

ISCKMC 2022**International Scientific Congress «KNOWLEDGE, MAN AND CIVILIZATION»****IMPLEMENTATION OF LEGAL EDUCATION AT HIGHER
EDUCATION INSTITUTIONS**

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Abstract

The topic under study is relevant due to the lack of an effective system of legal education to train highly qualified personnel at universities, and shape legal mentality. A detailed study and subsequent introduction of the category of legal mentality is a promising trend in higher education restructuring to meet current requirements. The study is based on both general scientific and particular research methods of cognition including the formal-logical method (analysis, synthesis, concretization, analogy), the principle of integration. Legal mentality is viewed as a stable way of perceiving the world around, characteristic of large groups of people, such as students, which determines their response to an ongoing legal environment. Due to multiple terminological interpretations, it appears to be challenging to study foreign scientific experience. An important conclusion drawn up by the authors is a unified platform to be established for understanding the phenomenon of legal mentality in the publications of Russian researchers and an accurate analysis of ethnographic studies on modern legal phenomena done by foreign researchers. The paper emphasizes a current need to design a framework for shaping legal mentality in higher education institutions, which is a global educational task that primarily aims to reduce the number of offenses and raise the level of legal awareness among students. To safeguard successful formation of legal mentality, it is necessary to develop a unified system of legal education at all stages of higher education through the integration of national priorities.

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1. Introduction

A pressing need to shape a legal way of thinking in students and cadets when they go to university and would make much as future management resource, makes this study extremely important and relevant. A university student cohort is quite multinational and multi-confessional by nature. Hence, the formation of a common legal mentality, as an integral characteristic, is extremely challenging.

Along with a current need for legal mentality, there is a positive trend in the continuous development and improvement of the state policy of the Russian Federation, having a direct effect on ethnic issue. State policy is aimed at creating conditions for promoting self-consciousness and equality of human rights and freedoms, which is emphasized in the Constitution of the Russian Federation. A multinational composition of university students can be considered through the example of the Russian Federation. This is due to the fact that Russia as a state with over 180 indigenous peoples represents a great variety of languages, cultures, confessions, which makes it highly demanding to shape a national legal mentality in the process of obtaining higher education, regardless of a degree received. It is important to find a unified attitude to students representing different ethnic groups. However, any multinational state endeavoring to maintain stability is in constant search for an equilibrium between diversity and solidity, ideological unity.

Virtually all countries have national minorities. Besides the Russian Federation, such countries are India, Indonesia, the Philippines, the USA, Turkey, etc.

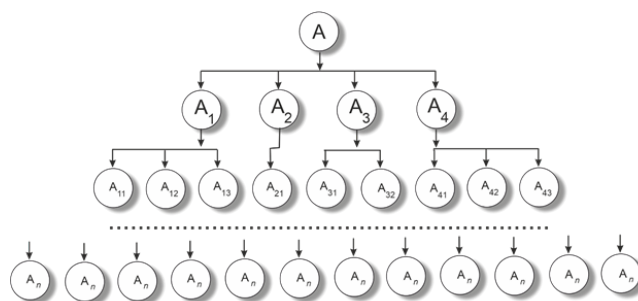


Figure 1. [Tree of goals to achieve the required level of legal mentality]

2. Problem Statement

Stability in a multinational state has been subject to discussions by Russian and foreign theoreticians and practitioners, covering both sociological, political, legal, economic, philological, philosophical, and pedagogical dimensions. A tolerant environment to be established in the process of learning and upbringing has been worrying the researchers all over the world in one way or another.

On December 24, 2016 Lomonosov Moscow State University hosted a round table on Regional Processes in the Global Political Space of the 21st century. On October 19-20, 2012, with the support of the Committee of the State Duma of the Russian Federation for Nationalities, the Legislative Assembly of the Tver Region, the Government of the Tver Region, Tver State University, Tver Institute of Ecology and Law, the All-Russian Scientific and Practical Conference on Problems of Interethnic Relations: Status and Prospects was held. It brought together the participants to discuss such important issues as

intercultural communication in the era of globalization, advanced technology in teaching tolerant intercultural business communication, ways to form interethnic, racial and religious tolerance in the higher education system, etc. On October 19–21, 2017, the Russian Foundation for Fundamental Research of the Ministry of Education and Science of the Russian Federation (grant No. 17-04-14056) supported the International Scientific and Practical Conference on Preservation and Development of Native Languages in a Multinational State: Problems and Prospects. It featured inter-lingual interactions in Russia and the world, linguistic identity in the modern multicultural environment, using native languages and the state language in the educational process, etc. On December 3, 2020, Moscow State University of Design and Technology hosted the All-Russian Youth Conference that was dedicated to interreligious and interethnic dialogue. The conference was attended by scientists and experts engaged in theory and practice of civil, patriotic, spiritual and moral education of the younger generation.

A number of researchers, in attempts to find solutions to the problems of stability in a multinational state, at different times were involved in extensive studies. Thus, Golubeva (2019), in her publications, focused on the relevance of globalization to have an effect on the ethno-political sphere and related problems of multi-ethnic societies that exist in most states. Lasaria (2018) was concerned with the nature, genesis and signs of ethno-political conflicts on the example of a particular region – the North and South Caucasus. Blagodatskikh and Kerimov (2017), in their studies emphasize the relevance of interethnic, interfaith relations that require close attention, both from the state and from society. Gadelshin (2019) proved the need to introduce a set of legal measures to prevent interethnic conflicts.

Quite often, the problems of multinational states culminate in extreme forms of mass violence, such as genocide. This type of international crimes does not go unnoticed by the global scientific community. For more than 20 years, Nobel Peace Prize winner D. Mukwege (2018) has been an active fighter analyzing and searching for the causes of this negative and sheerly inhuman phenomenon, and saving women – victims of genocide and sexual violence in conflicts in Africa.

3. Research Questions

The issue of legal education geared to shape legal mentality is highlighted herein. The legal mentality largely depends not only on the present legal system, but also on the accepted customs and traditions of a particular society. Thus, the Russian legal mentality is emphasized to have a number of features that elicit public opinion on the law (Osipov, 2017). This conclusion is pivotal not only for understanding the heart of the Russian legal mentality, but also represents a certain field for reflection and analysis of its features in foreign countries.

The characteristic features of national legal mentality are shaped in traditional Russian society due to the existing value-based orientations (Inshakova, 2015).

Foreign scientists show no less interest in the problems of legal mentality that develops personal legal awareness. Thus, restorative justice refers to an approach that implies organizing a meeting between the victim and the offender as one of the responses to a crime. Meanwhile, legal culture is being formed (Diaz Gude & Navarro Papich, 2018), which, undoubtedly, is part of some legal education. This statement, based on an in-depth study, underscores the need to study and improve legal education in the system of training highly qualified personnel.

Ethnographic legal studies by foreign scientists (Bens & Veters, 2018) are important for the integration of Russian and foreign studies on issues of legal mentality. Particular attention should be paid to multiple terminological interpretations, which makes it challenging to study foreign scientific experience. An important conclusion drawn is a unified platform comprising studies on legal mentality by Russian scientists and ethnographic studies on present legal phenomena by foreign authors.

Evaluating the researchers focusing on the legal mentality, this topic seems of interest and is considered mainly from the perspective of jurisprudence, sociology and ethnology. Unfortunately, pedagogy does not pay due attention to this issue.

4. Purpose of the Study

- i. Developing the concept of legal mentality is extremely important both for studying the phenomenon as such and for finding out the possibility of improving the implementation of legal education aimed at forming legal mentality in classes in higher education institutions.
- ii. The definition of legal mentality has been repeatedly analyzed and considered by Russian and foreign authors.
- iii. The study aims to explore and use the category of legal mentality in educational activities, which is a promising trend for reforming higher education.

5. Research Methods

The study rests on both general scientific and particular research methods of cognition: the formal-logical method (analysis, synthesis, concretization, analogy), the principle of integration, which facilitates the integration of data from various scientific fields: jurisprudence, pedagogy, sociology, philosophy, philology, political science.

The above methods of cognition give an elaborated definition of legal mentality and a solution for well-tailored approaches to the implementation of legal education and legal mentality during classes.

Given that general scientific and particular research methods of cognition, including the formal-logical method (analysis, synthesis, concretization, analogy) are widely known, let us dwell on the principle of integration applied in the paper, which is crucial in acquiring new scientific knowledge.

This principle suggests designing a holistic integration procedure. Integrity is created through synthesis, i.e., the combination of various elements. In order to fully implement the principle of integration, it is necessary, first of all, to identify and characterize those integrative processes that contribute to qualitative transformations of separate elements of the system for the implementation of legal education during classes in higher education institutions.

As in any other process, there are many forms of integration like progressive, regressive, conventional, circular, cross-cutting. Applicable to the study, a cross-cutting form of integration was implemented, which consists in merging the efforts of various methods of legal education at all stages of higher education.

In order to analyze and arrange the findings with a view to improving the implementation of legal education on the formation of legal mentality during classes in higher education institutions, an integrated approach is required using the above methods of cognition.

6. Findings

Having thoroughly examined the issue, the following conclusions are possible:

- i. it is extremely relevant and necessary to study the core of legal mentality due to the lack of a clear methodological rationale for this phenomenon;
- ii. legal mentality is a multilateral and sophisticated juridical phenomenon, which is a stable way of legal perception of real world, characteristic of large groups (university students) with different levels of legal awareness, which is the groundwork for legal mentality;
- iii. the possibility of in-depth study and use of the category “legal mentality” is a good outlook for interdisciplinary research to identify patterns between collaborative and individual behaviors, spiritual, social, political, legal spheres of the surrounding environment in order to implement effective legal education in universities;
- iv. follow-up research is required to identify ways to form the legal mentality of university students.

Further study of the issue should go with the criteria enabling to evaluate not only the level of legal mentality of students, but also the indicators by which it is possible to integrate direct impacts on its status and subsequent improvement.

A complex structure of the term makes it difficult to choose and justify the “decision-making rule” for integrating and improving direct impacts on the condition of student legal mentality. In this case, it is reasonable to apply a goal tree method (Churchman et al., 1957). It is considered one of the most effective in task scheduling. It implies constructing a graph that represents a plan for solving a particular problem. When planning to integrate technologies and methods into education in order to form students’ legal mentality, a graphical representation of a tree is used.

The tree has an inverted view, where the ‘trunk’ is the top of the graph and is at the very top. The aspirations of subsequent levels grow from its apex, forming a crown. A graphical representation of the required level of legal mentality to be achieved will help to clearly think over the implementation plan. When building a tree of goals, the critical objective will be set up first – A, which needs to be solved – achieving the required level of legal mentality among students (Figure 01).

The top or “trunk” of the tree holds the principal objective, the Goal. Basically, it cannot be achieved immediately. In order to achieve it, it is necessary to solve the lower sub-goals A_n To determine the Level 1 sub-goals required in the process of obtaining higher education by citizens of a multinational state, we will outline an approximate range of issues that need to be addressed.

A_1 is a sub-goal that can be defined as an adaptation of the existing educational program in legal disciplines to achieve the required level of legal mentality. A_2 can be defined as an integration of relevant components into pre-university training. Sub-goal A_3 should be defined as a benchmark against which legal perceptions of the environment by students of different ethnic groups are assessed. Lower-level sub-goals can exist simultaneously as common sub-goals of higher-level sub-goals. For example, in Figure 1,

such sub-goals are the sub-goals A₂₁ and A₃₁. This means that the objectives within these sub-goals will be solved in the interests of not only its own “branch”, but also the neighboring one. The decomposition will outline ways to solve the problem of increasing the effectiveness of legal education in universities, which, in turn, will influence the formation of legal mentality among students. Selected and closely reasoned sub-goals can be assumed critical and taken as the main criteria measuring the required level of legal mentality attained by university students, thereby implementing a competency-based approach. The rest of the sub-goals can be grounded as supporting criteria or constraints.

With further study of legal mentality, as a complicated legal phenomenon, coming up with solutions to improve attitudes to the implementation of legal education remains a relevant issue.

In order to find solutions, above all, the reasons should be identified as to why it is necessary to shape legal mentality by virtue of legal education.

- i. Legal mentality defines the system of views, beliefs, has clear legal fundamentals. This explains the necessity to generate a common idea towards safeguarding rights and laws in the conditions of a multinational composition of university students.
- ii. Once shaped in university students, legal mentality levels social tension in study groups, and, then, in employment, when graduates from different ethnic communities with different value-based orientations take legal norms in a different way.
- iii. There is a reasonable need to understand the process of shaping the legal mentality at university. One of the educational objectives as to how legal mentality should be shaped and implemented in a multinational state can be solved by respecting legal customs and traditions of ethnic groups inhabiting a certain state (Lafargue, 2014; McEwen & Lecour, 2008). When defining and developing methods and technologies of legal education, it is necessary to rely on the multinational composition of students.
- iv. Of no small importance is the need for a deep understanding of the relationship between law and the future employment of graduates. A legal instructor should become a guide to the law, using a variety of teaching methods that will help develop skills required to recognize legal implications (Hannah, 2010). Developing a pedagogical concept for predicting employment risks will contribute to shaping legal mentality. It is during educational activities that the teacher develops not only the cognitive activity of students, but also autonomy in making legitimate decisions.
- v. 5. Legal mentality is the cornerstone of legal awareness.
- vi. In order to shape a unified legal mentality, there is a need for life-long legal learning (Militello & Schimmel, 2008).

Each ethnic group has its own legal mentality that, in order to mitigate interethnic conflicts and crime in the state, requires mutual integration and adaptation in the learning process. In Russia, these principles are implemented, including at the legislative level. Thus, in accordance with the Strategy for the Development of Education in the Russian Federation until 2025, the primary tasks are to develop interethnic communication and respect for national dignity, to shape the idea of internationalism and to enhance legal culture. The role of educational institutions, including universities, should be emphasized.

It is educational institutions that underlie legal education and foster the development of a tolerant environment among the multinational composition of students. As part of the educational process, as an integral part of educational activities, the following areas should be implemented: namely, legal and information education, promotion of all-Russian values, moral guidelines. At present, little attention is paid to the educational process, including legal education. This fact leads to a contradiction that is expressed, on the one hand, in the state tasks to strengthen the quality and quantity of educational technologies, on the other hand, in the low legal awareness among university graduates. This contradiction can be resolved only through the creation and implementation of innovative methods and technologies of legal education, based on modern training system. Great importance should be given to an individual approach in legal education, depending on the educational program. Demand for the legal education of university students is natural.

7. Conclusion

The findings show that it is necessary to synthesize numerous scientific foreign and Russian studies in order to develop a unified approach to understanding the phenomenon of legal mentality for its subsequent application in educational processes in universities.

The study proved that legal education is crucial in training highly qualified personnel. The concepts of legal training and legal education are not identical, but these processes are always interrelated. Despite being versatile and multidimensional, legal education should be implemented not only at the level of legislative initiatives, but also be mirrored in the system of training highly qualified personnel. Only consolidated efforts on legal education can become an effective tool for shaping legal mentality.

Based on research methods, each ethnic group was found to have its own mentality that in one state requires mutual integration and directly influences interethnic tolerance. Being adapted in a multinational state through the integration of nationwide legal views and the development of a unified system of legal education at all stages of higher education, legal mentality is now a promising and relevant trend.

The need to design a system of legal education to form a unified legal mentality among university students in a multinational state is a global task aimed at reducing the level of crime and raising the level of legal awareness in various countries around the globe.

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