

NININS 2020**International Scientific Forum «National Interest, National Identity and National Security»****FORMATION OF LEGAL CULTURE OF STUDENT YOUTH**

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Abstract

The article is devoted to the problem of the formation of the legal culture of student youth relevant to modern society. The authors of the article summarize the points of view of Russian and foreign scholars on the definition of the concept "legal culture", determine the direction of the formation of legal culture in modern students. The work provides a sociological study of students of Kurgan State University. In total, the survey involved 145 students, studying in the technical, social, humanitarian areas of training. The results of the study revealed the prevailing opinion of students of Kurgan State University on the observance of human rights both in the Russian Federation and in the Kurgan region. The survey has shown that students of Kurgan State University need legal knowledge. The article concludes that in order to establish respect for the law and legal culture, it is necessary to overcome legal nihilism among young people, and to create an effective, continuously functioning system of legal education and enlightenment.

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1. Introduction

Modern scientific researches quite actively consider the problem of the legal culture from its functioning in modern society. For example, there are works of such foreign scientists as Atienza (2020); Gude and Papić (2020); Nafstad (2019); Walters (2019).

In domestic literature, the topic of the legal culture is also of interest for research (Koshelev & Mazeina, 2013; Romankova, 2017). Therefore, under the legal culture, Ratinov and Efremova (2001) suggest understanding the system of materialized and ideal cultural elements related to the scope of the law, and their reflection in the consciousness and behaviour of people. Alexeev (1995) believes that the legal culture is a state of legal awareness, legality, the perfection of legislation and legal practice, expressing the upholding and development of the law as a social value, that is, a kind of "legal wealth" of the society. Sokolov and Balakleets (2000) say that the legal culture is a combination of legal knowledge, beliefs, personality mindsets, realized in the process of labour, communication, behaviour, as well as attitudes to the material and spiritual values of society.

Vengerov (2011) believes that the legal culture characterizes the level of legal awareness, and includes the degree of knowledge of the law, which the executive branch, officials rely on, it is characterized by the intensity of beliefs of the law value.

In the encyclopedia "General Theory of Law", edited by Babaev, Baranov, we have found a definition of the legal culture of society. The legal culture of society is defined there as the qualitative state of the legal life of society, determined by the socio-economic, spiritual and political system, expressed in the achieved level of development of the legal activity, legal acts, legal awareness, as well as the degree of guarantee of individual freedom of behaviour by the state and civil society in the unity of appropriateness to the society (Babaev & Baranov, 1997).

In scientific literature, the legal culture is characterized as

- a combination of values, principles and paradigms in the field of law, supported by professional legal knowledge;
- a set of public opinions, assessments of the content of the operation of the positive right norms and the legal system as a whole;
- achieved a level of accumulation, possession and enjoyment of information.

Depending on the carrier of the legal culture, several of its types are distinguished:

1) legal culture of the society is a set of norms, values, legal institutions, processes, conditions and forms that perform the function of the socio-legal orientation of people in a particular society (civilization);

2) legal culture of a person is knowledge, understanding and conscious fulfilment of the requirements of the law in the life of a person (individual);

3) legal culture of the group is characterized by the legal awareness level of this social group, as well as the level of its actual implementation of the existing law requirements. It is necessary to take into account that, in general, the characteristic of the legal culture of the group coincides with the characteristic of the legal culture of society. Therefore, it is advisable to separate the legal culture of a

social group from the legal culture of the society directly when studying a specific social group, and not the legal culture as such (Semenov, 2005).

As Toporov (2011) notes, the state of the legal culture of the society should be considered as an essential prerequisite for the formation of the civil society and a necessary condition for the formation of the legal state and the implementation of state legal reforms (Toropov, 2011). In modern society, there is a need for the formation of the legal culture of youth, especially student youth.

The respect for the law and legal culture can be formed by overcoming youth legal nihilism and the specific training and educational environment of universities, which would take into account the problems, needs and interests of the youth.

2. Problem Statement

The curricula of various areas of students' training of Kurgan State University have become the material of the study, as well as students' answers to the questionnaire questions. This study based on the following methods: the method of analysis of scientific literature, the content analysis of curricula, the sociological survey.

3. Research Questions

The sphere of our scientific interests is connected with the problems of training, education and development of students (Khomutnikova et al., 2019; Luneva et al., 2019). This work concerns the study of the formation of the legal culture of student youth.

3.1. Problems of the formation of the legal culture of the youth in the works of scientists

This topic is undoubtedly relevant, which is proved by the fact that domestic and foreign researchers address it. So, in the article "Cultivation of College Students' Cultural Confidence Based on the Construction of Legal Culture in Colleges and Universities" Zhang (2018, p. 6) notes that "in the process of teaching, the colleges and universities shall strengthen the construction of legal culture and cultivate the cultural confidence of college students through establishing long-acting management mechanism for managing school by law, creating a strong atmosphere of construction of legal culture as well as paying attention to the positive factors in traditional culture and many other kinds of the way".

In work "Environmental and legal literacy and culture of students in conditions of education" Semenova et al. (2018) consider the theoretical and practical aspects of the level of environmental legal knowledge and skills, as well as the environmental legal culture of various groups of the educational community in one of the constituent entities of the Russian Federation – the Chuvash Republic. This article focuses on the peculiarities of students' legal culture in terms of environmental knowledge (Semenova et al., 2018).

In the publication "Peculiarities of technical university students' legal culture formation" Babina (2017) presents an experimental methodology for the formation of the legal culture of students of a technical university, as well as the results of its practical implementation. The experimental work within the framework of the concept, proposed by the author, included various activities with students of the

experimental group, aimed at making them interested in self-development in the field of the law and legal sciences. The study went on for three years with the participation of forty students, who were divided into experimental and control groups. Babina (2017) writes: "The process of the formation of technical university students' legal culture should take place in stages, based on the structural and content characteristics of the process" (p.10).

In the article "Problem of studying social deviation and formation of legal culture of youth" Tolmacheva et al. (2018) point to the factors that could reduce social deviations of the youth by solving the problems of the formation of the legal culture of the society. The work substantiates the growing role of the state youth policy in the formation of the legal culture of an individual in order to maintain the social stability of society (Tolmacheva et al., 2018).

According to their role, students are the most numerous and significant social group in the system of social reproduction. The main task of students is to increase the number of qualified members of society, specialists and intelligentsia. The student body acts as a transitional social group with its characteristics, within the framework of which personal and social formation takes place.

According to Vlasenko (2007), student youth acts as a separate social group, which consists of different social units of the society. This group of people is also distinguished by the peculiar conditions of life, work and life, particular social behaviour and psychology. Young people need to acquire knowledge and prepare for a future profession, to be realized in science, culture. Nevertheless, as practice shows, modern students strive to combine cognitive and practical activities (Vlasenko, 2007).

The formation of the legal culture of students includes several interrelated components: legal literacy of young people, legal enlightenment and legal information, legal training and legal education. Some of the above components are the main directions of the state policy of the Russian Federation in the field of the development of legal literacy and legal awareness of citizens (Bases of the state policy of the RF).

The need for the formation of the legal culture of students, in our opinion, is to educate students in the spirit of active participation in the formation of the legal state and law-obedience; is to provide students with up-to-date legal information on the current legislation, rights and obligations of citizens of the Russian Federation; and is to prevent offences that are often committed based on legal illiteracy.

The student years that are decisive in the shaping and formation of personality as a whole since it is at this stage that a stable system of values is formed. A young person masters a new crucial social role as a future professional and elector. In this regard, in our opinion, it is necessary to build an effective system for the formation of the legal culture of youth in Russian universities.

3.2. Study of the features of the legal culture of students of Kurgan State University

In December-February 2020, we did a sociological survey among the students of Kurgan State University. The study involved 145 students studying in the technical, social, humanitarian areas of training.

One of the questions in the study was: "Do you know your rights?" 40 % of the respondents said they knew their rights and knew how to claim them. 52 % answered: "I know my rights, but I do not

know how to act in case of their violation." 2 % of the examined students do not know their rights. 6 % found it difficult to answer the question.

The question "Have you ever come across the situation of the violation of your rights?" has shown that 62 % of the students surveyed faced a violation of rights, 20 % of students did not experience a violation of rights, 18 % of students had difficulty answering the question.

Also, only 44 % of the respondents said that they had studied the subject of "Jurisprudence" at the university. In comparison, the remaining 56 % of the respondents do not have this discipline in the curriculum.

The results of our survey have shown that the students of Kurgan State University need legal knowledge, and these are not only the students of technical areas of training but also of social and humanitarian fields.

The respondents, who have already been taught the discipline of "Jurisprudence", were asked to answer the question "Have you studied the protection of human rights and freedoms within the discipline "Jurisprudence"?". 44 % of the respondents answered: "Yes, we studied it enough." 28 % of the respondents answered: "Yes, we studied but not enough." 12 % of the respondents answered: "It is more likely that we did not." 6 % of the respondents answered "No". 9 % of the respondents found it difficult to answer.

In addition to the above questions, the respondents were also asked questions that allow identifying the level of students' legal knowledge. Let us mention these questions.

1. Is the protection of human rights included in the list of the most significant tasks of the state, or is it not the most important task today?
2. Do you think that in Russia the protection of human rights is at an adequate level?
3. Do you know about the Federal Law "On Education in the Russian Federation"?
4. Do you know about the fundamental rights of students and the measures for their social support and stimulation, provided for by the Federal Law "On Education in the Russian Federation"?
5. Do you know there is the institution of the human-rights ombudsman in the Russian Federation?
6. Do you know there is the institution of the human-rights ombudsman in the Kurgan region?

Our study has also allowed analyzing the current opinion of the students of Kurgan State University on respect for human rights both in the Russian Federation and in the Kurgan region (Table 1 and Table 2).

Thus, according to study, 50 % of the students, the right to freedom of expression is not respected in the Russian Federation. 58 % of the respondents believe that the right to equality before the law and the right to privacy of personal correspondence and telephone conversations are not respected. It should be noted that respect for human rights in the Kurgan region, according to the opinion of the students, is at a higher level.

Table 1. Respondents' answers, indicating the respect for human rights in the Russian Federation (RF) and the Kurgan Region (KR)

Rights	Respected		Partially respected	
	RF	KR	RF	KR
	%	%	%	%
Right to education and training	52	59	42	32
Right to fair trial	9	18	52	52
Right to freedom of expression	8	20	38	42
Right to security and protection of the individual	14	21	53	49
Right to freedom of association, group and union	24	27	43	40
Right to freedom of conscience and religion	45	49	35	34
Right to private property	49	45	33	38
Right to free labor and protection against unemployment	25	23	40	43
Right to health and medical care	21	24	53	41
Right to social support in case of disability	25	26	42	44
Equality before law	7	13,3	29	39
Right to privacy of personal correspondence, telephone conversations	8	13,7	29	35
Right to environmental safety	15	16	36	36
Right to elect and be elected	27	32	38	40
Right to free choice of residence and emigration	42	47,6	36	33

Table 2. Respondents' answers, indicating the disrespect for human rights in the Russian Federation (RF) and the Kurgan Region (KR), as well as difficulties in answering the questionnaire

Rights	Disrespected		Difficult to answer	
	RF	KR	RF	KR
	%	%	%	%
Right to education and training	4	5	2	4
Right to fair trial	30	14	10	27
Right to freedom of expression	50	28	4	10
Right to security and protection of the individual	27	19	6	31
Right to freedom of association, group and union	24	19	8	13
Right to freedom of conscience and religion	13	7	6	9
Right to private property	13	6	6	11
Right to free labor and protection against unemployment	28	22	8	12
Right to health and medical care	21	25	5	10
Right to social support in case of disability	19	14	14	17
Equality before law	58	35	6	13
Right to privacy of personal correspondence, telephone conversations	59	40	4	5
Right to environmental safety	44	39	6	9
Right to elect and be elected	25	14	10	14
Right to free choice of residence and emigration	10	8	13	12

4. Purpose of the Study

The purpose of our work is to study the formation of the legal culture of student youth.

Key research questions are:

- to analyze the scientific literature, which is devoted to the problems of the legal culture formation, in general, and the legal culture of student youth, in particular;
- to do a sociological survey, aimed at identifying the formation of the legal knowledge and legal culture of student youth of Kurgan State University;
- to analyze and summarize the results of a sociological survey.

5. Research Methods

This study based on the following methods: the method of analysis of scientific literature, the content analysis of curricula, the sociological survey.

6. Findings

The analysis of the study results shows that the opinion of the students of Kurgan State University about the legal system in the Russian Federation is very harmful, which is a severe problem for the formation of a positive legal culture among students.

According to Alexandrova (2017), an essential element of legal culture is legal consciousness, which is a combination of views, ideas, perceptions, certainty, feelings expressing the students' attitude to law, legality, justice, their idea of what is lawful or unlawful. However, the knowledge alone is not enough; vigorous activity and respect for the law, recognition of the obligation of its binding nature are needed (Nesterov, 2017). Respect for law, as one of the essential elements of legal culture, implies the habit to obey the law and to turn legal knowledge and ideas into one's convictions obligatory. Legal convictions have a direct impact on the volitional activity of a person, and on his decision-making, they deter him from illegal acts. The legal conviction in the equity of legal norms in the mass legal consciousness creates the state of intolerance to offences, allows evaluating one's behaviour and the behaviour of other citizens critically. Legal certainty encourages a person to be a social and legal activity, which is a leading indicator of the legal culture of a specialist (Matosyan, 2017).

7. Conclusion

The formation of legal culture in higher educational institutions is often structured this way:

- 1) the discipline "Jurisprudence" should be included into the curriculum (the basics of the theory and history of state and law; branches of law) – the general level of legal knowledge, skills;
- 2) the study of specialized disciplines in the areas of training, the content of which, in its turn, includes the study of normative legal documents, regulating future professional activities - an appropriate level of legal knowledge, skills.

The formation of legal culture among student youth helps to familiarize students with the future professional environment and helps to solve two main problems:

1. The preparation of highly-qualified and professionally-trained in legal terms specialists.
2. The education of law-abiding citizens, respecting the laws of the Russian Federation.

In our opinion, the system of formation of the legal culture of the youth in a higher education institution should consist of several components:

- 1) legal information taking into account the age, individual and professional characteristics of students;
- 2) increase in the number of class hours, devoted to the study of the discipline "Jurisprudence";
- 3) individual approach to the organization of legal training and education of students, by the curriculum in each area of preparation;
- 4) legal training and education with the development of specific theoretical knowledge in practice;
- 5) organization of field trips and internships for students, enabling them to try themselves as a young specialist;
- 6) providing students with access to legal reference systems on the laws of Russia.

Thus, for the formation of sustainable respect for the law and overcoming legal nihilism in the society, as well as for the improvement of the legal culture of the youth, it is necessary to create an effective, continuously functioning system.

References

- Alexandrova, S. N. (2017). *Pedagogical Journal*, 7(5A), 7–10.
- Alexeev, S. S. (1995). *Theory of law*.
- Atienza, C. M. (2020). *Derechos y libertades [Rights and freedoms]*, 42, 125–151.
- Babaev, V. K., & Baranov, V. M. (1997). *General theory of law: A brief encyclopedia* (Nizhny Novgorod).
- Babina, V. (2017). *Science and education*, 12, 128–134.
- Bases of the state policy of the RF*. http://www.consultant.ru/document/cons_doc_LAW_113761/
- Gude, A. D., & Papic, I. N. (2020). *Criminology & criminal justice*, 20(1), 57–75.
- Khomutnikova, E. A., Bagretsov, D. N., Luneva, E. V., & Kapitsky, V. N. (2019). Proceedings of the 1st International Scientific Practical Conference "The Individual and Society in the Modern Geopolitical Environment" (ISMGE 2019), *Advances in Social Science, Education and Humanities Research*, 331, 335–337.
- Koshelev, N. G., & Mazeina, Yu. V. (2013). *Bulletin of Shadrinsk pedagogical university*, 1.
- Luneva, E. V., Khomutnikova, E. A., Khripunova, O. G., Berg, L. N., Bagretsov, D. N., & Golishev, E. V., (2019). Proceedings of the 1st International Scientific Practical Conference "The Individual and Society in the Modern Geopolitical Environment" (ISMGE 2019), *Advances in Social Science, Education and Humanities Research*, 331, 338–341.
- Matosyan, M. G. (2017). *Economic and humanitarian researches of regions*, 3, 35–38.
- Nafstad, I. (2019). *Social & legal studies*, 28(6), 839–858.
- Nesterov, N. V. (2017). *Youth science in the development of regions*, 2, 304–306.
- Ratinov, A. R., & Efremova, G. H. (2001). *Legal culture and behavior. Legal Psychology: Criminal Psychology. Forensic psychological examination. Correctional labor psychology. Forensic Psychology*.
- Romankova, S. S. (2017). *Science, education and culture*, 6(21), 100–103.
- Semenov, V. E. (2005). *Bulletin of Stavropol state university*, 41, 158–166.
- Semenova, N. V., Dimitriyev, A. D., Ivanova, E. V., Zakharova, A. N., Dulina, G. S., & Semenov, V. L. (2018). RPTSS 2018 – International conference on research paradigms transformation in social sciences. *European Proceedings of Social and Behavioural Sciences*, 50, 1424–1431.
- Sokolov, A. N., & Balakleets, I. I. (2000). *Legal issues*.

- Tolmacheva, S. V., Siteva, S. S., & Koltunova, A. A. (2018). International conference on research paradigms transformation in social sciences (RPTSS 2017). *European Proceedings of Social and Behavioural Sciences*, 35, 1356–1363.
- Toropov, M. V. (2011). *Legal Culture of the Russian liberal professorship in the 1860–1870-s, dissertation thesis for a candidate degree in law sciences.*
- Vengerov, A. B. (2011). *Theory of state and law*, 115.
- Vlasenko, A. S. (2007). *Some issues of students.*
- Walters, A. (2019). *American bankruptcy law journal*, 93(1), 47–110.
- Zhang, Q. H. (2018). Proceedings of the 2nd international conference on culture, education and economic development of modern society (ICCESE 2018), *Advances in Social Science Education and Humanities Research*, 205, 209–211.