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**ACTIVITY OF LAW STUDENTS IN MEASURES INTRODUCTION
OF LEGAL EDUCATION AND INFORMING**

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Abstract

Based on analysis of Russian and foreign legal studies, the article explores modern conditions, experience and prospects of formation and introduction of legal education and legal informing of the population by efforts of the legal scholars and law enforcers as well as the law students. The essence, main features, subjects and objects of legal education and legal informing are revealed. The authors come to the conclusion that it is indeed necessary to include the requirements that every student, when working over a diploma essay, for example, must elaborate on its basis and under the supervision of a teacher a memo or a short manual to address different population groups in the educational process of legal universities. In addition, it is suggested to hold regular contests of student educational works at every law school involving practicing lawyers for assessment of the results and provision of prominent coverage of the overall results.

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Keywords: Legal awareness, legal informing, legal education, students of law schools, prevention of crimes and other offenses.



1. Introduction

Relatively recently in Russia, at the state level, a task was set before all state authorities as well as the scientific, legal community to further improve legal awareness and distribution of legal information to the population. The President of Russia approved the fundamentals of the state policy of the Russian Federation in the sphere of development of legal literacy and the legal awareness of citizens (Fundamentals of the state policy in the sphere of development of legal literacy, 2012). Unfortunately, as the study of scientific and educational literature shows, not all legal scholars and university professors have paid proper attention to the adoption of this important document.

The purposes of this state policy are as follows:

- 1) Formation of a constant respect for the law on the part of society and the overriding of legal nihilism.
- 2) Improvement of the level of the citizens' legal culture, including legal awareness and legal literacy.
- 3) Creation of a system of incentives for the law abiding as the basic model of social behaviour.
- 4) Introduction of an idea of a conscientious fulfilment of duties and abiding by legal norms in the public perception (Article 14 of the Fundamentals).

Meanwhile, the legal education and the distribution of legal information among the citizens are named among the first of the main directions of the state policy (paragraph 1 of Article 15 of the Fundamentals) along with the development of legal education and other spheres.

So, according to the state doctrine formulated by the President of the Russian Federation, the key direction (in other words, – course, method) has been defined for achieving these goals – the implementation of two types of activities: legal education and legal informing of the citizens. The Fundamentals imply that the duties for implementing these activities adopted in the development of this doctrine by normative and legal acts will be assigned, first of all, to the law enforcement and other state authorities (Paragraph 5, Article 15, Article 5 of the Fundamentals, etc.). Nevertheless, the Ministry of Education and Science of the Russian Federation as well as the civil society, including the law universities, has also been placed the highest value in the designated state policy.

It is important to note that the Fundamentals require the approbation of new forms:

- Promotion of legal knowledge and law abiding.
- Prevention of the law infringements and criminality (par. 5, art. 17 of the Fundamentals).

2. Problem Statement

In view of the above-said, it is no longer necessary to additionally substantiate the thesis that legal education and the legal informing as an activity is much broader than preventive activity (and task) since it includes at least the propagation of legal knowledge and the law abiding. This propaganda, as an activity, must be implemented by the competent actors and based on appropriate means – spreading of legal information and legal education.

3. Research Questions

In the contemporary Russian legislation the notion of legal education is actively used, though not

disclosed. Perhaps, the reason for this is that it is historically established identification and hence the self-evident concept for the Russians. However, the first attempt to formulate the relevant normative definition was undertaken by the authors of the Model law on educational activity (Model law on educational activity, 2002). Thus, the authors of the project defined legal education as dissemination of knowledge on the civil rights, freedoms and duties of a person and on the ways to implement them (Part 2, Article 18 of the Model Law). Yet such short definition does not give a complete idea of the essence of this type of activity, its goals, subjects, attributes, and means.

A number of sciences, primarily pedagogy, as well as sociology, psychology, etc., offer their vision of the phenomenon of legal education. So, in the works on pedagogy, the legal education is viewed as the transmission and re-transmission of legal knowledge, cultural inheritance, continuity and mutual influence of universal moral values, legal ideas, and engagement of an individual to the historical and cultural heritage of predecessors (Snigireva, 2009).

There are various approaches to the analyzed concept in the scientific legal literature. Without going deep into the discussion, let us bring one of the most meaningful, in our opinion, definitions: “Legal education should be understood as a purposeful and systematic activity of the state and society to build and enhance legal awareness and legal culture in order to counteract legal nihilism and ensure the process of spiritual formation of an individual. Without this, it is impossible to implement the idea of establishing a law-governed state in Russia” (Preamble of the Concept of legal education for the period of up to 2020). In the definition, as we see that an axiological (value-based) approach prevails, which seems to be important in the context of the activities of the student youth.

As for the term “legal informing”, it seems that everything is much simpler here. For example, the authors of the commentary to the Federal Law “About free legal aid in the Russian Federation” defined a legal informing very briefly as the process of dissemination of legal information. It is clarified that the legal information in the theory (Shmelev, n.d.) refers to the facts, events, subjects, persons, phenomena occurring in the legal sphere of life of the society, contained both in the norms of law and in other sources and used in solving legal problems. The information found in the text of the legal act and containing the legal norms is called the normative information. Other legal information is called non-normative (Ostapenko, n.d.). As one can see, there is no axiology and goal setting here: legal informing is only a process of dissemination of legal information. Let us dwell on this interpretation of the term.

4. Purpose of the Study

The purpose is activating and improving the effectiveness of the activity on legal education for broad layers of the population, implemented by the efforts of law universities and student youth.

5. Research Methods

It is important to be mentioned that in the “Fundamentals of state policy in the sphere of the development of legal literacy”, the dissemination and use of comprehensible (emphasized by the authors) information materials are defined as the factors influencing the formation of a legal culture and a positive type of legal awareness and behavior. These materials help improve legal literacy and legal awareness of the population in print, electronic, audiovisual and other forms, as well as through the media (subparagraph

3 of paragraph 12 of the Fundamentals).

As a methodology for this study, the authors have adopted the results of an analysis of a number of Russian and foreign publications on legal education, legal training and the problems of introducing the results of scientific legal studies into law enforcement activities.

There was a questionnaire survey of 256 students of the law faculties of Russian universities, as well as 85 lawyers-practitioners of the Ministry of Internal Affairs of Russia and the Investigative Committee of Russia. Then, 25 scientists-lawyers, representatives of various legal sciences, teachers of law schools were interviewed.

Thus, the following terms and notions were adopted as the methodological basis of the study. In the reference literature, the term “enlighten” is interpreted as: “to inform someone of knowledge, to spread knowledge or culture somewhere...” (Ozhegov, 1978). Historically, as Stepanova (2007) correctly noted, the legal education conceived in Russia under Peter I and Catherine II, always likened the law to morality. It is this identification spread in the state since those times that has become traditional in Russian political, legal and social thinking.

6. Findings

The development and introduction of this sort of informational products – the means of legal education and spreading of legal information, must be carried out by legal scholars and professionals in the sphere of legal education. Meanwhile, it is not a secret for anyone that all the legal sciences and the entire system of legal education are increasingly criticized for falling behind the practical needs. “In Russia, as well as in some other countries, there is an excessive theorization of legal scientific studies The fact of the matter is that a science destined to help a practitioner in his day-to-day activities is dodging its duties and the experts are forced to use the obsolete models outdated long time ago. One can say the science exists for the science’s sake” (Velezhev, 2011).

It may not be all as bad as the author of the quote believes, but the problem, surely, exists. The problem of legal education lagging behind the needs of practice is found not only in Russia, but in foreign parts as well. “At the end of the last century practically all developed countries ran into serious systemic problems in the sphere of occupational education, which made it possible to characterize these problems as none other than a crisis of education” (Filatov, Sukhorukova, & Dudina, 2013). Speaking of the growing backlog of the whole system of education from other spheres of activity, Hilgendorf (2005) writes about particularly sad state of legal education both in his country (Germany) and in the other states: “Teaching methods in jurisprudence have remained almost unchanged since the time of the imperial supreme court” (note 1).

Aminov (2006) rightly stated that in order for a person to exercise his rights (especially when he is not experienced enough in the intricacies of jurisprudence), he really has to know that a legislator has indeed provided him with such rights, as well as helping him understand their meaning, to clarify the content and legal consequences the enforcement of rights can entail, and, finally, to provide help so that he could make use of his rights. Besides, the effectiveness of the rights’ exercise depends on the professional legal assistance provided to a person (Preamble of the Concept of Legal Education for the Period to 2020), (Aminov, 2006; Garmayev, 2014; Garmayev, 2015).

The problem of legal education in various spheres of legal relations is viewed with great attention in many countries and at the international level. Thus, a number of developed states, including Russia, are implementing large-scale international projects on anti-corruption education of the population (Project EDUCATION AGAINST CORRUPTION), in Western Europe (Germany, Great Britain, etc.) much attention is paid to education in the field of environmental law. The special sections in textbooks are devoted to this problem (Kraemer, 2007; Kloepfer, 2004). In the USA, considerable attention is paid to legal education in terms of preventing the violent crimes, especially those connected to the spread of firearms (Black & Hausman, 2008).

It is necessary to mention that in Russia, of all the legal sciences, the problem of legal education is studied mainly in the “Theory of Law and the State”. The juridical pedagogy is actively engaged with the designated problems. This branch of the pedagogy, a kind of professional pedagogy, being an interdisciplinary field of scientific knowledge, is at the junction of legal and pedagogical knowledge. However, by prevailing characteristics it is still a branch of the pedagogy, not jurisprudence (the site “Academician”).

Highly appreciating the results of the relevant studies, however, it should be noted that they do not exhibit the applied, genuine educational orientation, since they are intended primarily for highly qualified specialists (lawyers, as well as educators, sociologists, etc.) and, as a rule, not for the general public. The innovative means, implying, among other things, the use of advanced information technologies, were not employed in the studies undertaken previously (as will be discussed below).

The authors of this article, being criminologists, studied the problem of legal education and legal informing, first of all, in relation to the sciences of the anti-criminal cycle: criminal law, criminology, criminal procedure, criminalistics and others. Based on the results of the analysis, we will have to admit that we could not find both – theoretical elaborations of a monographic nature in the aforementioned sciences, as well as the complex, applied educational developments.

In connection with the above-mentioned, at the minimum two questions, or rather, two scientific and didactic problems arise:

- What should be the means of legal education and legal information upon the form and content?
- What are the subjects of development and use as well of wide distribution of these means?

Not claiming to cover all the aspects of these two issues, let us consider them sequentially. On the first issue, in the context of “accessibility for non-professional perception” of the means of legal education and legal informing, we must proceed from the following provisions, which are far from being new.

Still in the XVII century, famous theologian and educator Komensky advised to begin a process of education “from contemplation of things, instead of their verbal description”. To substantiate his thesis, he furnished his educational books with pictures (Weimer & Jacobi, 1992; Scheuerl, 1991). Given there are modern achievements of IT – information technologies, such terms (and, accordingly, didactic means) as “e-learning”, “tele-learning”, “multimedia training”, etc., have become firmly established in the educational activity. And although the discussions on the benefits and dangers of this kind of innovation in didactics in the scientific literature were started a long time ago (Hentig, 2002) and still far from being over, it is undeniable that legal science, legal education should not be entitled to ignore the obvious trends.

To be more precise, here we are speaking not about the trends, but about the modernization (or even

changing) of the paradigm of the whole educational activity. As Hilgendorf (2005) correctly stated, in many spheres a computer and multimedia have replaced the book and an increasing number of young people have trouble understanding the voluminous texts. The author is categorical: instead of passively accepting this phenomenon, the university education should cultivate this trend and learn to manage it.

Turning to the law enforcement activity, we note that, as the study of investigative and judicial practice and the appropriate applied literature shows, up to now the professional participants in, for example, criminal proceedings, rarely use the means of legal education and legal informing of the public, similar to those that have proven themselves in other spheres: anti-terrorist, anti-corruption activities (Kabanov, 2014), as well as in healthcare, banking, taxation, etc. They are not used because there is no corresponding theoretical basis, the concept, and therefore, there are practically no legal education tools.

Speaking about these means, we mean, in particular, a variety of printed and electronic memos, manuals, lectures, video clips, posters, booklets, as well as electronic applications, multimedia presentations, etc., in which, in a brief, transparent and accessible form to the general public, the basic requirements of the current legislation (legal informing) would be set out, as well as the subsequent advice to the citizens who are entering or are likely to enter into legal relations, or being in the “risk group” of committing unlawful actions or vice versa – risking to become victims of crimes and offenses.

Meanwhile, the demand for this kind of popular science products in Russia, as well as other countries, is incredibly high. This thesis, perhaps, does not even require any special justification. The main addressees of applied elaborations in legal education should be ordinary people (not legislators and scientists, and not investigators and judges). All these ordinary people belong to completely different spheres of activity, each – with the peculiarities of perception of information, with different and not always legal education, certain abilities to self-education and cognitive activity in general. These are almost always the people who are (or consider themselves) very busy. That is, they are, for objective or subjective reasons, usually reluctant to allot a lot of time, attention and effort to study legal information. This once again proves the importance of the “accessibility for perception” criterion for legal education and legal information.

If we talk about the development of such educational products by the universities, the law students, then here we do not observe any special achievements. And it seems quite strange, because the students, being novice jurists, have not yet been subjected to any professional deformation inherent to experienced lawyers – scientists and practitioners. The latter, as well as legal scholars and teachers, over the years of work often lose the habit of writing the texts in a short and accessible language. The students can learn to create this kind of educational materials much easier and quicker. But, of course, it should be performed under the supervision of senior colleagues – teachers and practitioners. It is also important that such activity for the student is the best training for the development of their own legal literacy (Zariski, 2014).

7. Conclusion

I would like to express my conviction that all legal sciences and law schools should themselves move towards their “end-user”, developing and implementing “products”, the means of legal education and legal informing in various versions, depending not on the established intra-scientific traditions, but on trends in the “consumption”, the characteristics of a typical end-user, that is, the object of the specified activity (Dmitriev, 2012).

The subjects of the development of these tools should be not only scientists, practitioners and/or their joint teams. Law students can easily become such developers and distributors.

In the educational process of law universities, it is possible and necessary to include requirements that every student, for instance, in the process of preparation of the coursework, diploma essay, master's thesis, besides the traditional form of this qualification work, must create a memo or a short manual for certain groups of the population – non-professional lawyers, under control of a teacher. For example, within the framework of the academic discipline “criminal process”, it may be a “reminder for the victim of a criminal case of his right to demand from the detective or the investigator for the protection of his rights and legitimate interests in criminal proceedings”. Within the framework of the labour law, this may be a “reminder of typical errors that an employee can make when entering into an employment contract of a certain type, the ways of correcting them”, etc.

It is imperative to conduct regular contests of students' educational works in each law university and involve legal practitioners for their assessment and then widely share the results of these contests. Moreover, this will ensure the further development of anti-criminal thinking among the law students themselves.

It should be noted that this kind of applied advice and recommendations are abundant, for example, in the Internet. However, the quality of such “products” is often very doubtful as it is created without a proper scientific basis, without supervision (review) and help from professional and experienced lawyers-practitioners and teachers of law schools, as it can and should be organized in case of implementation of the proposed project in law universities.

In conclusion, I would like to express the hope that legal education will not remain at the level of distribution of separate, chaotically formed applied developments, but eventually become an independent study and one of the important directions of further development of legal science, practice and didactic. As a result, the effectiveness of law enforcement practice, as well as the level of legal awareness and legal culture of the population of Russia and any other country, will increase significantly. The law schools and the student communities, each student wishing to bring real benefits to his countrymen, society and the state can become the locomotive of this process.

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