

SLCMC 2021

International conference «State and law in the context of modern challenges»

**LEGAL EDUCATION AS AN INTEGRAL PART OF LEGAL
CULTURE**

Irina Yu. Yessina (a)*, Natalia V. Abramova (b)

*Corresponding author

(a) Saratov State Law Academy, 1, Volskaya Str., Saratov, 410056, Russia, essina@rambler.ru,
(b) Saratov State Law Academy, 1, Volskaya Str., Saratov, 410056, Russia, nataklenin@rambler.ru

Abstract

The article is devoted to the process of organizing legal education, legal culture necessary for the new realities of the modern world. The authors approve the idea that the modern education should be aimed at the forming of a high level of legal culture. Particular attention is paid to understanding the specifics of legal education, determining its importance in the organization and management of society. Legal culture as an integral part of legal education is a kind of a guarantor of all transformations of our state. Much effort is devoted to the research of legal culture, its content and levels. The article deals with the content of the "legal education" concept and the forms of legal instruction. Possible solutions to raise the level of legal culture of the younger generation are considered. The authors analyze terms such as legal education, legal awareness, using the method of analysis of word identification, questionnaires. The paper reveals sufficient features of active learning. The examples of innovative technologies for the forming legal culture of students are presented. These methods increase motivation to the study of legal culture and create an interconnected system of legal education that is to support the forming of legal awareness of learners. It is concluded that in the presence of an interconnected system of legal education, the legal consciousness of a person will be strengthened.

2357-1330 © 2022 Published by European Publisher.

Keywords: Legal education, legal culture, legal consciousness, legal knowledge, responsibility

1. Introduction

In the modern world every citizen should be prepared for constant changes in society and should also be able to take social responsibility and be able to act independently in accordance with established moral and legal norms. According to Gadisov (2016), a developed state cannot exist outside the processes of globalization. The state, because of its importance, uses its capabilities to implement its own functions. The state, proclaiming itself as legal and democratic, must accept the achievements of world civilization, as well as in the field of legal culture. Nelken (2014) (Cambridge), the professor of Comparative and Transnational Law at the Dickson Poon School of Law, King's College London, takes the following view: "The legal culture, in its most general sense, is one way of describing relatively stable patterns of legally oriented social behavior and attitudes" (par. 1, p. 1). Chupanova (2018) believes that "legal culture is an indicator of the civility of society in general and the state, and the individual in particular" (par. 1, p. 1). Modern education should be aimed at the organizing of a high level of legal culture. This includes knowledge of the basic rules of law, the ability to use their rights and defend them, knowledge of the state legal system. In particular, Arutyunov and Ulitin (2018) consider the problem of legal awareness and legal culture in national science as relevant and constantly in demand. Michaels (2011), the professor of law at the University of Hamburg, characterizes the legal culture differently. In his view, the legal culture had been actively discussed in legal debates over the past twenty years as merely an expanded understanding of the law. "What is actually meant by legal culture is often unclear: legal culture is considered important, but the exact definition of it is not existed by his opinion" (par. 1, p. 1). Currently the university students are actively engaged in the life of the state, they make youth initiatives in the activities of state bodies, they create youth public organizations. On this basis, there is a need to form a legal culture of young people, so that such public activities do not violate other citizen's rights and do not contradict the current legislation.

2. Problem Statement

Higher educational institutions have an important task to form the legal consciousness of the younger generation, its ideological function, and to live according to the principles and charters of a democratic and legal state. They should be individuals who understand their purpose, they should be sustainable to the challenges of society, having knowledge of the legal culture, who are able to make a conscious choice of a particular social project, to assess a particular social act within the legal sphere (Lodkin, 2014). The institute of education is the most important mechanism for the forming legal culture and the development of students' legal awareness (Nikolaeva, 1995). Legal education and legal competence in our country are at a rather low level. Suleymanov (2019) considers education as a process of human formation, personality under the influence of objective and subjective factors associated with preparation for life (social, cultural, etc.). According to Karimova (2021), legal education is a purposeful activity of the state, including the work of public structures, the media, labor collectives to form a high legal consciousness and legal culture of the individual. Adaeva (2020), speaking about legal awareness, writes that the main factor influencing the creation of the Russian legal consciousness is the process of globalization. As a result, the Russian legal consciousness has lost its uniqueness, and the domestic

archetype is changing at its core. Most of the Russian population is not interested in or even does not understand the country's legislation, despite the fact that the legal component is dictated by everyday life. Through the university educational programs, it is possible to ensure the transparency of legal education to influence the legal consciousness of young professionals. As noted in the work of Adaeva and Malchenkov (2016), legal propaganda in modern society is exceptional and differs from other classifications in terms of content, means and methods of influence. The main purpose of legal propaganda is the implementation of legal education, that is, the formation of moral values among young people, respect for the law, intolerance of violations of public interest; responsibility to the Motherland (Adaeva & Malchenkov, 2016). And this is the proof that legal discipline encourages their autonomy in decision-making, develops consciousness, and promotes the determining of a clear life position for future specialists.

3. Research Questions

Every student should understand the law as the most important achievement of culture and civilization, as a basis for the stable development of society. We share the view of Pratsko and Borscheva (2019) that legal culture is connected with the political and moral culture of society, it is the most important indicator of their civilized development. Legal consciousness is formed in the course of human life, not from birth. Therefore, the main purpose of legal education is to form a legal consciousness and legal culture of learners. Rudkovsky (2019) notes that the modern scientific legal consciousness operates with a huge number of ideas, concepts, models, doctrines, etc. The legal consciousness and legal culture of the individual form legal knowledge and attitudes, social environment, personal qualities and features. The past century has shown, in Suleymanov's (2019) opinion, that a society with a low level of legal consciousness can be characterized by the presence of a totalitarian regime, anti-human ideology and ugly mechanism of the state. According to Salnikov and Sokolov (1991), the legal culture can be considered as a combination of legal knowledge, beliefs, attitudes, personality attitudes, which are realized in the process of work, communication, behavior, as well as attitude to the material and spiritual values of society. A high level of legal culture is formed in the presence of legal education, which is a permanent and directed influence on the consciousness and culture of behavior, the purpose of which is to respect the law and respect the law on the basis of its own principles. The following forms of legal education are pointed out: independent education (reading legal literature and legal acts, etc.); obtaining legal knowledge through the media, forming a legal culture in the family; vocational training of higher education institutions. Media such as newspaper and magazine, theatre, film and television play a significant role in shaping the legal culture of society. Legal education is a part of a more global - civic education, which is expressed by attitude to the country, to people, to themselves, to the environment in general. Legal culture, as well as legal consciousness, is formed on the basis of experience, ideas, beliefs. In addition, the law, the judicial system, the level of protection of human rights and freedoms, the disclosure of crimes directly affect the level of legal education of society. In the case of conscious reinforcement of legal education, a person forms a legal consciousness. Legal education is provided by the sense of responsibility in forming the respect for the law, in fighting against arbitrariness, corruption. Legal education is carried out through legal instruction for the transferring and obtaining knowledge. It is

a way of expression and organization of theoretical legal material which aims to form legal consciousness and legal culture. It will provide the necessary knowledge of law, legal culture, legal reasoning, the development of a scientific legal outlook (Naumenkova, 2004).

4. Purpose of the Study

It is possible for us to deepen our understanding of the legal education specifics by determining the importance of law as a regulatory phenomenon in the organization and governance of society. Bychkova et al. (2019) write that legal education is a system of measures of the state influence and state activity. The purpose of this impact is strict, precise compliance with legal regulations by all persons, activity in the exercise of the rights granted to them, a high level of responsibility, lawful conduct and legal culture. In our opinion, in order to optimize the legal education of future professionals, the university should become a center of legal information, and digital technologies organized on its basis will help to expand the integral part of legal culture of students. Legal awareness should be the determining factor in law-abiding of citizens. The necessity of this process is not only due to the demand of time, but also to the prevailing preconditions of modern reality. It is logical to assume that the legal awareness of the younger generation should be developed by explaining the material to them on a practical level, based on their own experience. It should be noted, that it is possible to create an organization, or a union, within which it is supposed to build an interconnected and interdependent relationship with the departments of Theory State and Law and History of State and Law and Legal Psychology in higher education establishment. It is these three departments that act as guarantors of knowledge, legal culture, legal education, establishing mobility schemes, by creating interdisciplinary cooperation. Student-centered education of legal material influences the successful process of communication. It is a progressive and very effective approach, as the presentation of the material is based on self-analysis, which allows integrating different types of skills in the conditions of existing abilities.

5. Research Methods

It should be noted that in recent years there has been a distrust of the law, disbelief in its creative force, disregard of legal regulations, negative attitude to the entire legal system. The survey shows that students' understanding of what is legal culture is not systematic. Students often simply study certain legal terms without going deep into the essence of things. Based on the above, it can be concluded that the actual problem is the development of new pedagogical models, forms, methods and conditions aimed at forming the legal culture of the learner. Legal culture skills can be formed through various forms of education, which include active forms of work in training. The learner is an active participant of the educational process, which helps to form the legal consciousness.

6. Findings

Active learning also contributes to the formation of a legal culture for learners and calls for using traditional and interactive teaching methods, such as case-version, unpleasant incident analysis.

These methods are innovative technologies for the formation of a legal culture, provided on the basis of social status, a collection of typed social, physical, and cultural elements having impact on an individual. They form the psychological and mental attitude of communication and thus determine the typed behavior of learners in the process of communication.

Case-version is a method for analyzing situations. The essence of it is that the students should assess the real or imagined legal situation from life. This situation should describe a practical problem, and it requires certain knowledge to solve this problem. But the problem does not have a clear decision. The purpose of this method is to teach students to analyze legal information, to identify main problems and choose decisions. Before the lesson starts, the student should examine the problem and analyze ways to solve it. Then they discuss this legal practice case collectively in class. Students like the case-version method considering it as a game. They learn theoretical and practical legal material in this game. Moreover the case-version method creates a positive motivation towards the legal culture. This method develops logical thinking, legal worldview, forms critical thinking, teaches you to make autonomous decisions on legal matters, to defend and argue your legal point of view.

The purpose of the unpleasant incident analysis method is to teach students to collect, to organize and analyze information, and the student must also search information to solve the problem. Students get a short oral or written report about legal unpleasant incident. But this information is not enough to make a reasonable decision. Therefore, students have to look for additional information. First they should study the situation in detail, the situation problem, additional information for making a decision. After students have received information about the unpleasant incident, they ask their teacher questions. After getting the information, they analyze it, make decisions and discuss it. The main purpose of this method is to develop the skills to make decisions under insufficient information, as well as to learn how to properly collect and use the necessary information. All this together contributes to the formation of the individual legal culture.

7. Conclusion

The determination of the formation of the student legal culture was revealed using a diagnostic complex. It consists of monitoring of students, assessment of the process and results of their educational activities, analysis of the test results. The results of the test showed that there is a positive trend in the formation of a high level of legal culture. Thus, the skills of legal culture can be formed by using active learning. These forms of activity should include innovative and traditional work in the educational institution and contributes to the inclusion of students in the world's scientific knowledge, introduces students to the world's law scientific knowledge and law achievements, politics and culture. It is necessary to have certain conditions to form legal consciousness, for example, the study of legal disciplines, student self-government, student social activities, lectures, conversations, positive motivation for the law study. In addition, active learning includes traditional and interactive teaching methods and contributes to the socialization of the individual, contributes increasing the interest of students to study legal problems and the forming of legal culture.

References

- Adaeva, O. V. (2020). *The role of legal education in overcoming the deformation of legal consciousness*. <https://cyberleninka.ru/article/n/rol-pravovogo-vospitaniya-v-preodolenii-deformatsii-pravosoznaniya>
- Adaeva, O. V., & Malchenkov, M. S. (2016). Legal propaganda and legal education as a form of legal education. In *Problems and prospects of jurisprudence in modern conditions* (pp. 10–12). Innovative Center for the development of Education and Science.
- Arutyunov, E. K., & Ulitin, I. N. (2018). *Legal awareness and legal culture of the individual in Russia* [Monograph]. <https://avidreaders.ru/read-book/pravosoznanie-i-pravovaya-kultura-lichnosti-v.html>
- Bychkova, M. V., Esikova, T. V., & Fedorova, G. G. (2019). Legal education: history, theory and practice. *Social service of families and children: scientific and methodological collection*, 16, 28–34.
- Chupanova, A. C. (2018). *Legal education as a means of forming a legal culture*. <http://www.publishing-vak.ru/file/archive-law-2018-11/1-chupanova.pdf>
- Gadisov, S. R. (2016). Legal culture of Russian society in the context of globalization. *Legal culture*, 2(25), 107–111.
- Karimova, E. R. (2021). *Legal education as a means of forming a legal culture*. <https://moluch.ru/archive/356/79628/>
- Lodkin, A. E. (2014). *Legal training of students of non-legal universities*. <https://moluch.ru/conf/ped/archive/105/5966/>
- Michaels, R. (2011). *Legal Culture*. https://scholarship.law.duke.edu/cgi/viewcontent.cgi?article=3012&context=faculty_scholarship
- Naumenkova, K. V. (2004). Problems of legal education of Russian citizens at the turn of the century. In *Problems of the state, law, culture and education in the modern world* (pp. 41–43). Tambov.
- Nelken, D. (2014). Thinking about legal culture. *Asian Journal of Law and Society*, 1–20.
- Nikolaeva, O. P. (1995). *Legal and moral maturity of the individual*. <https://cyberleninka.ru/article/n/pravovoe-soznanie-molodezhi>
- Pratsko, G. S., & Borshcheva, A. V. (2019). Legal culture and legal education. In *Modern jurisprudence: current issues, achievements and innovations. Collection of articles of the XXII International Scientific and Practical Conference* (pp. 60–63). Publishing House “Science and Education”.
- Rudkovsky, V. A. (2019). Legal ideology and scientific legal consciousness: problems of differentiation. *Bulletin of the Saratov State Law Academy*, 5(130), 15–23.
- Salnikov, V. P., & Sokolov, N. Ya. (1991). Lawyers and the forming legal culture of citizens in a law state. *Methodological problems of educational work in the bodies of internal affairs and internal troops*, 1, 3–10.
- Suleymanov, B. B. (2019). Legal education: some methodological problems. *Legal culture*, 1(36), 98–108.