

УДК 159.923 (043.5)

Lunov V.Ye., Deputy Dean of the Faculty of Law and Psychology, Candidate of psychology sciences, Docent of Psychology Department Of Makeyevka Institute of Economics and Humanities

SPECIFIC FEATURES OF PROFESSIONAL THINKING OF LAWYERS IN THE CONTEXT OF SOCIAL AND PSYCHOLOGICAL SAFETY OF PERSONALITY

У статті звертається увага на особливості професійного мислення юристів у системі органів внутрішніх справ (ОВС) України в контексті соціальної безпеки та добробуту індивіда. Стверджується, що професійне мислення має функцію запобігання та прогнозування негативних соціальних явищ, які можуть бути небезпечні для суспільства в цілому і для співробітників слідчого відділу при виконанні своїх службових обов'язків. Підкреслюється, що достатній рівень розвитку професійного мислення юристів має важливе значення і є ключовим компонентом соціальної, психологічної та професійної безпеки. Запропоновано авторські анкети для діагностики розвитку професійного мислення юристів і курсантів у системі органів внутрішніх справ.

Ключові слова: професійне мислення, фактори фізичної та психологічної безпеки, соціальна ефективність професійного мислення.

В статье обращается внимание на особенности профессионального мышления юристов в системе органов внутренних дел (ОВД) Украины в контексте социальной безопасности и благосостояния индивида. Утверждается, что профессиональное мышление имеет функцию предотвращения и прогнозирования негативных социальных явлений, которые могут быть опасны для общества в целом и для сотрудников следственного отдела при исполнении своих служебных обязанностей. Подчеркивается, что достаточный уровень развития профессионального мышления юристов имеет важное значение и является ключевым компонентом социальной, психологической и профессиональной безопасности. Предложены авторские анкеты для диагностики развития профессионального мышления юристов и курсантов в системе органов внутренних дел.

Ключевые слова: профессиональное мышление, факторы физической и психологической безопасности, социальная эффективность профессионального мышления.

Under the current conditions, when psychology as science requires some reinterpretation of the achievements of the past years as well as searching for new formats of research of topical issues, comprehensive, interdisciplinary trends in general psychology that can fully explore, describe and find ways to work out psychological definitions are of crucial significance. In particular, it concerns determination of the most generalized trends in the development of professional thinking of lawyers.

Although professional thinking is motivated by the activity in view, it increasingly requires situational understanding and problem solving, now that the professional activity of a lawyer is carried out under conditions of dynamic, unexpected and ambiguous multifunctional situations of social origin. Situational approach as a new paradigm actualizes the issue of studying the factors that have impact on the success of professional activity and thinking [5; 6].

At this stage of the development of psychological science under thorough investigation have been the aspects of thinking associated with cognitive needs of

the individual (O.M. Matyushkin, O.K. Tykhomirov, P.M. Yakobson), with internal dialogism of personality (M.M. Bakhtin, V.S. Bibler, L.S. Vyhotsky, O.V. Dysa, H.M. Kuchynsky, O.M. Krutiy, O.Ye. Samoylov et al.), with moral values (M.I. Volovikova, L.V. Tyemnova, et al.), with manifestations of emotional regulation of thinking processes (I.O. Vasylyev, Yu.Ye. Vynohradov, I.V. Volzhentseva, K.V. Los et al.), with temporal parameters (N.V. Holovina, B.Y. Tsukanov) and others [2; 3].

As the consequence of this state of problem elaboration is the deficit of sufficient consideration given to gradual formation of professional thinking of a lawyer within sensitive stages of his/her development. In addition, specific features of a personality, which ensure the stability of professional thinking of a lawyer and the possibility of its identification as an independent, general psychological category have not yet been sufficiently investigated by psychologists. The problem of professional thinking of a lawyer is one of the fundamental ones in general psychology. Its importance is motivated by the special role of thinking in the activity of a lawyer, especially in the operational activities of a police officer. Knowledge of patterns and mechanisms of professional thinking is a necessary prerequisite for the development of general theoretical as well as applied, practical aspects of this problem. However, the level of elaboration of the problem of professional thinking of a lawyer does not correspond to its significance which necessitated this study.

Security of personnel of the organs of internal affairs and the components of legal thinking are analyzed by L.I. Netrazhytsky. Professional legal thinking was studied by V.M. Syrykh, S.I. Vilnyansky, A.F. Cherdantseva, V.E. Zherebkina, A.A. Starchenko in the context of logic operations of legal thinking. Social and psychological problems of legal thinking were analyzed in the investigations of V.V. Lazarev [5; 8].

Object of the study: professional thinking of a lawyer in the context of social and psychological safety of personality.

Objective of the study: substantiation of the role and the place of professional legal thinking of lawyers as a prerequisite and a component of their socio-psychological and professional safety and welfare.

Socio-psychological safety of law enforcement officers in general and officers of investigation departments in particular is an urgent, yet insufficiently studied problem.

We consider the concept of socio-psychological safety in the context of emergence and consolidation of negative psychological consequences for the individual's mental activity, which may have manifestations in patterns of pathological behavior, post-traumatic stress disorders, emotional instability, nervous and mental tension, uncontrolled aggression and so on.

The Concept of measures intended for prevention of psychic disorders in the organs of the system of internal affairs adopted by the Ministry of Interior determines such stressful and victimogenic factors of activities of police officers as:

- risk to life and health;
- deficit of time for analyzing the circumstances and decision-making;
- persistent resistance on the part of offenders and criminals;

- threat of retaliation to the officer and members of his family on the part of criminals for his professional actions;
- the need for making use of standard-issue firearms;
- high price of possible errors;
- awareness of great responsibility, including criminal, for the results and consequences of their activities;
- great psychological and physical stress;
- conflicts in the process of their professional performance;
- intensity of adverse environmental factors.

Among the large number of factors that contribute to physical and psychological safety of investigation officers and promote the exercise of their duties – as they are presented in special literature – are the following individual psychological qualities, characteristics and skills:

- the ability to solve professional tasks in situations involving high degree of risk and increased threat to their life and health;
- psychological and physical readiness to meet with forceful counter action on the part of criminal elements;
- high level of responsibility for their own actions (no room for error);
- ability to join in an intense interpersonal communication with antisocial and criminally oriented individuals;
- high psycho-physiological endurance due to the lack of fixed working time;
- ability to withstand long-term emotional stress, anxiety, fear, uncertainty, inability to share their own doubts with relatives;
- continuous intellectual activity (analysis of information that is constantly changing, keeping in memory a large number of facts, the decision to shortage of time);
- ability to role-based transformation, the ability to impersonate other people, play the role of various social and professional types;
- linguistic skills, the ability to quickly and clearly explain the critical situation to someone else, while hiding true intentions;
- high level of independence, courage, personal activity and inclination to reasonable risk [7].

As is clear from the above-mentioned, an investigation officer must have sufficiently developed cognitive, emotional and volitional capacities.

We believe that social and psychological safety of an investigation officer is a complex phenomenon that directly makes it possible to evaluate the potential threat, to search for adequate measures of management and prevention of adverse effects. Certainly, all this requires sufficiently developed thinking skills.

However, psychological safety becomes the result of the presence of such components of professional thinking as:

- awareness of the problem;
- seeking ways to solve a problem;
- choosing optimal solution;
- predicting the impact of possible solutions on solving the problem;
- implementing the solution made;
- verification and analysis of the solution.

In this study professional thinking is regarded as a set of intellectual abilities and personality characteristics, the actualization of which would ensure a successful professional activity. It is a generalized reflection in the consciousness of a professional of relevant facts, phenomena and processes in their necessary essential associations and relations, typical for this or that activity, and it also includes perceptual processes, the component of communication, it determines the personal style of mental activity, and it is activated in a problematic situation, as well as participates in creating certain effects on the subject. In other words, professional thinking of a lawyer is actualized in the forms of visually real action or discourse, it refers to all the general characteristics of thinking, and its essence is in the adequate attitude of a lawyer to social reality and in optimal solution of a complex problem.

Professional thinking of an operational police officer is creative thinking that is of purely practical orientation on specific tasks of fighting crime. Taking into account the complexity and diversity of tasks undertaken by an investigation officer, there are good grounds enough to refer his/her cognitive activity to the creative category.

Professional legal thinking implies the ability to adequately make use of legal concepts, to understand the essence of legal phenomena and the situations that have significance in terms of law, considering their social consequences, i.e. social security, social welfare. It also implies the ability to identify elements, and design and reproduce legally significant situations in the absence of the necessary information, the application of practical skills of building hypotheses, and the ways of substantiating them [1].

In general, we assume that predictive, preventive and operational functions of professional legal thinking can reduce overall level of victimization in risky and dangerous activities of operational police.

Theoretical analysis of the psychological and legal literature (Луньов, 2008) allowed to determine the basic properties, and hence the criteria that we used in elaborating the questionnaire. These properties, in our opinion, contribute to social and psychological safety of legal experts. They are as follows:

- normativity – the ability to adequately use legal concepts and express their own hypotheses concerning legally significant situations within legal norms;
- systematicity – the ability to properly organize knowledge, the ability to specify and design situations;
- evaluative nature – the ability to determine the priority of human values and the values of law in legally meaningful situations, and ascribe them with precedence adequate to what is required;
- estimability – the ability to principally keep away from the moral content of a situation in cases which require fairness and impartiality;
- logic and formalism – the ability to simulate situations, find their precedents in similar cases, and explain them using the logic of law;
- analyticity – the ability to single out fragments of legally significant cases and identify their role and impact on the overall situation;
- deductiveness – the ability to focus on the reliability of knowledge, and build separate systems of knowledge;

– use of terms – the ability to make use of legal concepts within specified time frames.

Participants of the study. Empirical research was carried out at Odessa State University of Internal Affairs, Donetsk Law Institute of the Ministry of Internal Affairs of Ukraine, Makeyevka Institute of Economics and Humanities (Faculty of Law and Psychology). The sample comprised 200 people – students and cadets of the 2-4 years of training.

Methodology and methods of research. According to the above-mentioned criteria we proposed a questionnaire for self-assessment based on the above-mentioned properties so as to specify legal properties of legal thinking. Proceeding from the analysis of current research achievements in the cognitive sphere of operatives, three possible levels of the development of legal thinking were identified. The first level means that the property under consideration is not developed, or its manifestations are insignificant in the minimum of possible situations. The second level implies that the property is developed at the secondary level, and manifests itself only in simple cases, yet with some degree of permanence. The third level means that the property is developed at a sufficient level and manifests itself in the vast majority of situations.

In order to determine self-awareness of the levels of development of professional legal thinking by future lawyers and police officers of Ukraine, we conducted an empirical study, the results of which we reported in our previous works. Therefore, we find it quite sufficient to reveal the main tendencies that we believe correspond to the object and the subject of this article.

As a basic research tool we have made use of the questionnaire we developed proceeding from our previous theoretical analysis.

Respondents were asked to fill in the questionnaire "Self-assessment of the development of legal features of legal thinking" on the basis of which they had to assess their own level of development of individual properties of professional legal thinking. It should be noted that the questionnaire was aimed at identifying only consciously perceived aspects of thinking, that is why we assume the influence of subjective factors on the outcome we obtained as a result of the choices the subjects had made. Respondents were asked to answer the following questions: "Do you need any further development of this property? If so, whose help do you need?" And the following variants of answers are given in it: "self," "psychologist," "expert, experienced person." In the same way the subjects were asked to evaluate the cognitive determinants of social and psychological security.

The main results show multilevel structure of self-assessment of individual components of professional thinking. Normativity generally prevails at the medium (30.0%) and sufficient (30.0%) levels; regularity – at the low (30.0%) and medium (60.0%) levels; evaluative nature actually showed itself uniformly, tending, however, to the medium (40.0%) and low (35.0%) levels. Estimability is actually represented by the low level of development (64.0%). Logic and formalism are mainly and equally detected on the medium and sufficient levels (by 44.0%). Analyticity is mostly represented at the medium (41.0%) and sufficient (33.0%) levels. Deductiveness, by contrast, tends to be within the medium (35.0%) and the

low (42.0%) levels. A similar picture is observed in the use of terms: medium – 39.0%, low – 47.0%.

In our opinion, due consideration should be given to cognitive determinants of socio-psychological safety in professional thinking. According to the generalization of theoretical studies, these determinants provide social and psychological security of a police officer. “Awareness of the problem” index as an initial stage in promoting psychological comfort in a professional activity of a lawyer, is mostly realized by the respondents at the medium level (49.0%) with the tendency to reach the sufficient (38.0%) level. “Seeking ways to solve a problem & Choosing an optimal solution” index is mostly represented at the medium level (69.0%) with a tendency for the low (22.0%) level. As far as “Predicting the impact of possible solutions on solving the problem” index is concerned, a similar situation was observed: the medium level showed 56.0% with a tendency for the low (34.0%) level. Entirely different situation is observed with “Implementing the solution made & Verification and analysis of the solution” index: it is mostly represented at the low level (41.0%).

It should be noted that there is uneven development of individual properties of professional thinking, including those that provide social and psychological security. Actually, dominating are the indices of the medium and low levels of development, which, we believe, fully correspond to the specifics of the groups under research.

As to the prospects of the development of professional thinking it should be noted that the respondents in all cases emphasized the need to improve their own thinking, yet they have various approaches to solving this problem in mind. For instance, in the development of normative thinking the respondents believe that in most cases (55.0%) they need help of experienced professionals. They also admit that they themselves can cope with the problem (37.0%) and only a small number of the respondents (8.0%) point out the leading role of a psychologist. Only 80.0% of the respondents find it necessary to develop systematicity of thinking, 20.0% of them relying on their own devices, and 60.0% willing to be assisted by a psychologist. As to evaluative nature 48.0% of the respondents think that it should be developed all by themselves, 50.0% consider it appropriate to accept the assistance of a professional psychologist, and only 2.0% – with the help of experienced people. The vast majority of respondents (67.0%) find it expedient to develop estimability as a property of professional thinking with the assistance of experienced personnel. Regarding analyticity there was almost an equal distribution between those who would prefer contacting a psychologist and those who would rather apply to experienced people. More than half (55.5%) of cadets are planning to develop deductiveness with the assistance of experienced personnel. Almost the same picture is observed in reference to the “Use of terms” index.

The tabulated data testify to the fact that the vast majority of the subjects are planning to improve their cognitive determinants of social and psychological security by applying for assistance to psychologists. The component “Implementing the solution made & Verification and analysis of the solution” is a special case: the majority of the subjects would prefer to seek assistance for improving it on the part of experienced professionals (66.0%).

It should also be noted that the subjects that filled in the questionnaire would not rely on their own devices in the development of professional thinking and cognitive determinants of social and psychological security. On the one hand, this may indicate the recognition of external tendencies of professional development which are primarily directed towards some authoritative personalities; on the other hand, it may indicate a lack of confidence in their own abilities, low self-assessment or a desire to shift responsibility for their own development on the others – on authoritative and experienced persons.

Conclusions.

There are several approaches in the study of professional thinking: functional, situational and problematic, each making emphasis on specific aspect of thinking and being characterized by a clear structure. Thus, the functional aspect of professional thinking is characterized by diagnostic, stimulating, informing, developing, compensatory, evaluating and self-cultivating features; the problematic aspect of professional thinking is characterized by cognitive orientation, structural integrity, ability to developing and changing the levels of functioning (situational and suprasituational), ability to conversion of the object of professional cognition, while the situational aspect forms and organizes the psychological structure of activity.

Professional thinking is regarded as a complex system formation, the implementation of which ensures success of the professional activity. It is a generalized reflection in the minds of professionals of relevant facts, phenomena and processes in their essential connections and relations, which are typical for this type of activity, and it includes cognitive processes and properties of a personality, the components of communication, it determines personal style of mental activity. It is activated in a problematic situation and participates in creating certain effects on the subject.

Methodological background for the study of professional thinking of lawyers comprises the main provisions of the activity approach (principle of unity of consciousness and activity), the acmeological approach (professional development), the systemic and situational approach, the principle of unity of communication and generalization, the basic provisions of the theory of personality self-identity.

Review of legal thinking is one of the methods of comprehensive psychological and legal diagnosis. It must, above all, cover the range of criteria that cannot be determined through the use of standardized diagnostic methods, and it should take into account the professional orientation and thinking problems in operational activity. The main criteria suggested for peer review are as follows: normativity, systematicity, evaluative nature, estimability, logic and formalism, analyticity, deductiveness, use of terms.

Besides, there is another important tool of diagnosis of legal properties of legal thinking. It is self-assessment of objects with the help of a standardized questionnaire, whereas the comparison of the results obtained by the techniques expert assessment and self-assessment at the same time can be a source of information about the discrepancies in the minds of objects concerning the current state of the development of individual properties of thinking.

Social and psychological safety of the personality of a lawyer in everyday professional activity and welfare can be determined by a sufficient level of professional legal thinking, i.e. through its estimating, constructive and anticipatory functions), as well as through such developed properties of thinking as normativity, systematicity, evaluative nature, estimability, logic and formalism, analyticity, deductiveness.

At the same time it should be understood that the professional training of future lawyers in the context of their social and psychological security is to be based on the simultaneous use of the own potentials of students and cadets, on the experience of experts and professionals, as well as on psychological support.

Thus, it becomes clear that professional thinking plays a major role in providing social and psychological security of the individual of future lawyers, and ensures the effectiveness of their professional development.

The following problems and issues need further research, i.e.:

1. The problem of generalization and creation of system model of predicting the probability of thinking and action errors in the professional activities of lawyers;

2. Issues of psychological support for lawyers and police officers in order to prevent adverse mental and cognitive conditions that have negative impact on mental activity.

REFERENCES

1. Alexander P. A. A model of domain learning: reinterpreting expertise as a multidimensional, multistage process / P. A. Alexander // *Motivation, emotion, and cognition: integrative perspectives on intellectual development and functioning* / ed. by D. Y. Dai and R. J. Sternberg. – Mahwah, N. J. : Lawrence Erlbaum Associates, 2004. – P. 273–298.

2. Allison C W. The Learn Hayes ing Style Questionnaire: An alternative to Kolb's inventory? / C W. Allison, J. Hayes / *J. of Management Studies*, 1988. – V. 25. – P. 269–281.

3. Алешина Е. С. Соотнесение когнитивного стиля с индивидуальным стилем на основе анализа ориентировочных и исполнительных компонентов / Е. С. Алешина, О. С. Дейнека // *Когнитивные стили : тезисы научно-практического семинара* / под ред. В. Колги. – Таллин : Валгус, 1986. – С. 65–67.

4. Вяткин Б. А. Стиль активности как фактор развития интегральной индивидуальности // *Интегральное исследование индивидуальности : стиль деятельности и общения* / под ред. Б. А. Вяткина. – Пермь : Изд-во ПГУ, 1992. – С. 36–55.

5. Горностаев С. В. Профессиональное мышление сотрудников ИУ / С. В. Горностаев // *«Преступление и наказание от «А» до «Я» : словарь по пенитенциарной психологии* / под общ. ред. проф. д.п.н. Д. В. Сочивко. – М. : МПСИ, 2009. – С. 156–162.

6. Луньов В. Є. Юридичне мислення : методологія та концептуальні інтерпретації / В. Є. Луньов // *Вісник Одеського національного університету ім. І.І. Мечникова*. – 2007. – Том 12, випуск 16. – С. 22–28.

7. Луньов В. Є. Погляд психологічної науки на юридичне мислення, як складову професіоналізму в оперативно-розшуковій діяльності / В. Є. Луньов
200

// Вісник післядипломної освіти : зб. наук праць / Ун-т менеджменту освіти АПН України, Вип.10. – К. : Геопринт, 2008. – С. 197–204.

8. Методологія конкретних психологічних досліджень : погляд Одеської наукової школи психології : [монографія]. – Том I. / [колектив авторів / за заг. ред. акад. Вісковатової Т. П., Луньова В. Є.] Одеса : ОНУ імені І. І. Мечникова, Донецьк : Норд-прес. – 2012. – 254 с.

УДК 159.9 (477)

Макарова О.П., викладач кафедри психології та педагогіки факультету з підготовки фахівців для підрозділів міліції громадської безпеки та кримінальної міліції у справах дітей ХНУВС (м. Харків)

ПРОФЕСІЙНА ІДЕНТИЧНІСТЬ ОСОБИСТОСТІ У ПСИХОЛОГІЧНИХ ДОСЛІДЖЕННЯХ

У статті проаналізовано основні підходи щодо дослідження професійної ідентичності особистості в сучасній психології, розглянуто види і основні аспекти структури ідентичності, місце професійної ідентичності в загальній структурі ідентичності особистості.

Автор акцентує увагу на взаємовпливі та взаємозв'язку ідентичності з такими поняттями як життєвий шлях, самовизначення, професійний розвиток і становлення, Я-концепція; розглядає потреби, інтереси, установки, переконання як елементи професійної ідентичності; характеризує професійну ідентичність як основний критерій професійного розвитку особистості.

Ключові слова: ідентичність, професійна ідентичність, розвиток, самопізнання, професійне становлення.

В статье проанализированы основные подходы к исследованию профессиональной идентичности личности в современной психологии, рассмотрены виды и основные аспекты структуры идентичности, место профессиональной идентичности в общей структуре идентичности личности.

Автор акцентирует внимание на взаимовлиянии и взаимосвязи идентичности с такими понятиями, как жизненный путь, самоопределение, профессиональное развитие и становление, Я-концепция; рассматривает потребности, интересы, установки, убеждения как элементы профессиональной идентичности; характеризует профессиональную идентичность как основной критерий профессионального развития личности.

Ключевые слова: идентичность, профессиональная идентичность, развитие, самопознание, профессиональное становление.

Постановка проблеми. Актуальність досліджень професійної ідентичності пов'язана із зростанням інтересу до цієї проблеми. Різкі соціальні зміни супроводжуються розвитком систем комунікацій, посиленням міграційних процесів, які призводять до збільшення суб'єктивної причетності до різних реальних та віртуальних груп, виникненню нових статусно-рольових і професійних позицій. В умовах соціальних змін, підвищення вимог до сучасного спеціаліста, професійна ідентичність особистості виступає важливою передумовою адаптації на етапі професійного становлення. Саме сформована фахова ідентичність є суттєвим чинником попередження особистісних і професійних криз, пов'язаних із специфікою соціально-економічних змін у суспільстві, набуттям гідного статусу.