

HIERARCHY OF THE CONCEPTS OF "CULTURE" AND "LEGAL CULTURE"

AUTHORSHIP

Daria Koval 

Postgraduate, Pavlo Tychyna Uman State Pedagogical University, 20300, Ukraine, Uman, Sadova St., 2.

ORCID: <https://orcid.org/0000-0003-0765-7649>

E-mail: ua.education.com.ua@gmail.com

Svitlana Sovhira 

Professor, Doctor of Pedagogy Sciences, Head of the Department of Chemistry, Ecology and Their Teaching Methods, Pavlo Tychyna Uman State Pedagogical University, 20300, Ukraine, Uman, Sadova St., 2.

ORCID: <https://orcid.org/0000-0002-8742-7773>

E-mail: s_sovhira@gmail.com

Ruslan Masliuk 

Candidate of Pedagogical Sciences, Lecturer of the Department of Sports Disciplines, Pavlo Tychyna Uman State Pedagogical University, 20300, Ukraine, Uman, Sadova St., 2.

ORCID: <https://orcid.org/0000-0002-7954-577X>

E-mail: r_masliuk@gmail.com

Volodymyr Mykolaiko 

Candidate of Pedagogical Sciences, Lecturer of the Department of Physics and Integrative Learning Technologies Natural Science, Pavlo Tychyna Uman State Pedagogical University, 20300, Ukraine, Uman, Sadova St., 2.

ORCID: <https://orcid.org/0000-0002-0515-1241>

E-mail: v_mykolaiko@gmail.com

Received in:

2021-03-10

Approved in:

2021-06-10

DOI: <https://doi.org/10.24115/S2446-62202021731275p.126-135>

Gorbunova (2010); Kasinyuk (2013); Klimova (2013); Kruk (2012); Kutsepal (2013); Lysogor(2009); Makeeva (2013); Moroz (2016); Onishchenko (2015); Prima (2012); Chepulchenko (2013) and others.

The analysis of their works showed that despite the large number of interpretations of the concept of culture, there are common basic positions: first, the main source of culture - human labor; secondly, culture includes ways and results of human activity; thirdly, the essence of culture is humanistic, human-creating, which combines the universal values of each person who acts as its product. The concept of "culture", in whatever context it is used, is always historically, scientifically and socially determined. Reflects the era in which man lives and works, reflects both the achievements of science and the best examples of socio-cultural environment and human life.

Scholars argue that legal culture does not coincide with any type of culture, it occupies a separate place in the socio-cultural space, creates a unique, unique combination of material, ideal and spiritual components. Legal culture cannot have a history other than the formation and development of culture as a whole, due to the fact that it forms an independent direction of culture, being one of its most important structural elements. Legal culture is a unique phenomenon. This is indicated, first of all, by its belonging to two spheres at once: law and culture.

MATERIALS AND METHODS

The Latin (Indo-European) word "culture" originated from the designation - cultivation of the land (cultus agri, agriculture) and therefore has a labor basis. Then the meaning of the word "culture" acquired a broader meaning: from agriculture, or cultivation (cultivation) of land, to education, education, development, respect. Ancient thinkers associated culture with the cognate words "humanus", "civilized", i.e. one who has the skills of group life, rude, softened (civilis). However, they have not yet drawn the line between culture and civilization, which will happen much later, they have invested in both concepts about the same meaning (Shaidurov,

INTRODUCTION

The democratic transformations taking place in society, the difficult processes associated with the formation of the rule of law, with the implementation of judicial and administrative reforms, have marked one of the most serious problems of modern society - the extremely low level of legal culture of citizens. As an integral part of culture, legal culture directly and indirectly affects the formation of consciousness and activities of people in various spheres of life. Most of the problems of our society, which we face in the transition to a market economy, are related to the need to improve the legal culture in general.

The purpose of the article is to form the legal culture of the population, it is necessary to understand the essence of legal culture, which cannot be done without disclosing the ontology of this concept and its connection with the concept of "culture". Analysis of recent publications: Attempts to reveal the concept of "culture", "legal culture" were made by scientists Bataikin (2006); Bachynsky (2011); Voronova (2007); Gavrilyuk (2013);

2001). For a long time, as studied by P. Musinov (2000), the study of culture was reduced to understanding it as a purely spiritual phenomenon that expresses the degree of development of a reasonable beginning of progressive historical development, embodied in religion, science, art, law and morality, as subjectivation of Mind.

Modern research provides a fairly comprehensive analysis of the evolution of the concept of "culture" depending on the specific aspect of its interpretation. According to N. Godun (2015), the category "culture" acquires special significance for a specific study, with the help of which a multifaceted, multifunctional and, accordingly, rather complex phenomenon is defined in science.

In modern sociology, jurisprudence, philosophy P. Andrushko (2004); O. Bandura (2000); V. Busel (2004); N. Godun (2015); V. Goncharenko (2004); P. Musinov (2000); E. Rassolova (2014); etc., culture is considered as a degree of development of progressive moral values and mastering the practical skills of their implementation; as a set of material and spiritual values and a specific way of human activity; as a way of activity, a system of internally developed mechanisms, through which the activity of the individual in society is programmed and stimulated, etc.

The analysis of the definitions of culture existing in the scientific literature allowed L. Nikolaeva (2005) to unite them into four groups, reflecting a certain specificity in understanding its social role, character and content. The first group consists of definitions in which culture is considered as a set of constituent subject characteristics. The second group focuses on the properties of culture to produce, distribute and use spiritual values. In this group the main factor is human social activity. The third, technological group of definitions, explains culture as a system of ways and means, techniques, procedures and norms of human activity. The fourth group focuses primarily on the socio-historical aspect.

However, this classification, in our opinion, is debatable, because the uniqueness of culture inevitably creates cognitive difficulties. It should be recognized that not all issues of content, structure and practical role of culture have received a fairly deep and comprehensive consideration. Many of them continue to be controversial. This is due to the complexity of culture, which is present in almost all phenomena of society, mediates them, but has no independent objectivity (NIKOLAEVA, 2005).

RESULTS AND THEIR DISCUSSION

Therefore, we will consider only the basic approaches to defining culture, necessary to establish a hierarchy with legal culture. We were guided by the position that if one or another interpretation of culture cannot be used for a comprehensive interpretation of legal culture, it does not reflect the general in legal culture, but is an expression of only one side of a variety of understanding of culture. There are several approaches to understanding the concept of culture, among which the most interesting are the civilization-subjective, personal-creative, axiological, activity. The first approach (civilizational-subjective) is related to the interpretation of culture as everything created by man, as opposed to what is given by nature, including in the course of historical processes.

In this approach, the definition of culture is associated with the degree of development, spiritual perfection of the subject (person, social group, society). A positive aspect of this approach A. Shaidurov (2001) believes that it allows a broad analysis of all social phenomena and processes, without which it is impossible to properly understand the culture. The definition of the term "culture" was of interest to O. Sokolova (2011), first of all, because the included norms, traditions, rules of conduct, values emphasize the artificial sphere of existence and self-realization created by people, are a source of regulation of social interaction and behavior. such a kind of cultural phenomenon as legal culture.

As a generalization, O. Sokolova (2011) proposes to rely on such a definition of culture as a historically certain level of development of society, creative forces and abilities of man, expressed in the types and forms of organization of life and activity of people, their relationships and material and spiritual values. Culture in education acts as a leading semantic

component, a source of knowledge about nature, society, methods of activity, emotional, volitional and value attitude of man to others, work, communication.

It seems that this approach is quite legitimate. Culture is thus a synthetic characteristic of human development, with the subject of the historical process at the center of the study. However, in our opinion, such a view of culture does not fully contribute to the study of the subject area of legal culture (succession in law, the state of law, etc.). The concept of "culture" in a civilizational-subjective approach is used to describe certain historical epochs (ancient culture), specific societies, nationalities, nations (Mayan culture), as well as specific forms of activity and life (artistic culture, culture of life, work); in a broader sense - the sphere of spiritual life of people.

Thus, culture is a set of socially acquired and transmitted from generation to generation significant symbols, ideas, values, customs, denominations, traditions, norms, rules of conduct by which people organize their lives. The second approach - personal-creative explains culture through the development of specific human abilities and needs in the creative process. It is conscious, culturally conditioned creative activity, transforming the surrounding reality, objectifies the essential forces of the individual, his mind and actions, and the resulting objects acquire a certain value-semantic content (MUSINOV, 2000).

Culture, according to S. Rudykh (2002), is a natural manifestation of the creative principle in the human personality, the disclosure of its capabilities, social significance, the synthesis of its abilities and functions. O. Sokolova (2011) claims that creativity is possible only in culture: creativity and culture are inextricably linked. The category "culture" denotes the artificial sphere of existence and self-realization created by people, the source of regulation and social interaction and behavior.

Noting the personal-creative approach to understanding culture, P. Musinov (2000) argues that culture is a creative human activity, both fixed, objectified in cultural values, and based on the objectification of these values, that is, transforms the richness of human history into the inner richness of the individual. embodied in the universal development, processing of reality and man himself.

According to this approach, culture is not only the result of activity, but also the activity itself, its creative nature, which contributes to the development of the spiritual potential of the individual, his relationship with reality. This approach opens wide opportunities for the formation of a creative personality, the interaction of culture and man, the development of individual style of professional activity.

The third approach is to highlight the subject side of culture, which is considered as a set of all "material and spiritual values created and developed by mankind in the course of its history" (SHAIIDUROV, 2001). Because the emphasis in this definition is on values, the approach to defining culture is called axiological. Within the axiological approach, scientists D. Gollnick, P. Chinn (2016) understand culture as a way of life, lifestyle of people, a set of views, values, traditions, norms, existing social and political relations adopted by a certain social group.

Based on the above, the basis of the approach is to understand the nature and problem of values. Culture in this approach acts as: the result of all the diversity of the individual; a set of material and spiritual values; a complex hierarchy of ideals and meanings that are significant for a particular, historically formed society; the objective world, taken from the point of view of its significance for the subject; implementation of value priorities in activities and relationships. The fourth approach - activity - is to define culture as an integrative way of human activity. The concept of culture is an indicator of human development, firstly, in terms of its level, and secondly, in terms of its orientation (type).

If culture, according to A. Shaidurov (2001), is the degree and nature of personality development, and the way of its existence is recognized activity, it leads to the conclusion that culturally developed personality is characterized by the development of its activities. Not activities in general, but certain types of it. And depending on which of them dominates the individual, we can conclude about the direction of its culture. Culture - a specific way of organizing and developing human activity, represented in the products of material and spiritual labor in the system of social norms and guidelines, in the set of relations to nature, among themselves and to themselves (GOLLNICK, CHINN, 2016).

According to the methodological understanding of the essence of human existence as a sensory-practical activity, culture, according to S. Rudykh (2002) is a sphere of social life, acts as a subject, means and result of personality, and "field" of culture - a specific sphere of human life in which it acts as a creator and assimilator of values. The concepts of human activity and culture are related to each other and contribute to the coordinated achievement of semantic certainty. The concept of "activity" creates the possibility of theoretical understanding of culture by allowing it to be considered in one of the qualities: structural, functional, dynamic characteristics, as a driving force and direction of activity and so on.

Thus, according to the civilization-subjective approach, the concept of "culture" is a set of all goods created by man; personal and creative - the development of creative forces and abilities of the individual, the creative activity of man; axiological culture should be perceived as a set of all material and spiritual values; activity - a certain way of organizing and developing human activity. People are "passive bearers of cultural traditions." But people themselves create culture and change it (FABRIKOV, 2017). Thus, culture shows that people are individual, but there are common features inherent in this group, and which distinguish it.

However, the scientific value of the category "culture" is to denote those consolidating forces that integrate various forms of human activity into one systemic whole (SHAIUROV, 2001). The analysis of the main approaches to the understanding of culture available in the scientific literature allows us to conclude that they all do not so much deny as complement each other, because the features noted in them, of course, distinguish culture from "nature".

The formation of legal culture is based on the common categories of "culture" and "legal culture". E. Rassolova (2014), referring to the category of "culture", notes that first, it reflects the general in the phenomena of culture in all its varieties, and therefore directs scientific thought in the study of this problem from the abstract to the concrete; secondly, it serves as a guide in the analysis of empirical legal material in the transition from theory to the highest, philosophical level of generalization and allows for a specific field of knowledge analysis of the legal specifics of the object in the legal sphere of society; thirdly, it indicates the main directions and ways of development of the theory of legal culture; fourth, the category of culture is considered a form and a stable organizing principle of the thought process.

Identifying the theoretical foundations of the study of culture allows us to approach the understanding of the phenomenon of legal culture. There are several scientific approaches to understanding legal culture, but they differ from the approaches used to consider the concept of "culture" in its meaning and essence. Of particular interest in the study of legal culture is the axiological approach, which considers legal culture as a developmental system of legal values (legal thinking, legal awareness, professional ethics, conviction and stability, activities to implement legal norms, etc.), created and created in the process of forming legal statehood and which have absorbed the most progressive achievements of legal culture in general.

Axiological approach allows to establish not only the material-economic and socio-political foundations of legal culture, not only the legal properties of this category, but also the spiritual prerequisites reflected in the moral beliefs and ideals of the individual. In this sense, the most relevant is the position of P. Musinov (2000) who, critically assessing the views of some scholars that culture should not have axiological characteristics, argues that such an approach can be considered correct only with an objective descriptive description of the concept of culture.

But, considering legal culture in general, as well as its individual components from the standpoint of the historical process, as well as culture in general, we inevitably connect to the study of the evaluation moment, thus not only noting the presence of certain elements of culture and legal culture, but also considering them as values from the standpoint of historical perspective.

According to scientists V. Bataikin (2006); O. Ganzenko (2003); N. Golovko (2007); R. Klunko (2015); S. Kruk (2012); O. Sokolova (2011); Y. Shemshuchenko (1998), of particular importance is the value interpretation of legal culture at the present stage, when the ability to live and work in freedom and democracy is determined by the attitude of people to each other, society, state and laws.

The axiological approach in the study of legal culture is based on the philosophical study of the value aspect of culture, makes it possible to determine the social foundations of legal culture, the objective properties of its normative, spiritual and moral aspects. In this case, there is a connection between legal culture and morality of members of society, without which legal culture is impossible. However, despite all its importance and significance, only the axiological approach cannot fully identify all aspects of legal culture, its essence, content and form.

On this basis, we single out the social approach. From the point of view of the social approach, legal culture has many planes and shades: it is the culture of the law itself, compliance of legal norms with generally accepted standards, standards, high public awareness of the basic principles, principles, provisions of current legislation, their strict observance; consistency of legal norms with international agreements, internal traditions, customs and general culture of the people. It provides a high level of internal beliefs of the individual, knowledge and skills that are implemented in the legal field and ensure the effective implementation of universal legal ideals (GODUN, 2015).

Based on the above, N. Godun (2015) proposes to define the concept of "legal culture" as conditioned by all social, spiritual, political and economic development quality of legal life of society, which is expressed in the achieved level of legal activity, legal laws, legal awareness, legal development of the subject (people, different groups, the whole population), as well as the degree of guarantee by the state and civil society of human rights and freedoms. Thus, S. Gurin (2014) believes that legal culture is a sphere of human practice, which is a set of norms, values, legal institutions, processes and forms that perform the function of socio-legal orientation of people in a particular society.

From the point of view of V. Bataikin, legal culture is the result of the evolution of the social system, which differs significantly from the forms of government, social institutions, traditions in the field of law. Legal culture reflects the values of democracy, market economy, legal independence of citizens, social groups. Legal culture is a developed principle of regulation of social interaction, including such elements as law, legal awareness, legal relations, a variety of manifestations of legal activity in society, etc. (BATAIKIN, 2006).

In the same context as the qualitative state of the legal organization of society, the real functioning of the legal system, which reflects the achieved level of development in the field of legal regulation of social relations, determine the legal culture S. Kruk (2012); L. Nikolaeva (2005); S. Rudykh (2002) and others. According to scientists, it is expressed in legal norms, institutions and the ability to assess these phenomena.

Thus, from the point of view of the sociological approach, legal culture can be defined as a manifestation of social and legal experience of specific social communities and individuals in material and spiritual products of life, skills and values that affect their legally significant behavior. The concept of legal culture of society as a qualitative state of its legal life is manifested in the achieved level of perfection of legal acts, legal and law enforcement activities, legal awareness and legal development of the individual, as well as the degree of freedom of behavior and mutual responsibility of the state and the individual. and support for the very conditions of society.

Legal culture acts as a system of legal knowledge, attitude to law, actions of citizens in all spheres of life, it is the framework of all public and state bodies and institutions. Through its functions, legal culture affects all aspects of society, naturally, being exposed to its influence (SHAIUROV, 2001).

Therefore, no less important in the study of this phenomenon is the activity approach, the initial concept of which is the "mode of activity". The essence of the activity approach is reduced to mastering the role of legal culture, which is considered in terms of the activities of the individual, the criterion of which is the compliance of this activity with his values of law and morality. The choice of means and methods to achieve the goals of cognitive-legal and law-enforcement activities is carried out by the individual, focusing on the role that the subject of activity can play in life and professional employment in terms of its needs and interests. In this approach, culture is a specific way of human activity and is seen as one that is realized in the unity of its objective and subjective moments, preconditions and results. Using the activity approach in determining the legal culture, we can talk about the relationship of its content with

the degree of development of social qualities of the individual, the level and nature of the development of its social essence. Without such an approach, the active transformative role of human thinking in the field of legal culture, as well as its personal and creative aspect, remains in the shadows.

Thus, the legal culture of the individual in terms of activity approach is a systematic and dynamic formation of the individual, characterized by a certain level of its legal culture, awareness of ways to achieve these levels and reflected in various forms of legal activity and life in general. The above leads to an understanding of legal culture through a system-structural approach. In this aspect, the legal culture is a large and complex social system.

As noted by A. Shaidurov, legal-cultural systemic quality does not belong to any single phenomenon of legal life, but to the system of these phenomena, and expresses a specific way of their existence and development (SHAIIDUROV, 2001). The composition of legal culture includes the largest cultural complexes:

- law (system of norms expressing state instructions);
- legal relations (system of public relations governed by law);
- legal institutions (system of state bodies and public organizations that provide legal control, regulation and enforcement);
- legal awareness, legal self-control;
- legal behavior, activity (lawful and illegal);
- legal competence (legal knowledge and legal thinking);
- Socio-legal activity (Golovko, 2007).

In a systematic approach, legal culture is considered in close interaction with economic, political, demographic and other social processes, characterizes the qualitative state of social institutions associated with the existence of law in society. This is not just a set of social phenomena, but the qualitative state of the latter, which characterizes the level of state, the effectiveness of the legal system. The structural links of legal culture with other types of culture are shown in Table 1.

Table 1. Structural links of legal culture with other types of culture.

Components	Cultural spheres			
	Political	Legal	Moral, civil	Aesthetic, ecological, economic culture
relations in society	political relations	legal relations	moral relations	aesthetic, ecological, economic relations
public consciousness	political consciousness	legal relations	civil consciousness	aesthetic, ecological, economic consciousness
social norms	political norms	law	morality as a system of norms	aesthetic, ecological, economic norms
social institutions	political bodies	legal institutions	NGOs	relevant organizations
social behavior	politics	legal behavior	moral behavior	relevant organizations

Source: Search data.

The level of development of the whole system of legal acts is also singled out as an element of legal culture. Summarizing the selected in the literature V. Bataikin (2006); N. Godun (2015); N. Golovko (2007); S. Gurin (2004); S. Kruk (2012); L. Nikolaeva (2005); S. Rudykh (2002) components, we obtain the structure of legal culture:

1. legal awareness;

2. law;
3. legal relations; law and order;
4. lawful activity of subjects;
5. state and legal institutions;
6. legal science;
7. legal acts.

The question of the content of legal culture, in particular whether it includes negative manifestations of legal reality, such as offenses, remains debatable. S. Gurin believes that the content of legal culture includes only positive, progressive phenomena, because otherwise legal culture will be equated to legal life and legal activity (GURIN, 2004). According to L. Nikolaeva, legal culture covers all aspects of legal life, including negative. Therefore, it is possible to measure the levels of legal culture of the individual. Thus, the individual cannot be completely deprived of legal culture, but it can be very low (NIKOLAEVA, 2005). Thus, the concept of legal culture is ambiguous and get a complete picture of this phenomenon is possible only by generalizing different approaches to this phenomenon.

From the point of view of the axiological approach, legal culture is understood as a set of spiritual and material values, all the benefits created by man, in contrast to natural. In sociological analysis is interpreted as a component of social life. In the activity approach is considered as a certain level of development of society, creative forces, abilities and human activities. The advantage of the system-structural approach is the breadth of analysis, as legal culture is seen as a manifestation of various spheres of public life.

From the point of view of the authors, legal culture is a set of socially useful qualities that are manifested in everyday life and work, based on knowledge of the law and the internal need for strict implementation of laws, their proper understanding and application. These approaches to the definition of legal culture in general accurately reflect the main content of this phenomenon.

Given the large number of definitions of the concept of "legal culture" in modern science, we can say that the process of forming a single and universally recognized meaning of the concept of "legal culture" is far from complete. Features of legal culture not only do not diminish its importance in society, but, conversely, actualize the need to study legal culture, the need to develop methods for their formation, including instilling awareness of law as the most important social value.

An analysis of the scientific literature has shown that legal culture is considered in both a narrow and a broad sense. In a broad sense, legal culture is a set of legal and juridical knowledge, beliefs and attitudes of the individual, techniques and methods of lawmaking, implemented in the process of work, communication, behavior, and attitude to the material and spiritual values of society. In a narrow sense, it is a system of normative relations between people or their groups, formed in the course of social interaction, regulated by fixed norms, guarantees and procedures to protect the rights and legitimate interests of citizens, which are binding and protected by the state.

The analysis shows that in research on the problem of legal culture, it is possible to integrate approaches that reflect its essence, if we label legal culture as a philosophical category that reveals the goals and values of legal society, the degree of compliance with real life in general and each individual in particular. and values, characterizes the development of society and the activities of each person as legitimate.

However, they have a number of disadvantages. In them, for example, not enough attention is paid to the essence of this category, not all its manifestations are in the field of view of scientists. In particular, the problems of legal thinking, respect for rights, legal rights and freedoms of the individual, belief in the fairness of law, the essence of the factors hindering the formation of legal culture of the individual, legal culture, etc. received in presenting these approaches only fragmentary, review coverage.

The analysis of philosophical, pedagogical, legal literature allows us to draw the following conclusions: legal culture, being part of culture, includes spiritual and material values belonging to the sphere of legal reality, all that is created in the legal sphere and is progressive, socially useful, valuable; it characterizes the quality of legal life of society, which is expressed in the achieved level of legal activity, legal acts, legal awareness and in general in the level of legal development of the subject (person, various groups, society as a whole), as well as the degree of state and civil society freedoms and human rights; legal culture is a system of norms and values accepted in a society which form the relation of the person to the right, the law, the state.

CONCLUSION

Thus, the analysis of the concepts of "culture" and "legal culture" carried out by scientists proved that the concept of "culture" is a set of all goods created by man, the development of creative forces and abilities of the individual, a set of all material and spiritual values; a certain way of organization and development; legal culture is understood - a set of spiritual and material values, all the benefits created by man, in contrast to natural, components of social life, a certain level of development of society, creative forces, abilities and human activities, the manifestation of various spheres of public life. The analysis of the available approaches to understanding culture in the literature allowed us to conclude that despite the differences in the views of researchers on the meaning of "culture" there is a single theoretical and methodological platform that combines different approaches: recognition of the direct connection of culture with legal culture.

REFERENCES

- BANDURA, O.O.; BUBLYK, S.A.; ZAINCHKOVSKY, M.L. et al. Philosophy of law. Kyiv: *Yurinkom Inted*, 2000.
- BATAIKIN, V.P. Legal culture in the conditions of social modernization of Russia (social and philosophical analysis). Moscow, 2006.
- BACHYNSKY, T. Legal culture: some modern approaches to its understanding. *Yuridichna Ukraina*, 2011, no 8, p. 16-20.
- BUSEL, W. T. Large explanatory dictionary of the modern Ukrainian language. Kyiv: *Irpen: VTF "Perun"*, 2004.
- VORONOVA, I.V. Legal culture as a condition for the formation and functioning of civil society. Proceedings from International. Science. conf.: Legal culture and civil society in Ukraine: state and prospects of development. Kharkiv: *Pravo*, 2007.
- GAVRILYUK, A.M. The concept of legal culture in modern research. *Modern information technologies and innovative teaching methods in training: methodology, theory, experience, problems*, 2013, no 36, p. 214-219.
- GANZENKO, O.O. *Formation of the legal culture of a person in terms of building the legal state of Ukraine*. Kyiv, 2003.
- GODUN, N. Y. Legal culture: the definition of the concept. *Nashe parvo*, 2015, no 1, p. 11-15.
- GOLOVKO, N.I. *Legal pedagogy*. Kyiv: *MAUP*. 2007.
- GONCHARENKO, V.G.; ANDRUSHKO, P.P.; BAZOVA, T.P. et al. Legal terms. Explanatory Dictionary. Kyiv: *Lybid*, 2004.
- GORBUNOVA, L.M. Legal culture as a condition for effective development of legislation. *Bulletin of the Ministry of Justice of Ukraine*, 2010, no 9, p. 9-17.

GURIN, S.V. Formation of legal competence of the future teacher in educational process of high school. Murmansk, 2004.

KASINYUK, L.A. Legal culture as one of the indicators of society. *Bulletin of the National University "Yaroslav the Wise Law Academy of Ukraine"*, 2013, no 3, p. 238-240.

KLIMOVA, G.P. On the question of the essence of legal culture. *Bulletin of the National University "Yaroslav the Wise Law Academy of Ukraine"*, 2013, no 3, p. 180-182.

KLUNKO, R.Y. Formation of the legal culture of the future teacher as an element of preparation for professional activity. *Scientific notes of NDU named after M. Gogol*, 2015, no 3, p. 148-151.

KRUK, S.L. Legal culture in the context of higher professional education. *Bulletin of the National Academy of the State Border Guard Service of Ukraine*, no 1. 2012. Available at: http://nbuv.gov.ua/UJRN/Vnadps_2012_1_11. Access: May 21, 2021.

KUTSEPAL, S.V. Legal culture as a tool for harmonizing relations in modern society. *Bulletin of the National University "Yaroslav the Wise Law Academy of Ukraine"*, 2013, no 3, p. 208-211.

LYSOGOR, V. Legal culture as an element of the mechanism of realization of rights and freedoms of citizens. *Pidpryemnytstvo, hospodarstvo i pravo*, 2009, no 5, p. 19-21.

MAKEEVA, O.M. "Legal culture" and "culture": the ratio of categories. *Derzhava i pravo*, 2013, no 61, p. 33-38.

MOROZ, E.V. Legal culture in the plane of philosophical and pedagogical reflection. *Bulletin of G.S. Skovoroda Kharkiv National Pedagogical University*, 2016, no 47, p. 190-198.

MUSINOV, P.A. Pedagogical conditions (normalization of moral and legal culture of the future teacher in the course of high school preparation. Gorno-Altaysk, 2000.

NIKOLAEVA, L.N. *Formation of legal culture of students*. Smolensk. 2005.

ONISHCHENKO. N.; MAKARENKO. L. Legal culture as a phenomenon of civil society. *Derzhava i pravo*, 2015, no 68, p. 3-15.

PRIMA, D. Legal culture of particularity in the context of axiology. *Psychological and pedagogical problems of the school*, 2012, no 43, p. 143-147.

RASSOLOVA, E.A. *Formation of the legal culture of professional activity of students of a humanitarian university*. Moscow, 2014.

RUDYKH, S. A. *Formation of the ethical and legal culture of the future teacher*. Armavir, 2002.

SOKOLOVA, O.A. *The formation of citizenship and legal culture of students in the educational process of universities in the socio-cultural sphere*. Krasnodar, 2011.

FABRIKOV, M.S. Pedagogical conditions for the education of the legal culture of high school students: a monograph. Vladimir: VISU Publishing House, 2017.

CHEPULCHENKO, T.O. Legal culture: a great deal in the legal process and an increase in the rule of law in the state. Newsletter of the National Technical University of Ukraine "Kyiv Polytechnic Institute". *Polítologíya. Sotsíologíya. Pravo*, 2013, no 2, p. 109-114.

SHAIUROV, A.A. Pedagogical conditions for the development of the legal culture of future teachers. Yekaterinburg, 2001.

SHEMCHUKENKO, Y.S. Legal encyclopedia. Kyiv: *Ukrainian Encyclopedia*, 1998.

GOLLNICK, D. M.; CHINN, P. C. *Multicultural Education in a Pluralistic Society*. London: Pearson, 2016.

Hierarchy of the concepts of "culture" and "legal culture"

Hierarquia dos conceitos de "cultura" e "cultura jurídica"

Jerarquía de los conceptos de "cultura" y "cultura jurídica"

Resumo

O artigo analisa a pesquisa sobre os conceitos de "cultura" e "cultura jurídica". As vantagens da pesquisa são a integração de abordagens para a definição desses conceitos: "cultura" é um conjunto de todos os bens criados pelo homem, o desenvolvimento das forças criativas e habilidades do indivíduo, um conjunto de todos os valores materiais e espirituais; uma certa forma de organização e desenvolvimento; cultura jurídica - um conjunto de valores espirituais e materiais, todos os benefícios criados pelo homem, em contraste com os naturais, componentes da vida social, um certo nível de desenvolvimento da sociedade, etc. Está comprovado que a cultura jurídica faz parte da cultura, inclui valores espirituais e materiais que pertencem à esfera da realidade circundante; caracteriza a qualidade de vida da sociedade, que se expressa no nível de desenvolvimento das atividades jurídicas, atos jurídicos, consciência jurídica e em geral no nível de desenvolvimento jurídico do sujeito, bem como o grau de liberdade do Estado e da sociedade civil e direitos humanos.

Palavras-chave: Cultura. Cultura jurídica. Valores espirituais e materiais. Atividade humana. Vida social.

Abstract

The article analyzes the research on the concepts of "culture" and "legal culture". The advantages of research are the integration of approaches to the definition of these concepts: "culture" is a set of all goods created by man, the development of creative forces and skills of the individual, a set of all material and spiritual values; a certain form of organization and development; legal culture - a set of spiritual and material values, all the benefits created by man, in contrast to the natural, components of social life, a certain level of development of society, etc. It is proven that legal culture is part of culture, includes spiritual and material values that belong to the sphere of the surrounding reality; it characterizes the quality of life of society, which is expressed in the level of development of legal activities, legal acts, legal awareness and in general in the level of legal development of the subject, as well as the degree of freedom of the State and civil society and human rights.

Keywords: Culture. Legal culture. Spiritual and material values. Human activity. Social life.

Resumen

El artículo analiza la investigación sobre los conceptos de "cultura" y "cultura jurídica". Las ventajas de la investigación son la integración de enfoques para la definición de estos conceptos: "cultura" es un conjunto de todos los bienes creados por el hombre, el desarrollo de las fuerzas creativas y habilidades del individuo, un conjunto de todos los valores materiales y espirituales; una cierta forma de organización y desarrollo; cultura jurídica - un conjunto de valores espirituales y materiales, todos los beneficios creados por el hombre, en contraste con lo natural, componentes de la vida social, un cierto nivel de desarrollo de la sociedad, etc. Está comprobado que la cultura jurídica es parte de la cultura, incluye valores espirituales y materiales que pertenecen a la esfera de la realidad circundante; caracteriza la calidad de vida de la sociedad, que se expresa en el nivel de desarrollo de las actividades jurídicas, los actos jurídicos, la conciencia jurídica y en general en el nivel de desarrollo jurídico del sujeto, así como el grado de libertad del Estado y la sociedad civil y los derechos humanos.

Palabras-clave: Cultura. Cultura jurídica. Valores espirituales y materiales. Actividad humana. Vida social.