal and non-legal (wrongful) laws**.

However, **the problem** with this theory is that **its provisions are often quite abstract, which, in turn, makes it difficult to apply this approach in practice**. It is precisely this vagueness and “detachment from reality” that has led to the decline of the concept of natural law in the past¹³.

1.2. The Positivist Type of Legal Understanding

Unlike the ideas of natural law, the concept of legal positivism emerged much later, only in the second half of the nineteenth century. It became particularly popular and widespread in the XX century¹⁴.

The basic assumptions of this concept are based on the fact that there are two dimensions of law — **objective law** (i.e., the law established by the state) and **subjective law** (human rights). Positivists are of the opinion that a person can exercise the subjective rights granted to them only if they are enshrined in positive law. In other words, positivism does not refer to any abstract ideals of goodness and justice. Therefore, the approach to defining the essence of law, characterising its sources, its relationship with morality and law, etc. differs significantly from the positions embodied in the concept of natural law.

Similarly to the characteristics of the natural law concept, the features inherent in the positivist type of legal understanding will be reflected by the same criteria.

¹² Radbruch G. Five minutes of philosophy of law. Problems of philosophy of law. 2004. Volume II. P. 96.

¹³ Most Important Achievements of Modern Legal Theory and Practice. Law of Ukraine. 2021. №1. P. 28.

¹⁴ General Theory of Law: Textbook / Edited by M.I. Koziubra. K.: Vaite, 2015. P. 34.

Approach to Defining the Essence of Law

Within the positivist legal understanding, the essence of law is reduced exclusively to the normative formulations in the texts of laws and other regulatory acts. This approach is based on the fact that **law can only be considered a rule that has a formal expression and whose provisions can be clearly established** (unlike natural law, whose initial ideas are sometimes more abstract).

This concept of legal understanding does not appeal to universal values, and therefore their embodiment in the legislative provisions are not mandatory. Positivists focus on the fact that a rule of conduct is officially enshrined in legal norms (legislation) and sanctioned by the state, which means that the state approves these prescriptions and makes the rules of conduct binding.

Source and Main Purpose of Law

As noted above, in positivism, the essence of law is actually reduced to the rules of conduct enshrined in legislation. In this case, **the primary source of law is the will of the state**, because it is the state, as the main subject of lawmaking, that embeds its vision of the procedure for regulating social relations in the texts of normative acts. In this case, morality, human dignity, human rights or the existing order of functioning of social institutions are not crucial in the process of forming the sources of law.

From this perspective, the purpose of law is seen as the establishment of a strong regime of legality in society, based on clear, precise and understandable normative prescriptions and subordinated to the will of the state. In this way, the state seeks to ensure stability and predictability of the regulatory framework and to minimise any uncertainty that may accompany the functioning of public institutions and civil society.

The Relationship Between Law and Morality

In this regard, positivists have taken a radically opposite approach to the natural law. For the most part, the proponents of this concept express the opinion that **law has no connection with morality**. These phenomena exist in parallel and do not overlap. In other words, a rule of law should not be subject to any kind of (a)moral scrutiny. **The law is simply applied in any case. Even if it clearly contradicts the principles of morality.**

The Relationship Between Law and Legislation

Contrary to the provisions of natural law, the positivist understanding of law assumes that **law and legislation are not distinguished**. This postulate stems from the previous

criterion, which reduces the essence of law exclusively to the legislative norms. In this case, there is no room for any higher legal ideals that exist at the level of consciousness. **The expression of law is a legal text.** If certain legal ideals and values are not reflected therein, it is considered that they do not exist at all.

Priority Principle of Regulatory Enforcement

In contrast to the ideas of natural law, positivism holds that the provisions of any law (regardless of its compliance with legal ideals) must be implemented without question. This approach embodies **the principle of the rule of law** as the highest regulator of social relations. The essence of this principle is that the population, enterprises, institutions, organisations, officials and public servants must **strictly comply with the requirements of the constitution, laws of the state and international legal acts** in their activities.

The rule of law is essential for maintaining stability in the state¹⁵. This is because the regulation of social relations in this case is unambiguous, precise and gives everyone an equal opportunity to foresee responsibility for their behaviour in a given situation. In other words, the law brings clarity to the regulation of social relations, unlike the rule of law, which is inherently more abstract and therefore requires interpretation and argumentation in each specific situation in which it is applied.

The Source of Fundamental Human Rights

Positivists hold the view that **all human rights are derived from the state**. This idea originates from the fact that law cannot exist outside the state. **Only the state, through its authorities, creates law, so it determines the list and scope of these rights.**

From this perspective, it is possible to justify significant differences in the way certain human rights are implemented in states with different legal systems. For example, in modern Europe, the idea of human centrism prevails, which is why the legislation of European countries usually contains provisions aimed at securing the widest possible range of rights for a person — civil (personal), political¹⁶, economic, social, cultural¹⁷, collective¹⁸, etc. Moreover, we are now talking about the recognition and consolidation

15 Radbruch G. Five Minutes of Philosophy of Law. Issues of Philosophy of Law. 2004. Volume II. P. 96.

16 Civil (personal) and political rights are the so-called first-generation rights that arose in the 17th and 18th centuries during the bourgeois revolutions. These rights provide individuals with personal freedom and protection from state arbitrariness.

17 Economic, social and cultural rights are second-generation rights, which were established in the nineteenth and twentieth centuries. These rights are primarily concerned with ensuring the basic human needs.

18 Collective rights are third-generation rights that belong to humanity as a whole, not to specific individuals. These rights emerged in the second half of the 20th century. Examples of rights belonging to this group are the right to peace, the right to a safe environment, the right to humanitarian assistance, etc.

of the fourth generation of human rights at the level of normative acts, which concerns somatic rights, i.e. the rights to dispose of one's body, organs or biological components.

However, the trend towards recognising such a wide range of rights is not prevalent in all countries of the world. In particular, the trend towards a somewhat narrower definition of human rights compared to the European tradition can be observed in the countries of Muslim and African legal systems. In this case, the procedure for the protection, realisation and defence of these rights will differ significantly. This is because various states have defined a different scope of rights for their citizens. And this approach is recognised as an objectively existing factor.

The Role of Fairness in the Enforcement Process

In contrast to natural law, positivism does not recognise the leading role of the principle of justice in the process of rule application. **Legislative provisions must be implemented in any case, regardless of whether they are fair or not.** Under this approach, priority is given to the stability of regulatory frameworks. In other words, the ability to predict the consequences of a legal provision (even if it is imperfect from the point of view of social justice), which is achieved through clear enshrining in legislation, is better than the application of abstract justice, which will have a different understanding in each case.

With regard to a blatantly unjust law, it is possible to overcome normatively enshrined injustice only by making appropriate changes to the legislation in accordance with a clearly defined procedure. Only under such conditions, when this justice becomes legal, will it acquire the status of actually existing for positivists. The existence of any other form of justice is out of the question.

Despite certain categorical provisions of positivism, it has a number of **positive features**. In particular, these are the clarity and unambiguity of normative regulation, the ability to foresee the consequences of certain actions, the guarantee of human rights through their direct enshrining in the texts of regulatory acts, the establishment of clear criteria for dividing behaviour into lawful and unlawful, as well as the grounds for legal liability.

At the same time, all types of legal understanding of positivism traditionally have certain **drawbacks**. First of all, this concerns the identification of law and legislation, significant overregulation of social relations, ignoring the moral side of the law, rejecting the role of the ideas of equality, justice and freedom in the process of making legally significant decisions and denying the creative role of a judge in the process of hearing cases.

1.3. Sociological Type of Legal Understanding

The sociological trend in law, as well as the concept of legal positivism, began to emerge in the second half of the nineteenth century.

An important feature of this trend is that its key provisions are not directly opposed to the concept of natural law or positivism. The sociological approach is based on somewhat different assumptions than the correlation between the legal text and the ideals of goodness and fairness. The basic concept here is social relations.

Despite this peculiarity, we will nevertheless try to examine its features through the prism of the criteria used to characterise natural law and positivism.

Approach to Defining the Essence of Law

Proponents of this concept, when defining the essence of law, proceed from the fact that law arises as a result of interaction between people in society. That is, law is “an order of social relations that manifests itself in the actions and behaviour of people”¹⁹. That is why law is not some abstract ideals of goodness and justice, not a formally expressed rule of law, but actual living social relations. In other words, **real law does not exist on paper or at the level of ideas, but only manifests itself in the process of rule application, i.e. in practice, when decisions need to be made in specific life circumstances**. In addition, the social relations within which this right arises are not only the interaction of private actors outside the activities of public institutions. The right also arises in the process of public administration, which is manifested, for example, in the decision-making of civil servants²⁰. This is because such acts ultimately affect the rights and obligations of other people, and therefore social relations in general. An important manifestation of living law within the sociological approach is court decisions as a result of resolving disputes and conflicts between people.

The main difference between this concept of law understanding is that it takes a broader approach to the definition of subjects of law-making. This provision refers to the fact that the lawmaking bodies of the state are not recognised as the only entities involved in this process by adopting laws or other regulations. In fact, law is formed as a result of the interaction of all members of society.

19 Balynska O.M., Garasymiv T.Z. Problems of the Theory of State and Law: Textbook. Edition 2, supplemented and revised. Lviv: Lviv State University of Internal Affairs Publishing House, 2010. P. 207.

20 General Theory of State and Law: [Textbook for students of law universities] / M. V. Tsvik, O. V. Petryshyn, L. V. Avramenko, and others; Edited by Doctor of Law, Professor, Academician of the Academy of Legal Sciences of Ukraine M. V. Tsvik, Doctor of Law, Professor, Academician of the Academy of Legal Sciences of Ukraine O. V. Petryshyn. Kharkiv: Pravo, 2009. P. 144.

Source and Main Purpose of Law

Proponents of the sociological approach view the **primary source of law as the relations that actually exist between people**. This means that, first and foremost, law originates in the process of interpersonal interaction, and therefore the consolidation of rules of conduct developed by society at the level of normative acts is of secondary importance. Therefore, the state is assigned a derivative role in this process, in contrast to the position of positivists who recognise the primacy of the state in the formation of rules of conduct in society.

Similarly, the sociological concept interprets the main **purpose of law** differently. It is assumed that it is **to resolve conflicts and disputes that arise between participants in legal relations**. In addition, the emphasis is placed on the fact that such disputes should be considered not so much on the basis of the legislation in force in the state, but with due regard for the living law that exists in society.

The Relationship Between Law and Morality

A feature that significantly distinguishes the sociological type of legal understanding from positivism and the concept of natural law is that its proponents **do not focus on the issue of determining the role and place of morality in rule application**.

In contrast, the sociological approach focuses on the actual legal relations, trying to find out the specific sociological and psychological factors that influence the decision-making process in a particular life situation.

The Relationship Between Law and Legislation

This concept of legal understanding also does not directly address the issue of the relationship between law and legislation. This is because legislation is not a central category analysed within the sociological field. At the same time, it is worth noting that the understanding of law is distinguished from the so-called bookish, written law (in laws), and in contrast, the existence of law in social life (legal realism). The theoretical understanding of the role and place of laws in the process of legal regulation is the main task set by positivism.

At the same time, the sociological concept emphasises the complexity and multi-faceted nature of social relations, making it impossible to regulate these relations as comprehensively and accurately as possible at the legislative level. The issue is not the imperfection of normative regulation. The essence of the problem is that no legislation can fully encompass the entire spectrum of conditions for applying rules in real life situations. Therefore, from this perspective, positivist attempts to encapsulate all aspects of law within legal provisions and regulations appear utopian to proponents of sociological approach.

Priority Principle of Regulatory Enforcement

Since the basic idea of understanding the essence of law in the sociological concept is that the original form of law is legal relations, representatives of this trend believe that the main principle of legal regulation is **to ensure the dynamism of law**. This means that the law should not be static, but rather receptive to changes that arise in the course of society's development. The legislature does not always have time to update the normative framework in a timely manner, adapting it to the requirements of the present. However, legal regulation should be promptly improved, focusing on new requirements and needs that arise in the process of interaction between people. In other words, social relations are the primary factor that determines the introduction of appropriate changes.

The Source of Fundamental Human Rights

Similarly to the position embodied in the concept of natural law, the sociological approach does not recognise the leading role of the state in the process of granting fundamental rights and freedoms to people. These rights and freedoms are only formally enshrined in legislation. In other words, legislators do not create norms that define human rights, they only formulate them based on real life circumstances. **In other words, the source of human rights is recognised as the society in which a person lives.** This position is explained by the fact that society defines these rights and guarantees the degree of their provision.

The Role of Fairness in the Enforcement Process

The position of the supporters of this type of legal understanding is that if the rules of law are unjust, then **just solutions should be found outside the law. Accordingly, we should turn to the law that exists in real life.**

The focus on living law is due to the fact that in every society there are rules for regulating relations (written or unwritten) that have been developed in the light of established customs and traditions. Therefore, decisions should be made in line with the criteria of justice recognised by the population.

In addition, in this case, regulatory gaps can be avoided, since, despite the formal absence of a fair rule in the legislative texts, legal regulation and enforcement will not be put on hold until a rule based on this principle is adopted.

In general, the main **advantage** of the sociological concept over other approaches is the shift in the understanding of the essence of law to the plane of actual legal relations. This feature makes this approach more practical in rule application. In addition, the sociological concept makes it possible to find out the psychological causes and social determination of certain phenomena. This is important in the process of conflict

resolution, in particular, in court proceedings. The sociological concept is especially evident in the so-called judicial activism, when judges are given an active creative role in the decision-making process in complex cases that cannot be resolved solely on the basis of legal provisions.

The **disadvantages** of the sociological approach include the fact that this concept confuses the processes of lawmaking and rule application, fails to analyse the role of moral principles in law, underestimates the normative side (i.e. legislation) and the importance of focusing on humanistic ideals. In addition, judicial activism can have negative consequences, as it is difficult to set limits for the creative role of a judge, and there is a risk of excessive judicial subjectivity (which can also be reinforced by corruption factors).

Section 2

Factors Influencing the Formation of Legal Understanding in the Process of Studying at a Higher Education Institution (Based on the Results of a Survey)



2.1. Types of Perception of Law by First- and Fourth-Year Students

Research Hypotheses

The first main hypothesis of the study was that *students' inclination towards a certain type of legal understanding changes during their studies at university.*

An additional hypothesis was that *senior students are more inclined to the positivist type of legal understanding than first-year students.*

Methodology

To determine the type of legal understanding of students, the survey offered them to answer two sets of questions (10 questions on understanding the theory and 10 practical tasks) on the conceptual provisions of three classical types — natural law, positivism, and sociological concept.

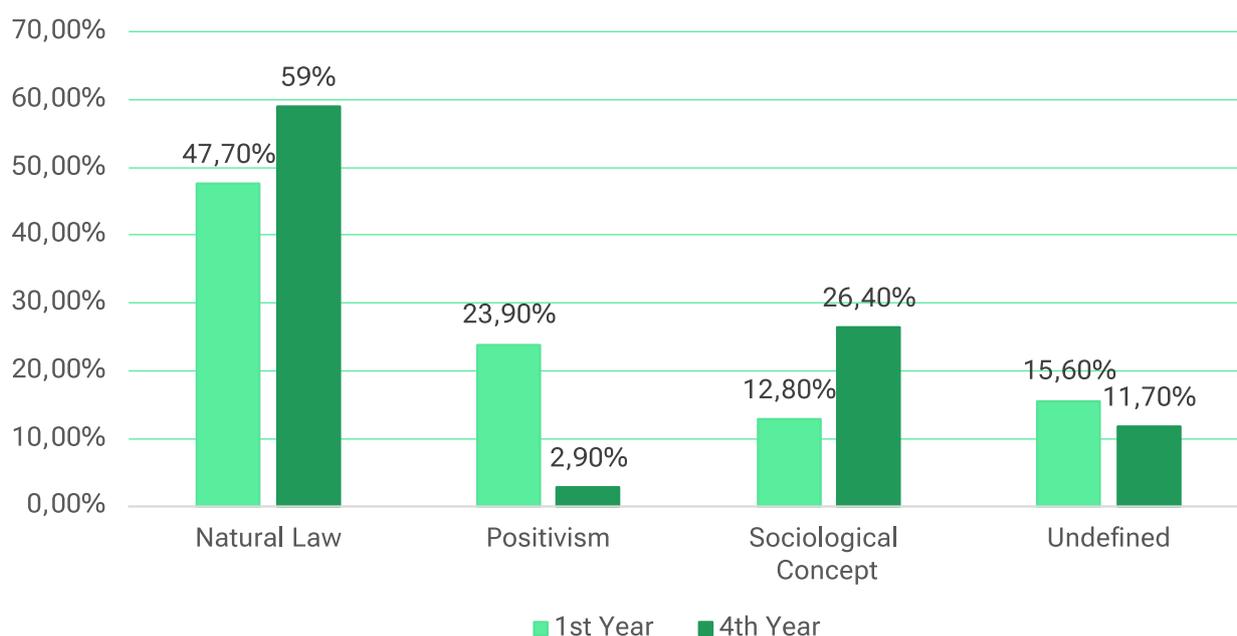
Each of these 20 questions had 4 answer options. The questions were designed in such a way that three of the answer choices indicated one of the three classical types of legal understanding mentioned above, and the fourth was an incorrect option that did not apply to any of them.

The obtained results were verified using the Confirmatory Factor Analysis (CFA) method. In addition, an approach was used to determine the dominant type of legal understanding based on the formation of a threshold value equal to 5 or more answers indicating a certain legal understanding within one set of questions.

Survey Results

A total of 143 first- and fourth-year students of the Bachelor's degree programme took part in the survey. Of these, 109 were first-year students and 34 were fourth-year students

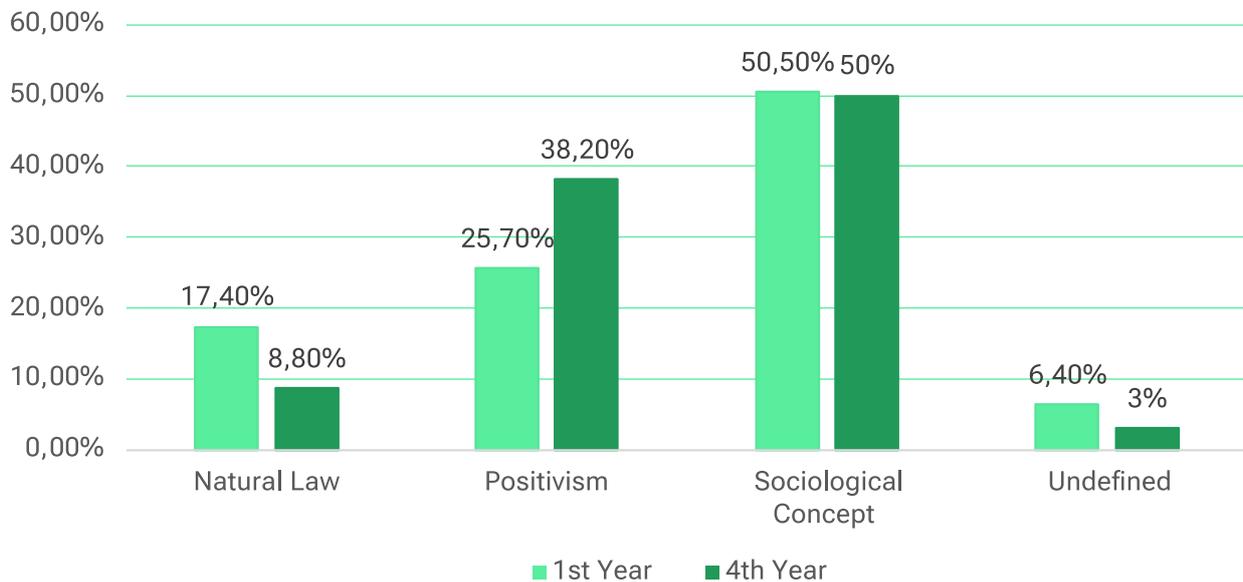
Types of Legal Understanding at the Level of Theoretical Knowledge



The survey found that **the knowledge of the theory among the surveyed first-year students is dominated by natural law understanding** – 47.7% of the total number of respondents. The second place is occupied by positivism – 23.9%. The third position is occupied by students whose type of legal understanding has not yet been established – 15.6%. **And the least common is sociological legal understanding** – 12.8%.

The results of the fourth-year respondents are somewhat different, which may indicate certain changes in shaping the legal understanding during the bachelor's degree. Thus, at the level of knowledge of theory **among the fourth-year students who took part in the survey, the natural law understanding also dominates** – 59% of the total number of respondents. The second place is occupied by the sociological concept – 26.4%. The third position is occupied by students whose type of legal understanding has not yet been established – 11.7%. **The least common is positivism** – 2.9%.

Types of Legal Understanding at the Level of Law Enforcement



The practical level of students' perception of law differs from their theoretical knowledge. In particular, **among the surveyed first-year students, the sociological concept of law understanding dominates at the level of rule application** — 50.5% of the total number of respondents. The second place is invariably taken by positivism — 25.7%. The third position is now occupied by the natural law understanding — 17.4%. **While the smallest number in this list is the number of students whose type of legal understanding has not yet been established** — 6.4%.

Interestingly, in general, the order of the concepts of legal understanding inherent in the surveyed fourth-year students coincides with the order in which they are placed in the case of first-year students. The only difference is the percentage of each type. Accordingly, **among the fourth-year respondents, the sociological concept also dominates** — 50% of the total number of survey participants. The second place is similarly occupied by positivism — 38.2%. The third position belongs to the natural law understanding — 8.8%. **The smallest number of students whose type of legal understanding has not yet been fully formed is 3%.**

Conclusions

1. The study showed that **students' perception of law at the level of knowledge of theory and its application in practice is different.** In particular, at the level of theoretical knowledge, the surveyed students share the ideas of natural law to a greater extent. This applies to both first-year and fourth-year respondents. At the same time, the acquired knowledge is implemented in practice in a completely

different way. It is significant that both first- and fourth-year students who took part in the survey solve practical situations in 50% of cases based on the sociological concept of law understanding.

2. Students' perception of law at the level of theoretical knowledge is subject to change in the course of their bachelor's studies. It can be assumed that this is primarily due to the gradual deepening of the study of legal disciplines in HEIs. As part of their studies, students are oriented towards theoretical understanding of the ideas of natural law. As a result of such training, fourth-year students are more likely to share the key provisions of the natural law concept.

3. At the same time, the hypothesis that senior students are more inclined to a positivist type of legal understanding than first-year students was only partially confirmed. The results of the survey showed that at the theoretical level, both first-year and fourth-year students who took part in the survey preferred the ideas of natural law. As for positivism, in the theoretical block, the percentage of first-year students who share the ideas of this concept is, on the contrary, higher than among fourth-year students.

At the *level of rule application*, first- and fourth-year students demonstrated a *similar predominant* inclination towards the sociological concept. However, in the practical block, first-year students showed a slightly greater inclination towards natural law compared to fourth-year students. **With regard to positivism, the indicators are exactly the opposite. As expected, it is the fourth year students who are more inclined to this type of perception of law in the tasks compared to the first-year students** (although the sociological concept remains dominant by a significant margin). The higher percentage of positivism among fourth-year can be explained by the fact that, based on the study of legal norms, students develop a worldview in which strict adherence to the law is seen a crucial principle of law enforcement.

4. The results of the survey demonstrated **that theoretical knowledge of students undergoes the greatest changes as a result of studying at a higher education institution (in particular, at the bachelor's level).** This is evidenced by the reorientation of the types of legal understanding according to this indicator. For example, the hierarchy of types of legal understanding of first-year students is as follows: 1) natural law; 2) positivism; 3) undefined; 4) sociological concept. While in the fourth year, this system changes to the following: 1) natural law; 2) sociological concept; 3) undefined; 4) positivism. In fact, the number of positivists is decreasing and the number of supporters of the sociological type is increasing.

The situation is also changing in terms of the application of legislation in practice, but not so significantly. On the one hand, despite the daily study of legal disciplines for four years, students are still divided into the following categories: 1) sociological concept; 2) positivism; 3) natural law; 4) undefined. On the other hand, the survey showed that the number of supporters of the positivist approach in practice is equally higher than the number of those who really want to implement

the ideas of natural law (the positivism rate increases by 13%). Unfortunately, this trend is not satisfactory enough, as it indicates that teachers mostly fail to instill in students a desire for the natural law concept.

2.2. Type of Legal Understanding of Students and Their Career Choice

Research Hypothesis

According to the second main hypothesis, it was assumed that *there is a connection between students' inclination to a certain type of legal understanding and their choice of future profession.*

Methodology

In order to determine students' career preferences, the survey asked them to choose one of the 20 priority career options. In addition, the respondents were given the opportunity to indicate their own answer if the profession of their choice was not listed.

Subsequently, these professions were thematically grouped depending on the nature and specificity of the activities of the persons holding these positions. The list of these groups is as follows:

- Public servants (includes civil servants, local government officials, employees of the patronage service, etc);
- Judges (judges of courts of general jurisdiction and judges of the Constitutional Court of Ukraine);
- Prosecutors;
- Advocates;
- Law enforcement officers (inquirers, detectives, investigators, forensic specialists, etc.);
- Others (mediators, notaries, private enforcement officers, researchers, legal analysts in non-governmental organisations, etc);
- Students who are undecided about their future profession.

The relationship between the type of legal understanding of the surveyed students and their career choice was established using the method of logistic binary regression.

Survey Results

The survey revealed that the most popular profession among respondents is that of an advocate, with 35% of respondents identifying it as their top choice. The list of the top ten priority professions also includes prosecutors (14.7%) and judges (13.3%).

One of the least popular professions among respondents was public service, with only 4.2% of the total number of respondents choosing this option.

	Number of Responses	Percentage Value
Advocates	50	35%
Other	31	21,6%
Prosecutors	21	14,7%
Judges	19	13,3%
Law enforcement	11	7,7%
Public servants	6	4,2%
Undecided	4	3,5%
Total:	143	100%

Conclusions

1. Based on the survey, there is **no connection between the respondents' preference for a particular type of legal understanding and their choice of future profession**. In other words, the type of legal understanding does not play any role in the process of choosing a future profession. Thus, the hypothesis was not confirmed.

2.3. Type of Legal Understanding of Students and Their Interests in Learning

Research Hypothesis

Another hypothesis proposed that *there is a connection between students' academic interests and their tendency to adopt a particular type of legal understanding*.

Methodology

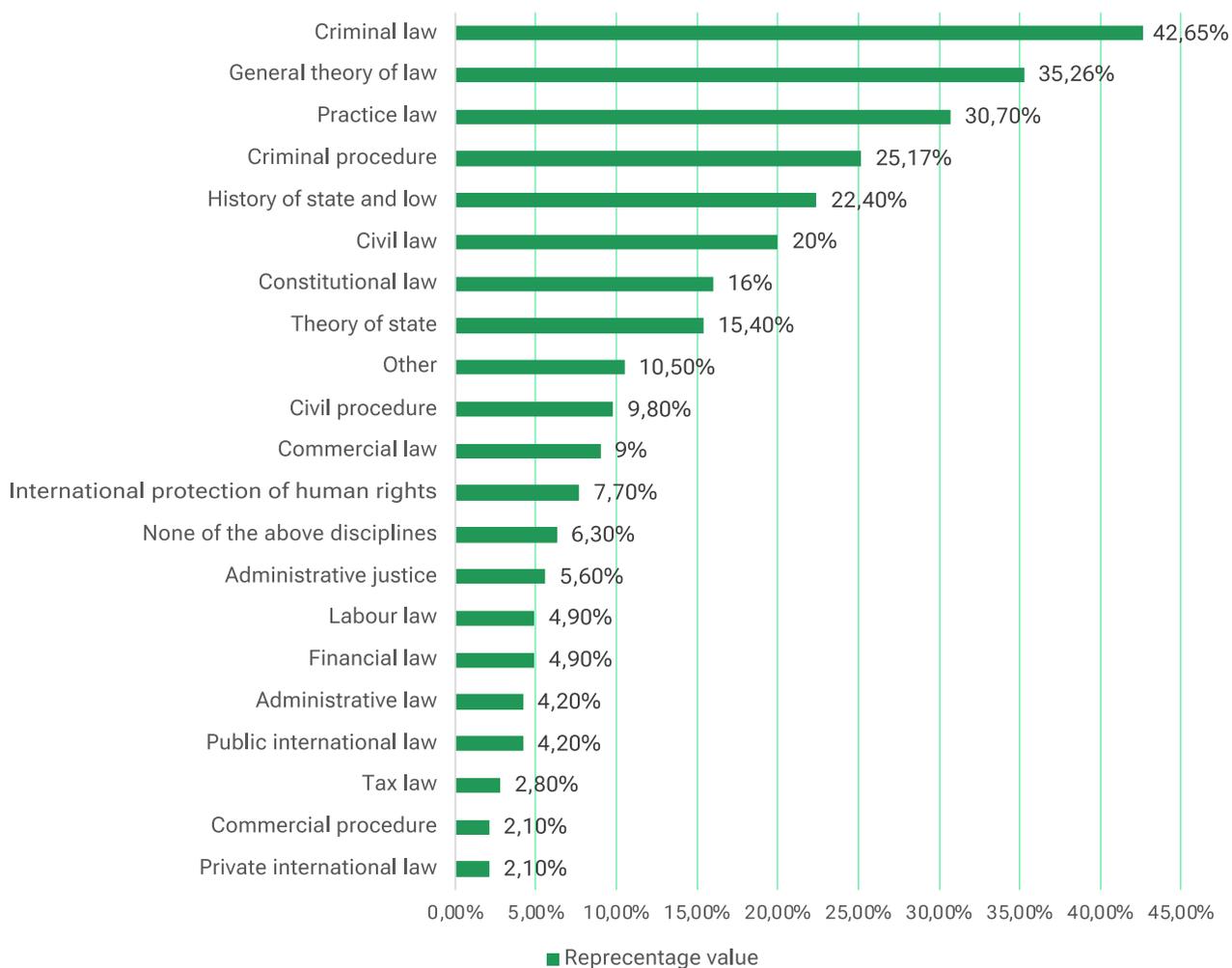
To identify such interests in learning, respondents were asked to select three subjects from a list of 19 academic disciplines that they were most interested in studying. If none of the listed subjects appealed to students, they could indicate this by selecting the appropriate answer option. Additionally, respondents had the option to suggest their own preferred subjects if they were not included in the provided list.

The relationship between the type of legal understanding of the surveyed students and their academic interests was established using the method of logistic binary regression.

Survey Results

The distribution of the survey participants' answers regarding the choice of academic disciplines that interest them the most is as follows:

Respondents' Academic Interests



Conclusions

1. **The hypothesis about the existence of a relationship between students' academic interests and their tendency to a certain type of legal understanding was partially confirmed.** The data analysis showed that among the surveyed first- and fourth-year students, such dependencies could be established only in relation to a few disciplines.

2. Comparing the results of the respondents' learning preferences with their types of legal understanding, the following can be concluded:

- Students who are interested in the **“Theory of State”** are more inclined to **positivist legal understanding** (P-value 0.00117);
- Students who like studying the **“General Theory of Law”** are more inclined to **positivist legal understanding at the level of theoretical knowledge** (P-value 0.0425). At the same time, **at the level of rule application**, such students are more inclined to **the sociological concept** (P-value 0.00128);
- Students who enjoy studying the **“Practice of Law”** are more inclined to implement the ideas of **natural law at the level of rule application**. At the same time, these students are less inclined to sociological legal understanding in rule application (P-value 0.0273);
- There is a tendency that students who show preference for **“Civil Law”** are more inclined to a **positivist understanding of law in rule application** (P-value 0.0939);
- There is a tendency that students who prefer to study the **“Theory of State”** are **less inclined to natural law** when it comes to rule application (P-value 0.0959).

3. The results of the study can be cautiously explained as follows. **The subjects “General Theory of Law” and “Theory of State” were mostly chosen as priority subjects by first-year students**, since most of the specialized legal disciplines are not introduced during the first semester of the first year of study. Accordingly, the surveyed first-year students were not familiar with them at the time of the survey.

Specialised subjects (e.g., “Practice of Law”) are studied by senior students.

These students have been studying at higher education institutions for longer, so they are more familiar with the theoretical provisions of the natural law concept. As a result, those respondents who choose the subject “Practice of Law” mostly demonstrate a tendency to understand natural law.

Thus, the results once again underlined the previous conclusion that it is among the surveyed first-year students that there is a higher percentage of those who tend to be positivistic, compared to the indicators of fourth-year respondents.

2.4. Type of Legal Understanding of Students and Legal Values They Profess

Research Hypothesis

The study hypothesised that *there is a link between the values shared by students and their tendency to adopt a certain type of perception of law.*

Methodology

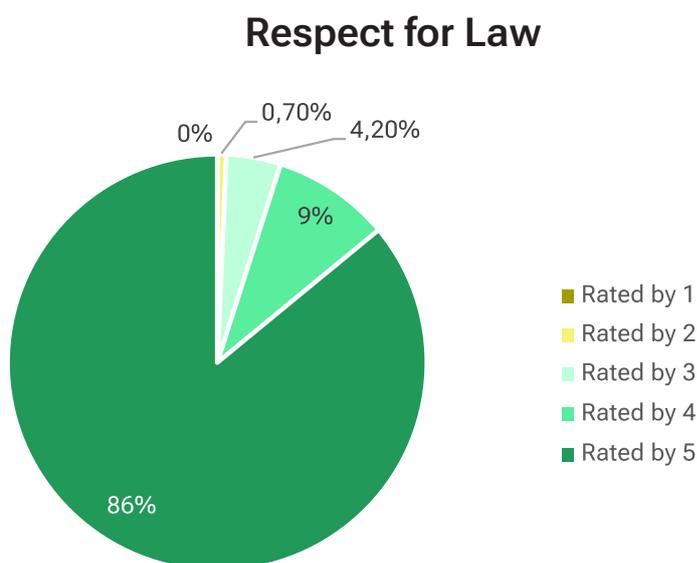
To assess students' attitudes towards legal values, they were asked to rate their attitude to each of the following 9 values on a scale from 1 to 5, where 1 indicated "does NOT correspond completely" and 5 indicated "completely corresponds".

The respondents were also given the opportunity to add to the list of professional values if, in their opinion, the list was not exhaustive and lacked other legal values that lawyers should profess.

The relationship between the type of legal understanding of the surveyed students and their professional values was established using the method of logistic binary regression.

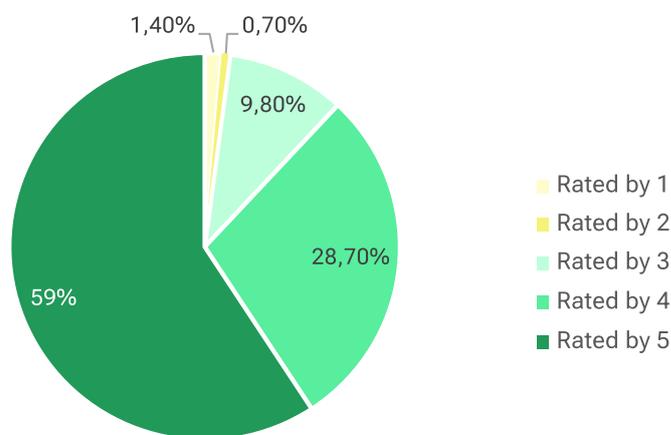
Survey Results

Based on the questionnaire survey, it was found that the respondents assessed the importance of such professional values as "respect for law", "respect for legislation", "justice", "responsibility", "humanity", "impartiality", "honesty", "professional independence" and "integrity" in the activities of lawyers as follows:



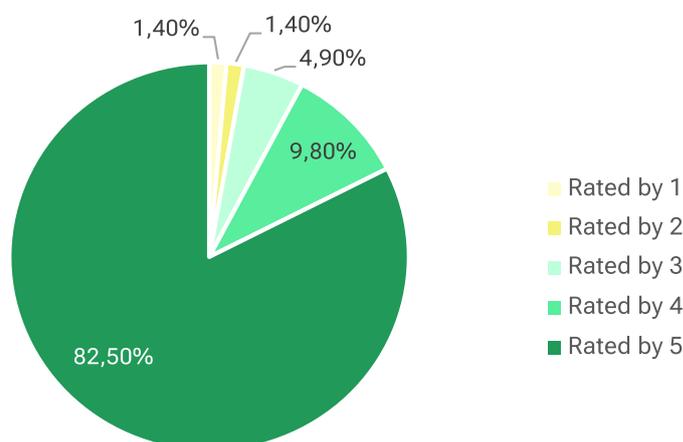
In general, the majority of the students surveyed believe that the importance of respect for the law should be rated 5 (i.e. they **absolutely agree** with the importance of this value in the work of lawyers). The number of such students reaches 86%. The number of respondents who gave respect for law a score of 4 (i.e., they *partially agree* with the statement about the value of respect for law) is 9.1%. The number of those who gave a score of 3 (in other words, the assessment of such respondents is *neutral*) is 4.2%. The number of students who believe that respect for the law can be rated as 2 (i.e., “*partially disagree*”) is 0.7%. At the same time, none of the surveyed first- and fourth-year students rated the importance of respect for law as 1 (“*strongly disagree*”).

Respect for Legislation



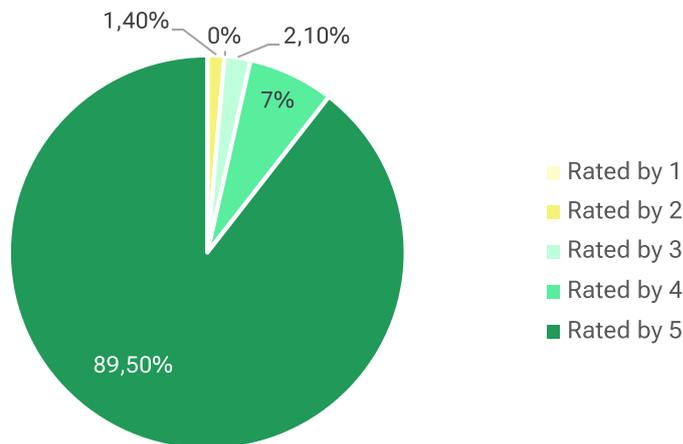
Similarly, the majority of first- and fourth-year students surveyed believe that the importance of respect for legislation should be rated at 5 (“**strongly agree**”). The number of such students is 59.4% of the total number of survey participants. The number of respondents who gave respect for legislation a score of 4 (“*partially agree*”) was 28.7%. Those who gave a score of 3 (“*neutral*”) were 9.8%. The number of students who believe that respect for legislation can be rated as 1 (“*strongly disagree*”) is 1.4%. At the same time, the lowest percentage of respondents who rated the importance of respect for legislation as 2 (“*partially disagree*”) was 0.7%.

Justice



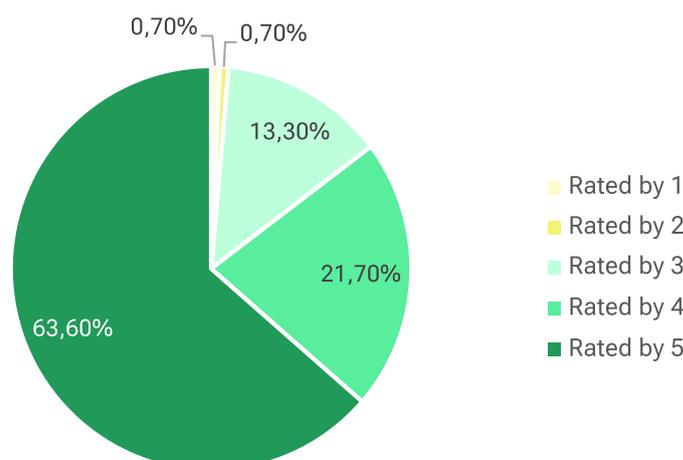
The students' assessments of the importance of justice in the work of lawyers were distributed as follows: **the largest number of respondents rated its importance at 5 ("strongly agree")** – 82.5%, while 9.8% of respondents gave it a score of 4 ("partially agree"), 4.9% – "neutral", 2 ("partially disagree") and 1 ("strongly disagree") – 1.4% in each case.

Responsibility



Similar to the assessment of the above values, **the survey participants mostly rated the importance of responsibility at 5 ("strongly agree")**. This opinion is shared by 89.5% of respondents. For 7% of students, responsibility was rated 4 ("partially agree"). The score of 3 ("neutral") was given by 2.1% of respondents. The lowest mark of 1 ("strongly disagree") was given to responsibility as a professional value in 1.4% of cases. At the same time, no respondent gave this value a score of 2 ("partially disagree").

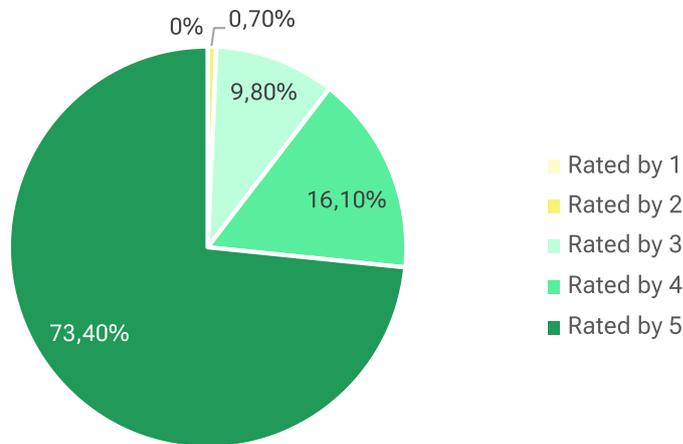
Humanity



Students' responses to the assessment of humanity were different. Despite the fact that **its importance received the highest score of 5 ("strongly agree")** – 63.6%, this percentage is still lower compared to other professional values. The score of 4

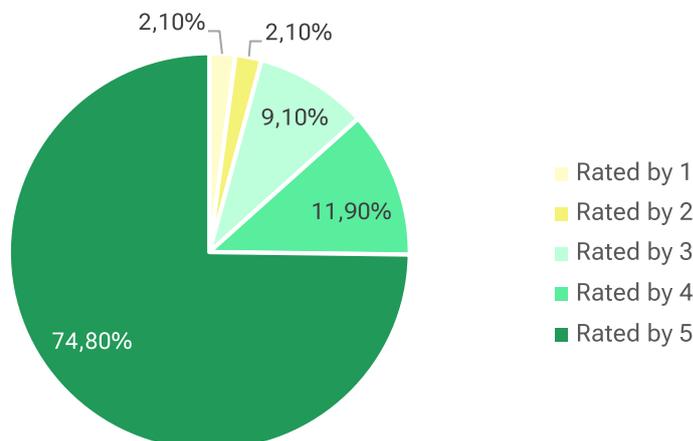
(“*partially agree*”) was given in 21.7% of cases. Those who rated humanity as 3 (“*neutral*”) make up 13.3%. And the number of respondents who gave a score of 2 (“*partially disagree*”) and 1 (“*strongly disagree*”) was equally divided — 0.7% each.

Impartiality



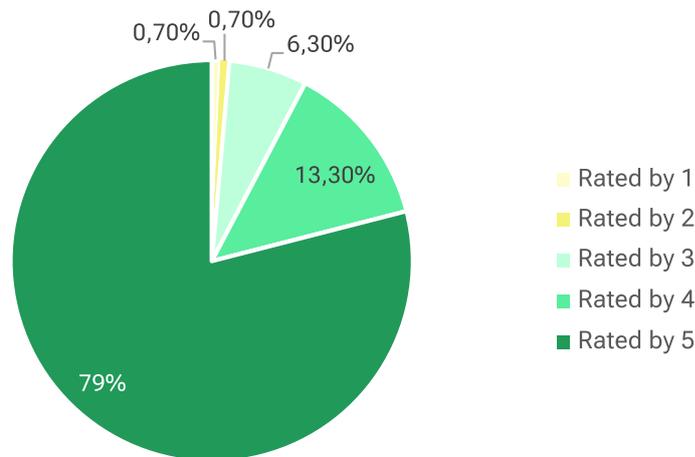
In the case of assessing impartiality, the respondents’ answers were as follows: **the largest number of respondents rated its importance at 5 (“strongly agree”)** — 73.4%, 16.1% of respondents gave it a score of 4 (“*partially agree*”), 9.8% gave it a score of 3 (“*neutral*”), while 0.7% gave it a score of 2 (“*partially disagree*”). No respondent gave a score of 1 (“*strongly disagree*”).

Honesty



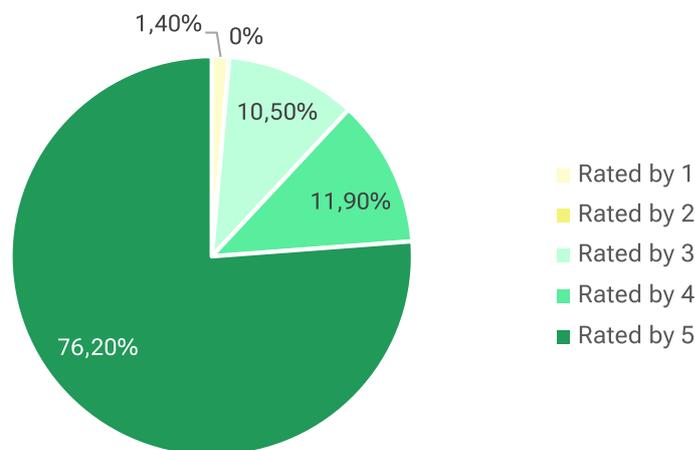
Similarly to the professional values of lawyers described above, **honesty received the highest score of 5 (“strongly agree”)** — 74.8%. The number of first- and fourth-year students who believe that its importance can be assessed as 4 (“*partially agree*”) is 11.9%. The number of those who gave it a 3 (“*neutral*”) is 9.1%. And the number of respondents who gave a score of 2 (“*partially disagree*”) and 1 (“*strongly disagree*”) reached 2.1% in both cases.

Professional Independence



The importance of professional independence in the work of lawyers was assessed by the surveyed students as follows: **the largest number of respondents rated it 5 (“strongly agree”) – 79%**, 4 (“partially agree”) was given by 13.3% of the survey participants, 3 (“neutral”) – 6.3%, 2 (“partially disagree”) and 1 (“strongly disagree”) – 0.7% in each case.

Integrity



Finally, the majority of students believe that **the importance of integrity should also be rated at 5 (“strongly agree”)**. The number of such students reaches 76.2%. The number of respondents who gave integrity a score of 4 (“partially agree”) is 11.9%. The number of those who gave a score of 3 (“neutral”) is 10.5%. The number of students who believe that integrity can be rated as 1 (“strongly disagree”) is 0.7%. At the same time, none of the surveyed first- and fourth- year students gave it a score of 2 (“partially disagree”).

Conclusions

1. Based on the statistical tests conducted, it was found that **the values professed by the surveyed students do indeed affect the way they perceive the law**. Thus, the research hypothesis was confirmed.

2. Accordingly, the existence of this relationship gives rise to the following conclusions:

- Students who share the value of **Respect for legislation** are more inclined to **positivism** in their theoretical knowledge (P-value 0.02043) and in practice (P-value 0.002376). At the same time, they are less inclined to the concept of natural law (P-value 0.00372);
- Students who share the value of **Justice** are more inclined to **natural law understanding** (P-value 0.0093);
- Students who share the value of **Humanity** are more inclined to the ideas of **natural law** (P-value 0.00122) and less inclined to positivist legal understanding at the level of theoretical knowledge (P-value 0.0477) and in rule application (P-value 0.0335);
- Students who share the value of **Integrity** are more inclined to the **natural law concept** (P-value 0.0290);
- There is a tendency that students who share the value of **Impartiality** are more inclined to **natural law** (P-value 0.0514). At the same time, they are less inclined to positivist (in theory (P-value 0.078) and tasks (P-value 0.0851) and sociological legal understanding (P-value 0.0859);
- There is a tendency that students who share the value of **Honesty** are less inclined to **sociological legal understanding** (P-value 0.0994).

2.5. The Type of Legal Understanding of Students and Their Experience of Professional Activity

Research Hypothesis

According to the fifth hypothesis, it was assumed that *there is a connection between the students' work experience or internships in the field of law and their tendency to have a certain type of legal understanding*.

Methodology

In order to find out whether the surveyed students had any professional experience, they were asked to answer 3 questions. The first of them concerned whether the respondents had work experience or internships in the legal and non-legal fields. In the second question, the survey participants were asked to indicate the positions they had worked or trained in. Finally, first- and fourth-year students had to indicate how long they had worked or trained (if they had any experience): up to 1 year, 1 year, 2 years, 3 years and more.

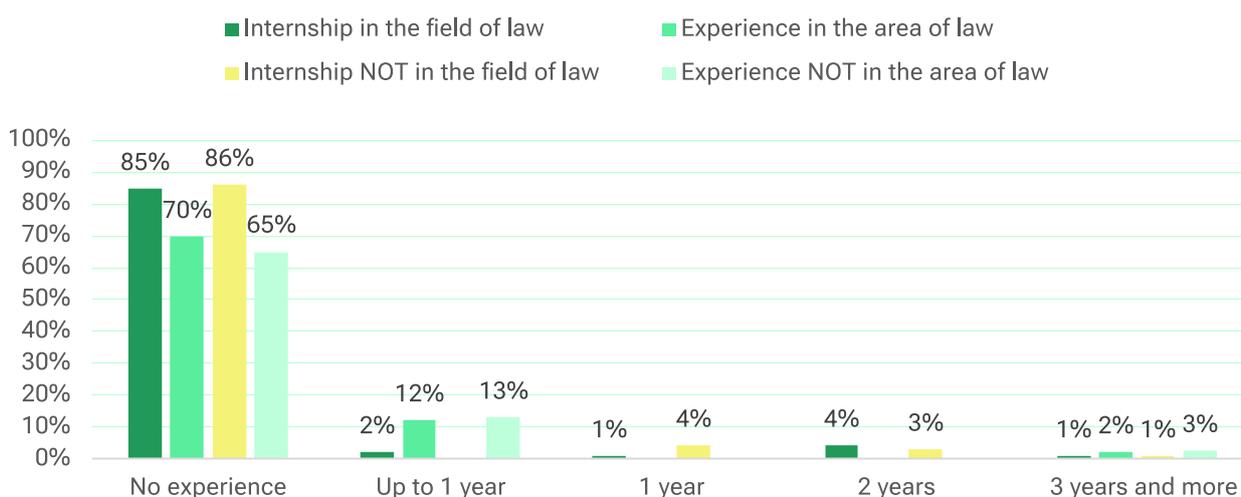
The relationship between the type of legal understanding of the surveyed students and their work or internship experience was established using the method of logistic binary regression.

Survey Results

The ratio of work experience and internships of the surveyed students in the legal and non-legal spheres, broken down by duration, is shown in the table below.

It is important to note that the block of questions on experience was not mandatory. At the same time, the percentage value was calculated from the total number of respondents (143 people). For this reason, the total percentage value for each of the 4 indicators – “legal internship experience”, “non-legal internship experience”, “legal work experience”, and “non-legal work experience” – may not equal 100%.

Work Experience and Internships of First-Year Students Surveyed



The survey showed that the first-year students who took part in the survey mostly have no work or internship experience. Among those respondents who do have relevant

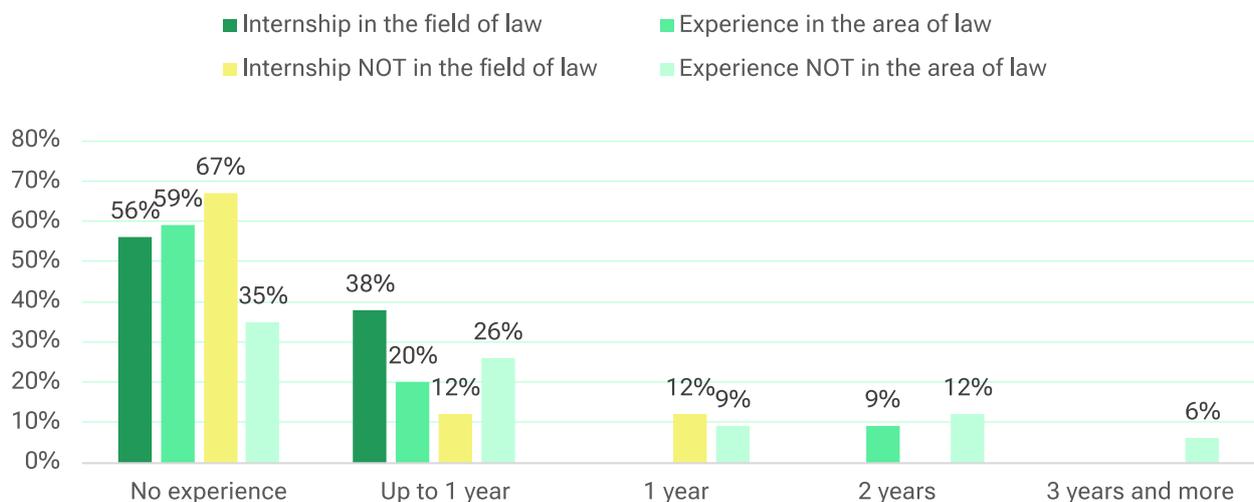
experience, the **largest percentage of first-year students had worked or done internships for up to one year in total. The highest rate for this criterion is among students who have worked in the non-legal field – 13% of the total number of respondents.** The second position in terms of the number of respondents' answers is occupied by the indicator "internship experience not in the field of law" (up to one year) – 12%. Internship or work experience of students in their speciality (up to one year) has the lowest rates – 2% and 0% respectively.

As for the data on other indicators obtained from the questionnaire survey of **first-year** students, they look like this:

	Internship experience in the field of law	Internship experience not in the field of law	Experience in the field of law	Work experience not in the field of law
No experience	85%	70%	86%	65%
Up to 1 year	2%	12%	0%	13%
1 year	0%	1%	0%	4%
2 years	0%	3,6%	0%	2,7%
3 years or more	1%	2%	1%	2,7%

At the same time, the percentage distribution of work experience or internships among **fourth-year** students who took part in the survey is as follows:

Work Experience and Internships of Fourth-Year Students Surveyed



Similarly to first-year students, the percentage of fourth-year students with no work or internship experience is higher. Similarly, among the survey participants who do have some experience, the **largest number of those who have worked or had an internship for up to 1 year**. In addition, the fourth-year students have a higher percentage of students who have done internships in the field of law — **38% of the total number of respondents**. The second position in terms of the number of respondents' answers is now occupied by the indicator "work experience outside the legal field" (up to one year) — 26%. Internship experience in the non-legal sphere is 2%, and work experience in the speciality (up to one year) is 12%.

According to other indicators, the experience of the surveyed **fourth-year** students is distributed as follows:

	Internship experience in the field of law	Internship experience not in the field of law	Experience in the field of law	Work experience not in the field of law
No experience	56%	59%	67%	35%
Up to 1 year	38%	20%	2%	26%
1 year	0%	0%	12%	9%
2 years	0%	9%	0%	12%
3 years or more	0%	0%	0%	6%

Conclusions

1. The questionnaire survey revealed that most of the first- and fourth-year students who took part in the survey **had no work experience or internships**. This is a natural result, as students focus more on the process of obtaining higher education while studying for a bachelor's degree.

2. The analysis of the correlation between the types of legal understanding of students and their work experience or internships showed that there is a tendency **for students with work experience in the field of law to be more inclined to the sociological concept of legal understanding** (P-value — 0.0713).

It can be assumed that this is because students who have directly observed the process of applying the law in practice have seen from their own experience that the outcome of a situation depends on many factors that must be taken into account when making a decision.

2.6. Type of Legal Understanding of Students and Their Assessment of the Quality of Legal Education

Research Hypotheses

Two hypotheses were put forward in the study:

- *There is a connection between how students assess the quality of legal education in Ukraine in general and their inclination to a certain type of legal understanding;*
- *There is a connection between how students assess the quality of legal education at their educational institution and their inclination to a certain type of legal understanding.*

Methodology

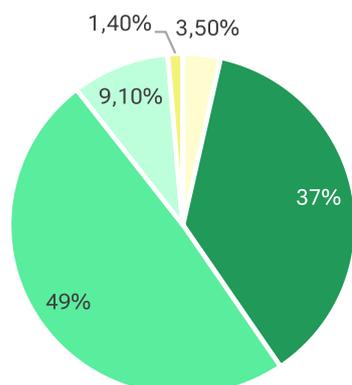
To determine how the survey participants assess the quality of legal education, they were asked to answer several questions. First, respondents were asked to assess the quality of legal education in Ukraine as a whole on a scale of Very High — Rather High — Medium — Rather Low — Low.

Secondly, using the same principle, first- and fourth-year students were asked to assess the quality of legal education at their law school using the scale “Very High” — “Rather High” — “Average” — “Rather Low” — “Low”.

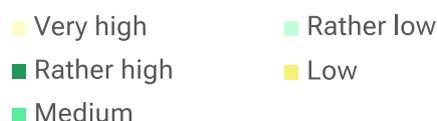
The relationship between the type of legal understanding of the respondents and their assessment of the quality of higher education was established using the method of logistic binary regression.

Survey Results

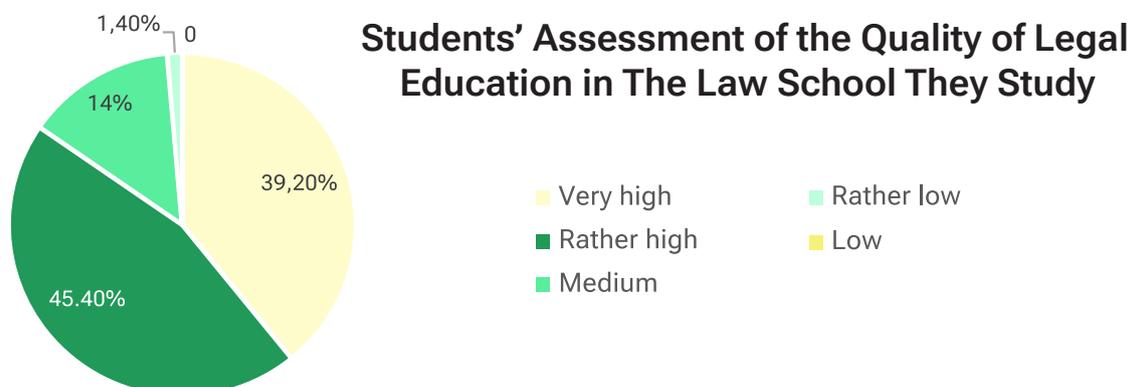
The answers of the respondents show that **students’ assessment of the quality of teaching legal disciplines in their HEIs and in Ukraine as a whole does not coincide**. The distribution of the survey participants’ answers is as follows:



Students’ Assessment of the Quality of Legal Education in Ukraine in General



The survey has shown that **the majority of respondents assess the quality of higher education in Ukraine as “average”**. This opinion is shared by 49% of respondents. The rating of “rather high” was given by 37% of respondents. 9.1% believe that the quality of education is rather low. Only 3.5% of students said that the quality of legal education in Ukraine can be considered high. And 1.4% rated it as low.



The results of the survey showed that, **for the most part, the survey participants tend to assess the quality of education at their university higher than the quality of legal education in Ukraine as a whole**. In particular, 45.4% of students said that the quality of legal education at their university is “rather high”. Similarly, the number of responses indicating that the quality of law teaching is high is growing — 39.2% of the total number of respondents. At the same time, only 14% of respondents gave an “average” rating. Only 1.4% of respondents believe that the quality of education can be assessed as “rather low”. It is noteworthy that not a single student among the respondents believes that the quality of legal education at their university is low.

Conclusions

1. The respondents’ assessment of the quality of legal teaching in their higher education institution and in Ukraine as a whole does not coincide. **The survey participants tend to rate the quality of law teaching at their higher education institution higher than the quality of law teaching in the country as a whole**. This demonstrates the loyalty of students to the educational institutions where they study.
2. **The first of the two hypotheses, that there is a link between students’ assessment of the quality of legal education in Ukraine in general and their tendency to have a particular type of legal understanding, was not confirmed**. The results of the statistical tests conducted do not demonstrate a connection.
3. Regarding **the second hypothesis**, the results of the study showed that among the surveyed students, **those who evaluate the quality of legal education at their university more highly are more inclined to natural law** (P-value 0.00213) and less inclined to the sociological concept of law understanding (P-value 0.0305).

These results may indicate that a large percentage of students are satisfied that the teaching of legal disciplines at their higher education institution is focused on students' mastery (at least at the level of theoretical knowledge) of the provisions of the natural law concept, which is most common among the surveyed students of both first and fourth years.

2.7. Students' Academic Interests and Their Assessment of the Quality of Legal Education

Research Hypothesis

Another hypothesis was that *there is a link between students' academic interests and how they assess the quality of legal education.*

Methodology

The procedure for respondents to choose the subjects they are most interested in studying from the list of 19 academic disciplines was described in subsection 2.3.

The procedure for determining how the surveyed first- and fourth-year students assess the quality of legal education is described in subsection 2.6. In addition, students were asked to give a detailed answer about what they are not satisfied with in the learning process and what they think should be changed to improve the quality of legal education.

The relationship between students' interests in learning and their assessment of the quality of legal education was established using the linear regression method.

Survey Results

The descriptive results of this subsection have already been described in other subsections of this report. In particular, the interests of the surveyed students in learning are reflected in Section 2.3, and their assessment of the quality of legal education is described in Section 2.6.

As for the shortcomings of the educational process, the students surveyed believe that the key issue is the lack of classes aimed at developing practical skills. In other words, **the main focus of the educational process is on learning theoretical concepts, but students feel the need to be taught how to apply the knowledge they have acquired in practice.**

In addition, in some cases, respondents identified other issues that, in their opinion, have a negative impact on the quality of law teaching in HEIs. The most common issues mentioned are as follows:

- Lack of innovative approaches and excessive formalism in teaching;
- Inclusion of subjects in the curriculum that do not align with students' interests (students often highlight an overemphasis on historical subjects);
- Limited opportunities to choose elective subjects;
- Teaching formats do not adequately prepare students for master's exams;
- Challenges associated with distance learning.

However, it is important to note that these issues do not necessarily exist in every institution or in the same combination. Each HEI has its own unique educational process, and the survey on these identified issues cannot be uniformly applied to all higher education institutions in Ukraine.

In some cases, survey participants offered their own solutions to the identified issues. These suggestions are mainly focused on helping students acquire more practical skills, although in general, the implementation of such ideas can also have a positive impact on addressing other issues. Overall, the survey participants expressed the following positions:

- 1) Increase the number of lectures in all courses, starting with the first one, with the involvement of practicing lawyers;
- 2) Increase the number of lecturers with practical experience in the field of law or who are engaged in practical activities, as theoretical lecturers cannot acquaint students with the practical aspects of applying the law at the same level;
- 3) Involve practicing lawyers in the development of curricula; in this way, the curricula will be better aligned with the current skills required in legal practice;
- 4) Introduce separate training sessions for students in courts and law firms from the first year of study.

Conclusions

1. **The hypothesis that there is a link between students' academic interests and their assessment of the quality of legal education was partially confirmed.** Data analysis showed that among the surveyed first- and fourth-year students, such dependencies could be established only in relation to a few disciplines.
2. Based on the comparison of the results of the respondents' learning preferences with their assessment of law teaching in HEIs, it was found that:

- Students who like to study the **“General Theory of Law”** evaluate the quality of education **higher** (P-value 9.31e-05);
- Students who enjoy studying the **“International Protection of Human Rights”** evaluate the quality of education **lower** (P-value 0.0494);
- Students who enjoy studying **“Civil Law”** and **“Civil Procedure”** rate the quality of teaching **lower** (P-value 0.019).

3. It can be assumed that such results may to some extent be related to the fact that **students lack classes devoted to the development of practical skills for their future professional activities**. In particular, the “General Theory of Law”, while encompassing theoretical provisions and illustrating them through practical examples, remains largely theoretical in nature as compared to other disciplines. Accordingly, the interests of students who like this discipline can be fully satisfied, even if the theoretical material prevails over the practical aspect.

However, such subjects as “Civil Law”, “Civil Procedure”, “International Human Rights Protection”, etc. are applied in nature. Their study involves developing the ability to apply the rules of the relevant legislation in practice. Therefore, those students who have identified these disciplines as a priority for themselves seek to learn how to apply the law correctly in specific practical situations. However, the insufficient number of classes devoted to the practical aspect does not meet the needs of such students, and consequently, they remain dissatisfied with the quality of legal education.

2.8. Students’ Academic Interests and Their Future Career Choice

Research Hypothesis

The study hypothesised that *there is a connection between students’ academic interests and their choice of future professional field*.

Methodology

The procedure for respondents to choose no more than three subjects that interest them the most from the list of 19 academic disciplines was described in subsection 2.3. The procedure for determining the career preferences of the first- and fourth- year students who took part in the survey is described in subsection 2.2.

The connection between students’ academic interests and their choice of future profession was established using the method of logistic binary regression.

Survey Results

It is important to note that the list of top five priority disciplines, which are of particular interest to the surveyed first- and fourth- year students, includes:

1. **“Ciminal law”**, selected by 42.65% of the total number of respondents;
2. **“History of state and law”**, which is of interest to 35.26% of respondents;
3. **“Practice of law”**, preferred by 35.26% of respondents;
4. **“General theory of law”**, chosen by survey participants in 30.7% of cases;
5. **“Criminal procedure”**, selected by 25.17% of students.

Such a distribution of priority subjects among the respondents can be explained by the fact that the survey involved first- and fourth-year students, the ratio of which is uneven (109 first-year students and 34 fourth-year students). Accordingly, we have a result where the subjects of general theoretical and historical orientation, which are studied in the first year, topped the list of priority disciplines. In the first semester, first-year students have not yet studied most of the disciplines in their speciality, so it is logical that their choice did not stop at other specialised subjects.

As for the priority legal professions that students plan to choose in the future, the following are particularly popular among the respondents:

1. **Advocate** – 35% of the survey participants;
2. **Prosecutor** – 14,7%;
3. **Judge** – 13,3%.

Conclusions

1. Comparison of the survey results obtained by these two criteria showed that **the hypothesis that there is a link between students’ interests in learning and their choice of future profession was partially confirmed**. Such dependencies could be established only for a few disciplines and a few positions.
2. An analysis of the respondents’ answers about their educational and career preferences has led to the following conclusions:
 - Students who like the **“Practice of Law”** subject are more likely to choose the profession of **an advocate** (P-value 2.18e⁻⁰⁵);
 - Students who prefer **“Criminal Law”** are more likely to choose the profession of **an advocate** (P-value 0.045766).

It can be assumed that these results are related to the fact that advocates often defend their clients in criminal proceedings. Therefore, it is likely that those students who have chosen the profession of an advocate and prefer criminal law are planning to represent interests by specialising in this area.

3. The study has shown that **students do not always choose their future career based solely on their own interests in learning**. The factor of interests in learning, although important, is not decisive. This can be explained by the fact that when choosing a professional career, respondents are also guided by a number of other factors (e.g., the desire to earn a high income, the desire to help others, the desire to gain a high social status, help from friends with employment, advice from relatives or acquaintances, etc.)

2.9. Students' Academic Performance and Choice of Future Profession

Research Hypothesis

According to the following hypothesis, it was assumed that *there is a link between law students' academic performance and their career preferences*.

Methodology

Academic performance of first- and fourth-year students was determined in different ways. For example, first-year respondents had to indicate their results of the National Multisubject Test, based on which they were admitted to a higher education institution. To do this, the survey participants had to choose the number that corresponded to their test result from a list of scores from 100 to 200. This option for determining academic performance was due to the fact that the survey was conducted in the first semester of the academic year, so first-year students had not yet passed any exams at the time of filling out the questionnaires.

Fourth-year students were asked to indicate their academic performance by specifying their average score in all subjects based on the results of the last session (it was the summer session of the 2022-2023 academic year). To do this, respondents had to choose from a list of scores from 60 to 100 the number that corresponds to the average score obtained for passing tests and exams.

The procedure for determining the career preferences of the first- and fourth-year students who took part in the survey is described in subsection 2.2.

The relationship between students' academic performance and their choice of future profession was established using the logistic binary regression method.

Survey Results

It is worth recalling that the list of three priority legal professions that students plan to choose in the future includes the following:

1. **Advocate** – 35% of the survey participants;
2. **Prosecutor** – 14,7%;
3. **Judge** – 13,3%.

At the same time, almost **every fifth respondent chose a profession from the “Other” category**, which includes mediators, notaries, private enforcement officers, researchers, legal analysts in non-governmental organisations, etc. The number of such students is 21.6% of the number of people who took part in the survey.

In general, the survey results were as follows:

	Number of responses	Percentage value
Advocate	50	35%
Other	31	21,6%
Prosecutors	21	14,7%
Judges	19	13,3%
Law enforcement	11	7,7%
Public servants	6	4,2%
Undecided	4	3,5%
Total:	143	100%

Conclusions

1. A comparison of the data on academic performance and career preferences of the respondents showed **different results for first- and fourth-year students**.
2. As for the first-year students, it was possible to identify a tendency according to which **students with higher scores are less likely to choose a position from the “Other” category** (i.e., positions of mediators, notaries, private enforcement officers, researchers, legal analysts in non-governmental organisations, etc.)
3. At the same time, no similar **connections could be established for fourth-year students**.

2.10. Course of Study and Students' Choice of Future Profession

Research Hypothesis

The last hypothesis was that there was a *link between students' career preferences and the course they were studying*.

Methodology

At the beginning of the questionnaire, students had to indicate which course they were studying by choosing one of two options — “1st year of Bachelor's degree” or “4th year of Bachelor's degree”.

The procedure for determining career preferences of first- and fourth- year students is described in subsection 2.2.

The relationship between students' academic performance and their choice of future profession was established using the linear regression method.

Survey Results

As mentioned above, a total of 143 students took part in the questionnaire survey — 109 first- and 34 fourth-year students.

The percentage distribution of students by the categories of positions they plan to choose in the future is given in subsections 2.2 and 2.9.

Conclusion

- 1. The hypothesis that there is a relationship between students' career preferences and the course they are studying was not confirmed.** The results of the statistical tests conducted do not demonstrate a connection.

Recommendations

Based on a questionnaire survey among first- and fourth-year students, a number of aspects of the educational process that need to be improved and refined were identified.

Firstly, the study has shown that the role of higher education institutions in shaping the types of legal understanding is mainly traced only at the level of mastering *theoretical* material. In this case, in fact, the number of bachelor's graduates who share the values of the natural law concept prevails over the number of first-year students with this type of legal understanding. However, at the level of *rule application*, the rate of fourth-year students' tendency to positivism is still high, and even exceeds the number of first-year students who are positivists.

These findings suggest that in teaching classes in HEIs, teachers should place **greater emphasis on how a particular legal provision or principle should be applied in real-life situations (and not just in theory)** to ensure that human rights, equality and justice are actually respected in practice.

Secondly, in the questionnaire survey, a large number of students noted that the curriculum is not focused on developing the practical skills necessary for the profession. In addition, there is a demand among respondents to involve more practicing lawyers in the educational process who could share their experience in the field of law with students.

This problem can be solved **by conducting part of the training sessions in the format of guest lectures, with invited legal practitioners as speakers**. In this way, students can directly obtain information about the practical side of rule application in a particular area of social relations.

In addition, some classes may be held **in the format of binary lectures, when the material on a particular topic is presented simultaneously by both a theoretical lecturer and a practicing lawyer**. This approach makes it possible to model real-life situations that are analysed from different perspectives (theoretical and practical, respectively).

Seminars on specific topics can also be organised in the format of moot courts. At the same time, it is important that the positions of the parties during such training sessions are based on the rule of law, not just strict compliance with the laws. Such an approach will help students to focus on this principle in court proceedings, which will lay the foundation for their understanding of law at the level of law application in their future professional activities.

Thirdly, the questionnaire survey gave grounds to conclude that not all students recognise the importance of key professional values that have a direct impact on the formation of the type of legal understanding. This is evidenced by the assessment of the importance of these values as 3 (i.e., “neutral”), 2 (“partially disagree”) and 1 (“completely disagree”).

To remedy this situation, in the educational process, teachers should **emphasise more the need to orientate students during their studies and in their future practical activities towards such values as “respect for law”, “respect for legislation”, “justice”, “responsibility”, “humanity”, “impartiality”, “honesty”, “professional independence”, “integrity”, etc.** This should be emphasised both when studying theoretical material and when solving practical issues.

Fourthly, in some cases, the students surveyed emphasised the lack of a real opportunity to **choose elective courses**. Of course, this situation is not typical for all higher education institutions. However, it is **important that such an opportunity is actually provided to students**. This is because students can choose their future career based on the areas of law they are really interested in. Therefore, as part of their studies, they should be familiarised with the peculiarities of rule of law application (real and “in accordance with the rule of law”) in this particular area. This is an important step towards the formation of competent professionals in various specialities.

Appendix

QUESTIONNAIRE

1. I confirm that I am studying at

- Yes

2. Specify your course of study

- 1st year of Bachelor's degree
- 4th year of Bachelor's degree

3. Indicate your speciality

4. Why did you decide to study law?

Please select the top THREE options.

- I want to be successful and have a successful professional career
- I want to realise my abilities
- I want to establish justice in society
- I want to help others
- Legal education is a guarantee of future stability
- Legal education provides an opportunity to earn a high income
- I liked the fundamentals of jurisprudence as an academic discipline in school
- I was advised by parents / friends / acquaintances

- The choice of speciality didn't matter to me
- Other: _____

5. Which legal disciplines do you enjoy studying the most?

Please select the top THREE options.

- Practice of Law
- Administrative Law
- Administrative Proceedings
- Commercial Law
- Commercial Law Procedure
- Constitutional Law
- Criminal Law
- Criminal Procedure
- Private International Law
- Public International Law
- International Human Rights Protection
- Tax Law
- Theory of the State
- General Theory Of Law
- Labour Law
- Financial Law
- Civil Law
- Civil Proceedings
- History of State And Law
- I do not prefer any of the above disciplines
- Other: _____

6. Assess your readiness to work in your field of study in the future:

- 1 – I definitely do NOT plan to work in my speciality
- 2 – I rather do NOT plan to work in my speciality
- 3 – Maybe I will work in my speciality, maybe not
- 4 – I plan to work in my field of study
- 5 – I definitely plan to work in my speciality

7. What position do you plan to hold in the future?

Please tick the box next to the answer you have chosen.

- Advocate
- Judge of a court of general jurisdiction
- Judge of the Constitutional Court of Ukraine
- Prosecutor
- State notary
- Private notary
- Civil servant
- Local government official
- Investigator
- Inquirer
- Specialist criminalist
- Detective
- State enforcement officer
- Private enforcement officer
- Legal counsel
- Mediator
- International lawyer
- Researcher

- Assistant consultant to the MP of Ukraine
- Legal analyst at a non-governmental organisation
- Other: _____

8. Why did you decide to take this particular position?

Please rate each of the following statements on a scale from 1 to 5, where 1 – completely DISagree with the statement, 5 – completely agree with the statement.

	1	2	3	4	5
The opportunity to earn a high income					
I like working in this field					
What others have said					
Opportunity to gain high social status / influence / power					
I want to help others / work for the benefit of society					
Parents/friends/acquaintances can help with employment in this area					

9. What other reasons did you have for choosing this position?

Please specify your option if necessary.

10. In what field have you worked or trained?

	Yes	No	Hard to answer
Legal sector			
Non-legal sector			

11. What position(s) have you held or trained in?

Please specify yourself..

12. How long have you worked or trained?

Please tick the boxes next to the answers you have chosen.

	No experience	Up to 1 year	1 year	2 year	3 years and more
Internship experience in the field of law					
Internship experience not in the field of law					
Experience in the field of law					
Work experience outside the legal field					

13. How do you assess the quality of legal education in Ukraine in general?

Please tick the box next to the answer you have chosen.

- Very high
- Rather high
- Medium
- Rather low
- Very low

14. How do you assess the quality of legal education in your higher education institution in general?

Please tick the box next to the answer you have chosen.

- Very high
- Rather high
- Medium
- Rather low
- Very low

15. Assess the quality of teaching legal disciplines in your higher education institution in general.

Please evaluate each of the following statements on a scale from 1 to 5, where 1 – completely DISagree with the statement, 5 – completely agree with the statement. The first column indicates “Hard to answer”.

	Hard to answer	1	2	3	4	5
The content of the study programmes meets the needs of my future profession						
The presentation of material in the classroom meets the needs of my future profession						
I have a real opportunity to choose elective subjects						
Elective subjects match my interests						
My higher education institution maintains a balance between teaching theory and developing practical skills in students						
Teachers regularly provide feedback to students						

heoretical knowledge, qualifications and practical knowledge of teachers are at a high level						
Teaching methods meet the requirements of modernity						

16. What are you not satisfied with in the educational process? Why? What, in your opinion, should be changed in the educational process to improve the quality of legal education?

Please give a detailed answer.

17. In your opinion, what professional values should lawyers profess?

Please rate each of the following on a scale from 1 to 5, where 1 – completely does NOT correspond, 5 – completely corresponds.

	1	2	3	4	5
Respect for law					
Respect for legislation					
Justice					
Responsibility					
Humanity					
Impartiality					
Honesty					
Professional independence					
Integrity					

18. What other professional values do you think lawyers should profess?

Please provide your own option if necessary.

DEMOGRAPHIC BLOCK for the first-year students

19. Please indicate your result in the National Multiple Subject Test:

- | | | | | |
|-------|-------|-------|-------|-------|
| • 100 | • 124 | • 148 | • 172 | • 196 |
| • 101 | • 125 | • 149 | • 173 | • 197 |
| • 102 | • 126 | • 150 | • 174 | • 198 |
| • 103 | • 127 | • 151 | • 175 | • 199 |
| • 104 | • 128 | • 152 | • 176 | • 200 |
| • 105 | • 129 | • 153 | • 177 | |
| • 106 | • 130 | • 154 | • 178 | |
| • 107 | • 131 | • 155 | • 179 | |
| • 108 | • 132 | • 156 | • 180 | |
| • 109 | • 133 | • 157 | • 181 | |
| • 110 | • 134 | • 158 | • 182 | |
| • 111 | • 135 | • 159 | • 183 | |
| • 112 | • 136 | • 160 | • 184 | |
| • 113 | • 137 | • 161 | • 185 | |
| • 114 | • 138 | • 162 | • 186 | |
| • 115 | • 139 | • 163 | • 187 | |
| • 116 | • 140 | • 164 | • 188 | |
| • 117 | • 141 | • 165 | • 189 | |
| • 118 | • 142 | • 166 | • 190 | |
| • 119 | • 143 | • 167 | • 191 | |
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| • 121 | • 145 | • 169 | • 193 | |
| • 122 | • 146 | • 170 | • 194 | |
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20. Your age:

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- 27
- 28
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- 35
- 36 and more

21. Your gender:

- Male
- Female
- Prefer not to answer

22. Assess the financial situation of your family:

- We can barely make ends meet, we don't even have enough money to buy necessary groceries.
- We have enough to buy food and other inexpensive items.
- Generally, we have enough to live on, but purchasing durable goods, such as furniture, a refrigerator, a TV, is challenging.
- We have a good income, but we are still unable to make larger purchases (such as an apartment, car, etc.).
- We can buy almost anything we want.
- Hard to answer.

DEMOGRAPHIC BLOCK for the fourth-year students

19. Please indicate your result in the National Multiple Subject Test:

- 60
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- We can buy almost anything we want.
- Hard to answer.

THEORETICAL BLOCK

Answer the questions by selecting the option you think is most relevant.

23. What answer would you give to the question: “What is law?”

- Law is a system of rules set out in state laws and other regulations.
- Law is the result of resolving disputes and conflicts between people, embodied in a court decision.
- A law is any written or oral order that is binding.
- Law is, first and foremost, justice, embodied in human dignity and human rights.

24. What, in your opinion, is the primary source and main purpose of law?

- The primary source of law is human dignity and human rights, and the main goal is justice.
- The primary source of law is the will of the state embodied in the law, and the main goal is to establish a strong legal order in society subordinated to this will.
- The primary source of law is the human unions and relations between people that actually exist in society, and the main goal is to resolve disputes and conflicts between participants in these relations not so much on the basis of law as on the basis of living law that exists in society.
- The primary source of law is human instincts, and the goal is to tame them with the help of laws and punish those who violate these laws.

25. To what extent do you think law is related to morality?

- Law cannot be immoral, so the content of any legal provision should be assessed in terms of its moral correctness. A legal provision that contradicts morality is not legal.
- Moral factors should be taken into account when making judgements, but this does not mean equating morality with law.
- Law and morality are fundamentally different phenomena, so the moral assessment of legal norms is irrelevant for the functioning of law. Legal norms must be strictly enforced, regardless of their morality or immorality.
- Law and morality are understood in different ways, so you need to use your own discretion in making the relevant legal decisions depending on the circumstances.

26. In your opinion, what is the relationship between law and legislation?

- Law and legislation should be distinguished, as legislation can be a form of expression of state arbitrariness rather than law.
- The legislation is binding regardless of its content, as legal decisions, including court decisions, should be made only in strict accordance with the legislation.
- Law and legislation are identical, since it is in legislation that law primarily finds its expression.
- It is an illusion to try to fit all law into legislation and other regulations. Real life is more complex and multifaceted than any legislation, even the most perfect.

27. What do you think is the primary source of human rights?

- Human rights are a moral rather than a legal category. Their enforcement depends solely on the moral readiness and material capabilities of society.
- The primary source of human rights is the state, since it is the state that grants human rights by enshrining their list in constitutions, laws and other regulations.
- The primary source of human rights is the society in which a person lives. It is from this society that human rights and the degree of their protection originate.
- The primary source of human rights is human nature, so they are not granted by the state, but belong to a person from birth and are inherent and inalienable.

28. When, in your opinion, did law arise?

- Law emerged simultaneously with the emergence and formation of the state.
- Law emerged only after the formation of modern states.
- Law emerged much earlier than the state.
- The origin of law has nothing to do with the state. It arose when human society emerged, and the need arose to resolve disputes and conflicts between people.

29. How do you assess the ability of the state to deprive a person of fundamental rights and freedoms?

- The state may NOT deprive a person of fundamental rights and freedoms, as these rights are inherent and inalienable, so the state cannot cancel them at its own discretion.

- The state can deprive a person of fundamental rights and freedoms, since any rights and freedoms, even those enshrined in the constitution, are granted to a person by the state, and therefore the state has the right to cancel them.
- Human rights and freedoms are determined by the level of development of not only a particular society, but also humanity as a whole. The level of its modern development makes it impossible to deprive a person of their fundamental rights and freedoms, but their restriction is possible in certain situations.
- The state of human rights and freedoms is determined by the level of development of the society in which they live, so everything depends on its capabilities.

30. How do you feel about the possibility of deviating from the legislation if it is unfair?

- The legislation should NOT be deviated from, as its requirements must be followed in all cases, regardless of whether the laws are fair or not.
- The requirements of an unjust legal act can be disregarded, since it does not give rise to rights. This is especially true in the case of a blatantly unjust legislation.
- There should be no dilemma here, since the parliament, as the embodiment of the people's representation, enacts fair laws.
- If the legislation is unjust, one should seek fair solutions outside of the legal acts, finding the law in real life.

31. How do you feel about the possibility of applying a single option for judicial dispute resolution in complex situations?

- In complex cases, there is usually no single option for judicial resolution of a dispute, as the court must consider many nuances specific to each case that no legislation can fully account for.
- There is always only one way to resolve a dispute, which is provided for by legislation.
- The main task of the court in complex cases is not to follow the letter of the laws, but to find a fair and reasonable solution, relying on a fairly wide range of legal tools at its disposal.
- Complex cases that cannot be directly addressed by legislation, should be decided at the court's discretion.

32. In your opinion, which of the following principles prevails over the others in the hierarchy of legal principles?

- Preference should be given to the principle of inevitability of punishment, i.e. every person who violates the laws should be punished.
- Priority should be given to the principle of legality, i.e. the precise and strict implementation of laws by all subjects of legal relations.
- Priority should be given to the principle of the dynamism of law, as modern life is changing too fast — and laws are not keeping up with these changes.
- Priority should be given to the rule of law, as it accumulates all the basic requirements that ensure a strong and stable legal order in society.

PRACTICAL BLOCK

Solve the case studies. There is no right or wrong answer in the cases given. Therefore, choose from the proposed options the one whose decision and reasoning you consider most relevant in each case.

33. Terrorists have seized a kindergarten, demanding the authorities fulfill certain political demands. As a result, 145 children and 10 staff members were taken hostage. What solution would you have chosen to rescue the hostages and neutralise the terrorists in such a situation, if you were law enforcement officers and relevant special services?

- Negotiate with terrorists, trying out various forms of negotiations, until the terrorist demands are met. After all, the right to life and personal safety of a person, in this case, hostages, is a value incomparably higher than the political demands put forward by terrorists.
- There should be no negotiations with terrorists, as this is a manifestation of the government's weakness, which should not be allowed under any circumstances.
- Storm a kindergarten, using the powers granted by law, even though it is aware that the storming may result in casualties among hostages, but the terrorists will be neutralised (destroyed).
- The situation described above is quite complex and extremely volatile, which makes it impossible to provide for all its nuances in the legislation and to provide prescriptions on how the intelligence services should act in a particular case. Therefore, it is necessary for intelligence officers to react promptly, and sometimes instantly, to changes in the situation, depending on which decisions should be made.

34. A citizen from the temporarily occupied territory of Ukraine moved to live in Boryspil, Kyiv region, in the house of her daughter, who went abroad with her children. She applied to the local government for a subsidy to pay for heating in the autumn and spring. According to the Resolution of the Cabinet of Ministers of Ukraine, the subsidy is granted upon certain grounds and documents, one of which is a lease agreement or registration at the place of residence. The applicant did not have such documents. What decision would you have made if you were a local authority and why?

- Refuse to grant the subsidy because the applicant does not have a housing lease agreement and residence registration, i.e. the grounds provided for by law.
- Grant the applicant's request, as the refusal to grant the subsidy is inhuman treatment of a person who may otherwise freeze during the winter.

- Refuse the subsidy and recommend that the applicant apply to a charitable foundation under the local government for assistance.
- Grant the applicant's request, considering that the circumstances prevented her from obtaining the necessary documents in a timely manner, and require her to submit the missing documents within a certain timeframe.

35. A university lecturer, 60 years old, a widower, acted in adult films in his spare time. Students saw a video on the Internet featuring this teacher. They then requested the administration of the higher education institution to dismiss the teacher. What decision would you make if you were the administration?

- Dismiss him for committing an immoral act in accordance with labour legislation.
- Depending on the specifics of the case, including the degree of explicitness of the scenes in the films (eroticism or pornography), the employer should decide whether to dismiss or retain the employee.
- Keep him at the university, as this is part of his right to privacy, unrelated to the teaching process.
- Offer him option to resign voluntary.

36. Two robbers broke into a private house at night, where a family with children lived. They tied up the woman and her child, threatened their lives and demanded their money and valuables. The man, attempting to detain the resisting thieves, shot the robbers with a rifle he had kept. What decision would you make in the courtroom?

- Find him guilty and impose an appropriate sentence, as he exceeded the limits of necessary defence in accordance with the Criminal Code.
- Find him guilty and sentence him to an appropriate term of imprisonment for negligent homicide.
- Find him not guilty, as the man was in a stressful situation, defending the lives of his family members and may not have fully realised the significance of his actions during the incident.
- Find him not guilty, since the right to liberty, protection from attacks on life, personal integrity and property of oneself and one's family members is inherent and inalienable.

37. An official of the Cabinet of Ministers of Ukraine was dismissed under the provisions of the Law of Ukraine “On Purification of Government”, which stipulated that they could not hold a position in the Government due to their membership in the Communist Party of the USSR during the Soviet era. The official challenged the decision in court. What decision would you make if you were in the court?

- Dismiss the claim, as dismissal on the above grounds is provided for by law.
- Satisfy the claim, referring to the violation by the law of the fundamental human right to earn a living for oneself and one’s family members through work.
- Satisfy the claim, as mere fact of membership in the Communist Party 30 years ago, as any other party, should not affect a person’s ability to perform official duties in the executive branch.
- Dismiss the claim, as each person must be responsible for their past actions.

38. An elderly woman suffering from physical pain due to a terminal illness went to court to challenge her doctor’s refusal to allow her husband to assist her in ending her life with medication. What decision would you make if you were the judge?

- Dismiss the claim, as the law does not provide for either independent termination of life or third-party assistance in the process, which could be considered murder under the Criminal Code.
- This situation can be resolved in various ways depending on medical findings and the person’s mental state. Therefore, the court may either grant the person’s request to end their life to avoid severe physical and mental suffering or refuse the claim.
- Satisfy the claim, as human dignity includes the right to a decent life, and the right to a dignified death when continuing life becomes unbearable.
- Satisfy the claim, based on the practice of foreign countries that allow euthanasia.

39. The Cabinet of Ministers of Ukraine, within its powers, cancelled the right to free travel for law enforcement officers, citing the state budget deficit. A law enforcement officer challenged the government’s decision in court. What decision would you make if you were a judge?

- Dismiss the claim, as social rights are ensured by the state only in cases where the state budget law allocates funds for them.

- Dismiss the claim, as law enforcement officers do not belong to socially vulnerable groups that require additional state support in the form of free travel. The average weighted travel costs are an insignificant part of law enforcement officers' salaries.
- The right to free travel is an acquired right (privilege), meaning that it is not a fundamental, inherent and inalienable right, so it can be restricted.
- Declare the cancellation of the right to free travel unlawful, as the CMU does not have the authority to restrict rights that have been established by law.

40. The granddaughter injected her grandmother, who was suffering from an incurable disease, with a large dose of sleeping pills, which caused the death of the elderly woman. The court considered whether the granddaughter could receive the inheritance. What decision do you consider reasonable in this case?

- Deny the inheritance because the granddaughter committed a crime, and according to the provisions of the Civil Code, a person who intentionally took the life of the testator is deprived of the right to inherit.
- Grant the inheritance, as the grandmother was terminally ill and requested to be spared from excessive physical and psychological suffering, leaving a suicide note as evidence.
- Grant the inheritance, as there was no crime in the granddaughter's actions; the grandmother had the right to manage her life, as it was impossible to continue it with dignity.
- Grant the inheritance, as the granddaughter is the sole heir of her grandmother.

41. The legislature amended the Electoral Code of Ukraine to set the electoral threshold for entering parliament at 8% for political parties and 10% for blocs of political parties. A constitutional petition was filed, challenging the constitutionality of these amendments to the Constitutional Court of Ukraine. In your opinion, what decision should the CCU make in this situation?

- Recognise the amendments to the Electoral Code of Ukraine as compliant with the Constitution of Ukraine, as the right of the legislature to set an electoral threshold cannot be questioned.
- Recognise the amendments to the Electoral Code of Ukraine as unconstitutional, as the excessive electoral threshold restricts the right of voters to have their representatives in the parliament. This is grossly (blatantly) unfair.
- Refuse to accept the case for consideration, as this is a political issue and its resolution is within the exclusive competence of the Parliament.

- The constitutionality or unconstitutionality of the amendments to the Electoral Code will depend on the analysis of specific circumstances and relevant calculations.

42. Parents brought a 5-year-old boy in a pink dress with braided hair to the kindergarten, explaining that he wanted to be a girl today. The kindergarten administration refused to admit the child that day. The parents appealed this decision to the district education authority. What decision would you make if you were the head of this body?

- The kindergarten administration acted correctly, as the kindergarten's rules of conduct do not provide for the wearing of clothes of the opposite sex.
- Instruct the kindergarten administration to revise its rules of conduct, allowing parents and children the right to make decisions regarding clothing and appearance.
- The kindergarten administration acted wrongly by restricting the child's inalienable right to self-determination.
- The administration acted improperly, as they should have called the juvenile police to hold the child's parents accountable for neglecting their parental responsibilities.



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