

January 2014

The Quality of Legal Education in Russia: Stereotypes and Real Problems

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In recent years Russian legal education has become a subject of significant public criticism. The opinion that the quality of legal education, at the very least, is inadequate has become widespread.

This public criticism largely blames the poor quality of legal education on there being a superfluous number of law schools in Russia. Current public opinion has it that with the exception of a small number of well-established, elite institutions, the overwhelming majority of law schools are simply not able to provide the appropriate training. Their graduates frequently cannot find jobs, and if they do become engaged in legal work either in government service or in the private sector, their lack of expertise makes them more likely to do harm.

At the same time, the main complaint about Russian legal education is the lack of practical orientation. This encompasses both graduates' insufficient preparedness for legal work and the disparity between the level of their preparation and their employers' needs.

Among the gaps in legal education that cause serious alarm is the lack of attention paid to questions of professional ethics. It is precisely this people have in mind when they voice concerns about the willingness of graduates to become involved in corruption schemes, the lack of young lawyers with a legal conscience, and young lawyers failure to understand the moral foundations of the profession.

Is Russian legal education really so bad? Do these problems really exist? And if so, what is behind them?

Finding answers to these questions presupposes addressing the context in which law schools operate. First of all, the practices and experiences of the schools' instructors

This paper is an English translation of the introductory chapter in *Legal Education in Russia: In the Search of New Quality Standards* [Yuridicheskoe obrazovanie v Rossii: poisk novykh standartov kachestva], published by PILnet™ in 2014 in Russian as part of the project *Legal Education in Russia: Building Institutional Will for Reform*. The project and the publication (available in Russian at: http://www.pilnet.ru/news/5-publications/257-Legal-Education-in-Russia_new-standards.html) were funded by the John D. and Catherine T. MacArthur Foundation. Translated by Ronald Meyer.

and administrations must be taken into account. It is also important to consider Law schools in the context of actual legal practice and various fields where legal knowledge and skills are applied, which schools should refer to and reflect if they are to be effective in preparing graduates for such work. For this reason, the context of a school's existence also includes its external environment, including the labor market. PILnet: the Global Network for Public Interest Law employed traditional sociological methodology in completing this study, relying primarily on, informal interviews with people directly involved in matters being investigated. PILnet's study was comprised of a series of expert and in-depth interviews with law school representatives, as well as "customers" of legal education, namely, representatives of the legal profession, employers, students and young specialists. The interviews with law school representatives and with practitioners yielded a detailed picture of what is taking place. Studying the experience of students and young lawyers performed the role of a "control group": not directly invested in the "corporate" interests of the law school environment, employers or professional legal community leaders, they felt their influence. They look at problems of education and legal practice from an equidistant position.

On the basis of the findings of this study we will examine to what extent the claims mentioned above regarding legal education are substantiated and what real problems can be attributed to the existence of a large number of law schools, the practical preparation of students, and the teaching of professional ethics.

Claim No. 1. The Surplus of Law Schools and the Quality of a Legal

Education

Within the framework of public discussions about the state of Russian legal education the low quality of graduates' training is often tied to the surplus of institutions that offer programs in legal education. Many posit that, as a result of the popularity of a legal education, private and so-called low-profile institutions have opened law schools and are graduating lawyers without the ability to provide them with high-quality training. This argument is supported by two widely held opinions. First, that educational outputs, i.e. a graduate's knowledge and abilities, are wholly dependent on the institution that educated them. Second, a high-quality education can only be provided by a reputable, established institution employing traditional legal pedagogy.

Some proponents of this point of view explain their concern by averring that poorly prepared graduates make a negative contribution to professional legal practices. For example, they end up in government bodies and make inappropriate use of their authority. Others note that the substandard law schools are misleading their students, since the level of training that they provide often does not leave students qualified to find work in their desired field.

The structure of the market of educational services and the labor market, as detailed by the results of our study, suggests important correctives to this point of view.

Students and their families make various demands on law schools, which cannot but be reflected in the structure of the legal education market place. First, according to law schools' faculty and students who took part in our study, far from every student enters law school with the intention of practicing law upon graduation. The reasons for pursuing a law degree are quite diverse.

Some people go to law school to acquire expertise they hope will allow them to succeed in fields other than law. Independent businessmen, managers at various levels,

accountants and economists go to law school with this goal in mind. There are also many highly particular reasons for pursuing a legal education. For example, one of our respondents went to law school to prepare for a career in journalism, specializing in reporting on legal issues.

Others enter law school with the motivation of taking advantage of aspects of a legal education that are ancillary to the actual study and practice of law. Training for the legal profession, however, is not the priority. For example:

“I studied for ten years in a high school for linguistics, studied two languages, and basically needed some sort of educational institution that would teach languages and at the same time some specialization. Because to do this separately would take too long. There were two variants that would allow me to pursue both specialties... International economics and so on. They teach language very well there, but I decided against it—it was very complicated. And the other variant where they teach both language and specialty was international law.”¹

Parents frequently send their children to law school so that they will get at least some kind of higher education. In this case, the institution is not so much expected to provide training for a profession, as to create conditions for the young person to be “occupied with something.”

Clearly, after graduation those with a “non-law” motivation do not look for work as a lawyer. They do not perceive this to be a problem, nor do those around them:

“Those students become owners of small businesses. And they have a normal working life. They open fitness clubs. That is, they get settled in life. They didn’t

¹ From interview with student No 1. February 2011.

really need law school. But that doesn't affect their capacity to be normal functioning people."²

Of course, some students choose a legal education because they plan to practice law in the future. These students try to get the maximum number of opportunities from their educations. They not only do well in the obligatory part of educational programs, but they also take an active part in various supplementary activities and programs provided by the law school, e.g., exchanges, competitions, and courtroom simulations.

Students planning for legal careers try to choose institutions that have reputations as high-caliber law schools. They have to take into consideration, however, the reduction of state-funded institutions and the increasing tendency on the part of law schools to charge for their services.

In practice this means that some motivated, diligent and talented young people cannot afford to go to a prestigious law school and go where the training costs less. The existence of "low-profile" and private institutions thus becomes the only opportunity for them to have access to a legal education and the profession.

You see, I'm from a rural area [i.e., not from the capital]. I made the decision to study in a law school in the capital. I studied in a private law school. Well, it's difficult to get the free spots [in a prestigious government law school]. And it was 90,000 a semester then [to study in a government law school as a paying student]. I didn't have those kinds of financial resources. I looked for schools in which the instruction was more or less ok and where they didn't charge sky-high prices. Here it was 90,000, and there it was 30,000, an appreciable difference,

² From interview with a professor, law school instructor No 1. 2012.

*but the instructors were the same [...] so in my opinion, I didn't lose anything. There was this moment: if you want to study, you'll learn in this institution, everything is set up nicely there.*³

It should be noted that motivated students unable to choose the most prestigious law schools can demonstrate a sufficiently high level of preparation upon graduation. This is due to the fact that the results of the education of each individual student depend not only on the school, but also on the student's efforts. An unmotivated student will not benefit from the education offered even by a good school.

*"Everything depends to a very large extent on the person. That is, right now we have a remarkable girl working for us from... a low-profile institution [name deleted by editor]. Which I had considered a completely... worthless school, something awful. I had several people who had studied at a classic [well-established] law school [name deleted], who had absolutely no talent whatsoever. In other words, not everything depends on the institution. An awful lot depends on the person."*⁴

Thus, capable graduates of low-profile and private law schools often prove themselves to good effect in a professional capacity, although it is more difficult for them to quickly achieve growth in their careers. The fact of the matter is that a diploma from a prestigious law school opens up more opportunities in the labor market. A number of employers, for example, major legal firms, when recruiting only look at resumes from graduates of prestigious law schools.

³ From interview with a beginning investigator of the Committee of Inquiry. 2011.

⁴ From interview with the director of a small legal firm. 2012.

At the same time, the more demanding employers who offer big salaries and more opportunities for professional growth and development are not interested only in graduates of a prestigious school, and not even an A student, but in an outstanding graduate.

“We know some students who have received named stipends for excellent academic work, but I’m not certain that we will be able to recommend them for job placement when employers come to us the next time for recommendations...”⁵

Oftentimes employers encounter graduates of prestigious law schools who do not meet their requirements. In other words, the diploma of a prestigious institution by itself is not a guarantee for either the employer or the graduate.

The results of this study, however, show that practically all graduates who wish to practice law find employment, regardless of their abilities and the prestige of their diploma. With the proviso that in saying this we are not considering the question of whether the graduates were satisfied with their place of work, the demand for their qualifications on the market, etc. What is important here is to state plainly that practically everybody found work as a legal professional. The highly diverse demands of the legal labor market are partially to thank for this reality. There is a demand for specialists with advanced legal training, capable of solving complex problems and at the same time there is a need for people who can perform standard algorithms.

As far as graduates without the proper knowledge and skills ending up in government service is concerned, this problem cannot be blamed on law schools:

⁵ From interview with the deputy director of subunit No. 1 of a government institution of higher learning.

“A bureaucratic structure has taken shape, at least here, and everyone wants to find his way in, and stick to it like a leech. And a legal education is like a ticket in. They say why the hell do I need this Roman law, I’ve already got a place there, I’m going to be such-and-such a deputy district manager.”⁶

“Graduates receive a diploma without receiving knowledge. If you factor in the level of protectionism, influence, nepotism and matchmaking, some end up in governmental authoritative structures.”⁷

In other words, respondents see the problem as emanating from the unscrupulous recruitment policies of government agencies. In this sense, law schools that issue diplomas not secured by any real training are merely reacting to a market demand for “sheepskins.”

One could say that the existing diversity of law schools and the varying quality of student training are brought about by the diversity of external demands. Law schools adapt to fulfill different functions that are demanded by the consumers of their educational services. There’s a need for a school that teaches law and prepares the student to become a lawyer, another that keeps the student “busy,” and another that simply hands out “sheepskins.” The results of the study show that in each particular region schools begin by specializing in one of the needs listed above. At the same time, even prestigious law schools that aim to provide high-caliber instruction and maintain a good reputation cannot completely avoid students who matriculate with goals that are unrelated to getting a legal education.

⁶ From interview with an instructor of civil law. 2012.

⁷ From interview with director of sub-unit No. 2 of a state institution of higher learning. 2011.

Thus, improving the quality of legal education and the level of students' preparedness simply by closing down "inferior" schools is unlikely to succeed. The demand for diplomas not secured by knowledge or skills will simply be transferred to the traditional institutions that are now trying to safeguard themselves against this.

Claim No. 2: Legal Education Is Insufficiently Oriented toward Practice

Perhaps the most often-heard claim regarding Russian legal education is the lack of practical training at law schools. As a rule, schools are criticized for their inability to prepare graduates for practical work and the disparity between graduates' abilities and their employers' expectations.

Our study shows that this claim is not without foundation. But schools cannot fully answer this complaint for two reasons. First, what practitioners and employers expect from higher education is not simply ambiguous or contradictory, but generally poorly articulated. Second, with rare exceptions, educational institutions experience problems with defining objectives, and to be more precise, with understanding whom they are preparing and for what.

Let's begin with the problem of the unarticulated charges to the law schools from the outside world. This problem is more clearly seen when law schools attempt to get employers and practitioners to give them a list of requirements and wishes concerning the content and level of training for their graduates. Representatives of different law schools who took part in our study told of their experiences in asking employers to formulate a list of qualifications and how it all ended.

Proceeding from information obtained during our study, many employers simply do not respond to the school's invitation to take part in a dialogue:

“If truth be told, no one cooperates. We sit and stew in our own juices. Including, determining what the customer needs.”⁸

On the other hand, when a dialogue does take place, the parties do not always understand one another. As the representative of one law school observed:

“None of the practical workers and directors can convey the qualifications that he would like to see.”⁹

Having difficulty formulating the qualifications for graduates does not mean that employers do not understand what sort of specialists they want to see in their organizations. Law schools, however, ask them to decide a specific question: to determine a list of skills and qualifications as goals for the educational process, which could then be the foundation for reworking pedagogical plans. In other words, they are asking them to analyze their own experience and work in their organization, and on the basis of that to formulate an answer for the law school.

Employers, however, are engaged in resolving completely different professional tasks and therefore they do not think of qualifications in terms of requirements for the results to be achieved by law schools. In principle, this is a natural situation. The task of communicating such requirements on the basis of analysis of the experiences in different spheres where legal knowledge and skills are applied is an independent matter and requires certain skills—it is not reasonable to ask employers to engage in this activity.

⁸ From interview with instructor of jurisprudence at a state institution of higher learning. 2011.

⁹ From interview with representative of a non-governmental institution of higher learning. 2011.

During the course of our study we tried to create a coherent list of the demands made in various fields of practice for professional qualities in lawyers, including those who are just beginning their careers. Although we did not set ourselves the goal of encompassing all fields of legal work, the results were sufficient to come to some conclusions about the significant variability and diversity of requirements.

One group of employers wants to hire for legal work only those lawyers who can immediately fulfill a certain set of functions, without a training period. This demand, in part, is expressed by the condition that the applicants for even an entry-level position have some minimal work experience. These are employers who either cannot or do not want to invest their own resources into their employees' professional development. As a rule, they are small legal firms or some other type of small business where the enterprise's success depends on the worker's quick engagement with the work process and their performance. Employers in this case want the worker to have acquired practical skills and they are not in the least interested where the candidate acquired those skills, whether in law school or a previous place of work. But since they are convinced that law schools are not equipped for the task of practical training, these employers often require work experience.

Other employers, on the contrary, prefer to take students or graduates without practical experience and independently shape their professional aims and skills.

“You take a senior student, you work and work with him, and you teach and teach. If he makes consistent progress, you’ll have a loyal, devoted specialist and, so to speak, someone honed and instructed to internal standards, which approaches I think are the correct ones for the client, the job, the situation, everything. Experience shows that no matter whom you take on, and no matter how many trial periods you have, no matter what kind of recommendations you

get from the previous employer, the employees that come to us completely from the outside somehow don't take as well either to you or the company, to your clients and standards. I can say that still and all you need to cultivate specialists.”¹⁰

As a rule, this position is taken by employers who represent large legal firms, whether Russian or foreign. Moreover, the aspiration to create in the workplace the kind of specialists the organization needs is typical of some government bodies, for example, the investigation agencies and the courts. The distinguishing trait in these fields is the goal of maintaining the “corporate” standard of work. For a variety of reasons this standard is best inculcated by being inside the “corporation.” Consequently, representatives of this type of employer do not expect that law school will prepare the specialist for their workplace. They are more interested in whether the law school provides good theoretical training. They, however, have a different understanding of theoretical training than academia. Good theoretical training for this type of employer means not only knowing the doctrine, sense and history of various legal institutions, the structure of legislation, the contents of key standard statutes and court decisions in this or that branch, and so forth. This understanding also includes the graduate’s ability to use the law as an instrument, that is, to know how:

- To analyze a situation and give it a legal definition
- To construct an algorithm of actions on the basis of legal norms
- To suggest variants for solving a problem using legal mechanisms
- To use legal sources of information

¹⁰ From interview with the director of Russian legal firm No. 1. 2011.

- To formulate and outline a position and arguments on the given question
- To state a point of view in a language understandable to both lawyers and non-lawyers

In other words, it is not a matter of specific qualifications required for a particular position in a particular organization, but universal skills all lawyers should have.

Thus, employers have different expectations regarding the level and content of a young lawyer's practical training and hold differing opinions about what parts of this practical training should be the responsibility of law schools. We will repeat once again that these requirements and expectations are not clearly conveyed to law schools. In other words, law schools are supposed to independently answer the question of what is to be understood by practical training.

As of yet, law schools have been unable to answer this question. But this does not mean that they refuse to seek an answer, since they come up against serious difficulties in this search. Some of these difficulties are caused by a lack of reciprocal ties between law schools and legal practice. Despite the fact that many instructors are practicing lawyers, their knowledge of the situation outside the walls of the law school does not encompass the diversity of legal practices. Law schools generally have only a fragmentary knowledge of current real world applications of legal education in the various spheres of legal professional work.

Another problem is the disagreement over the role law schools should play in training students for legal practice. This disagreement exists not only among representatives of law schools, but often in opinions of particular instructors.

The common perception that the Russian judicial system is flawed and corrupt is another obstacle to the formation of a common point of view on practical training. Instructors cannot ignore corrupt practices, instances of misusing the law and official

authority, nor the fact of lawyers' participation in the legalization of dubious actions that seem to run contrary to the spirit and letter of the law. Instructors do not wish to support the reproduction of such practices:

“More than anything I have misgivings about the ideas filtering down that lawyers should be taught in the real world. Guys, today if we’re going to prepare an effective lawyer, then we should introduce a new foundations course—giving and receiving bribes. And a number of other such classes as well.”¹¹

Moreover, the understanding of real problems of jurisprudence compels some in the academic community to reject the very notion of a law school's orientation toward practical training. Instructors who share this point of view set themselves the goal of giving students an ideal picture, how things should be, thinking it's the only possible response to lawlessness.

It would be an exaggeration to say that this point of view is the dominant one. Many instructors do not deny the importance of integrating practical training into the curriculum. But here as well there is a difference in views and approaches.

One position is to be attuned to the labor market and its current demands in all their diversity. There is an alternative point of view that maintains that law schools should not engage in training personnel for a concrete employer. The task is to see to the student's development. This point of view is based on two considerations. The first position holds that the labor market is so changeable that law schools cannot effectively react to the demands of specific employers.

¹¹ From interview with a representative of the administration of subunit No. 1 of a government institution of higher learning. 2012.

“There was information that employers in the mass media needed qualified legal personnel. But lawyers do not study this field in detail—i.e., the operations of mass media organizations. And those who work in mass media—journalists, staff, administration and so on—don’t know the law. And indeed there are a great many legal violations during the process of reporting information, editing and so forth. And so employers ask: “Teach our workers the law.” One of the law schools acts right away and opens a master’s program with the necessary orientation. Well, the first year they had 20 students. In other words, every city newspaper sent one person there to study. And next year? The demand had dropped. Employers sometimes say useful things, and you can take that into account. But you can’t listen to them as the only truth! That is, you need to keep in mind the interests of the educational institution as well. Because before we open a new program, we prepare an enormous amount of methodological supporting materials, we prepare instructors, textbooks, pedagogical and methodological packages, educational materials and the like. And then all this simply goes to waste.”¹²

The second argument is based on the fact that law schools work in the interests of students, not employers. The students’ interests are not served by acquiring one narrow specialization, since these will change during the course of their professional career. Therefore, it is important to provide them with the knowledge and skills that will help them to realize themselves professionally in various fields.

¹² From interview with representative of the administration of subunit No 2 of a government institution of higher learning. 2012.

“He won’t work his whole life in the same system and same job. The specialist might find himself in a completely different field. He might quit after a year or even a day after getting his diploma and go into something completely different, another field, and he’s still going to need to show that as a lawyer he’s capable, and that’s why we try to prepare a well-rounded lawyer above all.”¹³

Those who reject the idea of focusing on preparing students for a specific employer, in turn, offer two different approaches to the understanding of practical orientation. The first is to prepare the student to fulfill traditional professional roles: public prosecutor, investigator, advocate, etc. The second is to equip the student with a set of fundamental professional skills that are indispensable to anyone who wishes to work in the legal profession, regardless of position.

Both of these approaches are realized in current educational practice. In particular, one sees initiatives aimed at equipping students with a set of basic professional skills: legal clinics are created and new courses developed on the preparation of procedural documents, for instance. Simultaneously, the first approach is being realized, i.e., the idea of preparing students to fulfill certain professional roles, and this is reflected in the educational programs and the organizational structure of law schools. For example, departments and sections of advocate’s practice and investigation are opened. Instead of specializing in a branch of law (civil, criminal, constitutional, etc.) students can specialize in an area of practice: notary, customs, mediation, arbitration law, corporate lawyer and so forth.

The task of preparing a student for a certain professional role presupposes the creation of an ideal model, i.e., the model of ideal advocate, investigator, corporate

¹³ From interview with an instructor of an institution of higher learning sponsored by government agencies.

lawyer, etc. The ideal model defines the results of educational work, that is, the goals of the educational process, from which are formulated the goals for instructors, pedagogical methods are chosen, and the content of educational programs are defined. The task of formulating the basic skills for a lawyer also requires the creation of an ideal picture of what these skills represent and what they entail. Law schools now are not fully coping with building ideal constructions, both skills and professional roles.

“What is the model for the lawyer? The requirements for a lawyer and the model of the lawyer now are somewhat amorphous... And these practical requirements vary because the fields are different, so the practice differs as well... And the diversity of these requirements somewhat muddles how the training should proceed.”¹⁴

The difficulties that law schools face with defining the model lawyer, as well as the compilation of a list of fundamental skills and their meaningful fulfillment arise as a consequence of the above-mentioned causes, namely, the lack of agreement between the appraisal of the instructors and unarticulated requirements from practitioners. Additional complications are created by the refusal of many employers to work with the law schools, as was also outlined above. All this taken together creates a deficit of information and disorients the instructors.

In addition, there is one other serious problem that makes it difficult for law schools to prioritize the development of a practically oriented program of study. At the present time, law schools must essentially attempt to provide a continuation to general education. This is not merely a matter of fulfilling the requirements of the educational standard, which mandates that a set of disciplines outside of law be included in the

¹⁴ From interview with instructor of civil law, secretary of the dissertation committee. 2012.

program of a law school education as well as the development of general culture competencies. In addition to this, law schools have recognized the need to compensate for gaps in high school education. Law schools have started to see entering students who do not have certain fundamental skills, such as (reading comprehension, making generalizations, paraphrasing a text, etc. Law schools often now must provide remedial education to their first-year students so that they can master the legal disciplines.

Law Schools find themselves in the situation where they must fulfill several tasks within the framework of the bachelor's degree: fill the gaps left by inadequate education in grade school, give students the required set of disciplines unrelated to law, provide theoretical legal training, and prepare the student for professional practice. Some argue that it is impossible to do all this without lowering the quality of one or several components in the program. Nevertheless, some instructors believe that law schools are capable of coping with all these tasks.

Doing this, however, is not simple since law schools for quite some time now have been engaged primarily in theoretical training. This has shaped a firm tradition that is expressed in teaching methods, in approaches to drawing up educational programs, in methods of instruction, and in the organizational structure of law schools. For this reason an integration of practical training into the pedagogical process under the conditions of fulfilling all the other tasks that face the institutions will require a foundational restructuring of the educational process, a reconsideration of the programs' content, and changes in instructional methods.

In other words, it is not a matter of perfecting the existing model of the educational process, but rather of making fundamental changes. The possibility of making such changes is constrained by the institutional framework. Consequently, efforts to create alternatives to the models in place for the organization of legal

education must come from representatives from the milieu of the law schools and not any external actors for it is there that the tasks of the teaching process are realized.

Claim No. 3. Lack of Attention Paid to Professional Ethics

Within the framework of the public discussion of the deficiencies of the legal education system law schools are accused of not paying sufficient attention to the formation of a legal conscience and instilling in students the moral foundations of the profession. The absence of moral foundations is seen as the reason for the irresponsibility of these new lawyers to society, the willingness to become involved in corruption schemes, and commit abuses while practicing law.

On the one hand, these misgivings are understandable and in certain instances are not groundless. On the other hand, and this is confirmed by the findings of our study, students and young lawyers, as a rule, share society's fundamental values and regard injustice, corruption, and malfeasance negatively. Moreover, many quite sincerely wish to reform the world for the better, and by means of legal instruments.

However, while they are still students they recognize the inescapability of confronting a complex reality that is far removed from ideals. This perspective alarms many, largely because it causes them to question whether they can put their values into practice. Students need a detailed discussion how to make complex ethical decisions and how they should conduct themselves in nuanced professional situations.

If we look to the experience of graduates who have already acquired professional experience, it becomes clear that they are made uneasy by attempts to drag them into corruption or actions that break the law. Moreover, some young lawyers, judging by the data of our study, did not encounter problems of this sort directly. However, practically all of them encountered, within the framework of their job, situations and problems that do

not have a clear and simple solution considering these young lawyers personal and professional values. Interpretation of these sorts of situations and the search for a way out of them is a complicated and sometimes even agonizing experience for the young lawyer. It seems that this experience might be less painful if these lawyers were taught before going into practice how to identify and resolve ethical conflicts brought on by the collision of several significant values. Moreover, the results of our study lead us to conclude that representatives of the legal profession understand professionalism to include following certain principles and rules. This includes rules that concern relations with clients (in the larger meaning of this word) or colleagues, and principles tied to a lawyer's "social responsibility." The requirement to observe these rules and principles is particularly pronounced in legal business, which regards the observation of these certain norms of professional behavior as a guarantee of stable development.

For example, the obligation of lawyers, including ones practicing in the commercial sector, is to make a contribution to the exposure and elimination of deficiencies in standard regulations and law enforcement practice is explained by the fact that this widens the scope of his or her own professional activities: the more effective the legal mechanisms, the easier it is to work as a lawyer. In other words, practicing lawyers understand professional ethics not as a set of abstract maxims, but as the optimal forms of behavior that allow one to balance personal interests and the interests of the legal community.

Unfortunately, law schools so far offer little in the way of professional ethics, despite the fact that instructors recognize their responsibility to train ethical lawyers. The fact of the matter is that special classes where law students could discuss with students the rational bases of professional conduct and would teach them how to identify and resolve ethical dilemmas simply do not exist. Ethics courses in law schools frequently are taught in the sequence of philosophical disciplines and are devoted to the abstract

examination of teachings on morals and morality. In the best instances students are introduced to the contexts of codices of professional ethics of courts, lawyers, and civil servants.

One cannot say that questions of professional ethics are not touched upon at all in the course of a legal education. It takes place in the framework of traditional law courses. Instructors relay certain values and professional aims when they express their evaluations and judgments regarding legal norms, when examining with their students some special case, when illustrating the standard material with examples from practice, and when reacting to students' questions and comments. However, there is no detailed look at professional rules of conduct in the process of studying one or another field of law.

There is one other problem: this relay of values takes place without being fully realized and purposeful. Such a conversation by instructors on professional ethics is complicated by the fact that in legal practice alongside ethical conflicts there are a host of direct infringements of the spirit and letter of the law.

On the one hand, there is the problem of mixing questions of professional ethics with questions of direct infringements of the law and crimes. Giving bribes is not an ethical problem—it is a crime. On the other hand, instructors understand that when practicing law students might encounter serious pressures from employers and other figures to force them to commit improper acts. And, unfortunately, instructors do not always have the answers on how to stand up to these pressures.