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THEORETICAL AND METHODOLOGICAL BASE FOR TRAINING LAWYERS FOR LAW ENFORCEMENT AGENCIES

Natalia Dryannykh (a)*, Alexander Lodkin (b), Dmitry Uglickih (c), Tamara Lodkina (d)

*Corresponding author

(a) Vologda State University, 15, Lenin str., Vologda, 160000, Russia
dryanih@yandex.ru, 89210607582

(b) Vologda State University, 15, Lenin str., Vologda, 160000, Russia
lodkin79@mail.ru, 89212315541

(c) Vologda State University, 15, Lenin str., Vologda, 160000, Russia
uglickih@rambler.ru, 89535204131

(d) Vologda State University, 15, Lenin str., Vologda, 160000, Russia
lodkina54@yandex.ru, 89114446320

Abstract

The article studies the theoretical and methodological foundations of law students training to improve the efficiency of their work in law enforcement agencies. The authors analyzed features of legal education in foreign countries. The theoretical training approaches were described. There are identified trends of law students training in the context of domestic and foreign experience. The authors focus on the conditions of the high-quality vocational training based on personal resources. The problem of training highly qualified legal personnel for law enforcement agencies is significant. This is due to the fact that a legal democratic state requires lawyers with a high level of legal awareness, who are able to protect legitimate interests and constitutional rights of citizens. The research subject is readiness for professional activities. It is a complex personal phenomenon that ensures high results and includes a high level of legal awareness, professional attitudes and beliefs, values, a desire to benefit society, law-abiding, justice, willingness to do business, the need for self-development and self-education. The article aims to identify the trends in the training of the highly qualified lawyers for law enforcement agencies. To create a holistic picture of the future professional activities, it is necessary to use modern general philosophical and scientific approaches. The most significant ones are system, activity, competence, and humanistic approaches, concepts of legal security. The research methods are as follows: analysis and synthesis of scientific literature, comparative legal and logical legal methods, observation, questioning, ranking, testing, interviews, the method of unfinished sentences, summarization.

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Keywords: Theoretical approaches, concepts, students' legal awareness, training of law enforcement staff, research analysis.



1. Introduction

The authors focus on the conditions of high-quality vocational training based on personal resources. According to Smagin (2014), “the educational process must comply with the principle of a professional dominant which involves identification of a value rod as a measure of readiness for solving professional tasks facilitated by teaching tools” (p. 453). According to Tamaeva (2014), “in order to modernize the legal education, it is necessary to construct the entire vertical of an educational reform from regulations and the state control system” (p. 1387) to responsibility of a young specialist. The latter is achieved through student independent activities in solving practical problems. The Decree of the President of the Russian Federation “On measures aimed at the improvement of higher legal education in Russia” provides a set of measures aimed at the improvement of legal education. It can be concluded that the problem of training future lawyers for law enforcement agencies, tough requirements for their training, strengthening of the staff potential is relevant.

2. Problem Statement

The problem of training highly qualified legal personnel for law enforcement agencies is significant. This is due to the fact that a legal democratic state requires lawyers with a high level of legal awareness, able to protect legitimate interests and constitutional rights of citizens. In addition, this is due to intensive development of socio-political, economic conditions, an important role of law enforcement agencies in countering corruption and criminal threats, poor staff training, and staff turnover.

3. Research Questions

The authors pose the following questions: How do you understand the term “legal conscience? Is there a positive relationship between the level of legal awareness and success of vocational training? What factors are meaningful? What is most significant for you? What is the meaning of the term “readiness for professional activities? What is the most valuable for you? What factors determine the success of professional activities of future lawyers? Is the level of students' readiness to become a lawyer the same throughout the entire period of study? What are the most significant factors for successful work as a lawyer? Are you satisfied with the quality of education?

The research subject is readiness for professional activities. It is a complex personal phenomenon that ensures high results and includes a high level of legal awareness, professional attitudes and beliefs, values, a desire to benefit society, law-abiding, justice, willingness to do business, the need for self-development and self-education. This is a unique system of motivational formations, knowledge and legal activities. Development of readiness involves organization of conditions under which students undergo positive changes.

4. Purpose of the Study

The article aims to identify trends in training highly qualified lawyers for law enforcement agencies.

5. Research Methods

The research methods are as follows: analysis and synthesis of scientific literature, comparative legal and logical legal methods, observation, questioning, ranking, testing, interviews, the method of unfinished sentences, summarization. To create a holistic picture of future professional activities, it is necessary to use modern general philosophical and scientific approaches. The most significant ones are system, activity, competence, and humanistic approaches, concepts of legal security.

The system approach is a direction involving the formation of a holistic view of the world, where the principle of integrity is crucial. It is based on identification of holistic characteristics, legal facts and phenomena based on system-integrated, system-structural, system-functional and system-integrative components ensuring its integrity and relative autonomy.

The backbone factor in the training of future lawyers is justice. It is one of the key factors for constructing a socio-legal reality, especially during the period of transformation of Russian society. This is reflected in disbelief in legal satisfaction of material needs, devaluation of moral values, illegal behavior (Lodkin & Dryanyn, 2018). Therefore, it is necessary to help students to realize that a legal act is a universal and necessary form of social relations, a basis for freedom, justice and responsibility.

The legal aspect is a key one in forming legal consciousness, central components of the legal system. It is reflected in law, legality, legal practice and legal relations. Therefore, the purpose of studying legal disciplines is to form knowledge of law and respect for law (Galuzin, 2016).

The next significant approach is an activity-based one which is reflected in active attitudes towards the reality. When teaching legal disciplines, the method for constructing lectures is more problematic. It helps establish a dialogue with the audience in order to make joint decisions and conduct debates. Moreover, various interactive learning technologies are used: discussions, business games, debates intended for a detailed study of controversial legal issues.

The activity approach is closely related to the competence approach which involves development of core competencies, including professional knowledge, skills (abilities to evaluate, select and use information, legal knowledge, cooperate), and such qualities as tolerance, respect for views and opinions of other people, justice, honesty, truthfulness.

Professional training should contain elements of simulation of social and legal processes, have a close relationship with activities of law enforcement agencies. Obtaining professional knowledge and skills, getting acquainted with legal work, gaining experience, students see only the first results of their work, but the main thing is that they are convinced that legal work is multifunctional, oriented on the task approach, synthesis of competencies (Lodkin, 2016).

The development of professional orientation is enhanced when students write their theses. They become aware of motives of their own activities, develop creative search skills, realize the need to engage in self-education, and raise the level of legal awareness. Analysis of the research results showed that all graduates overcame the threshold level of mastering general cultural and professional competencies. 48% of graduates showed a high level of cultural and professional competences, 72% of students showed an advanced level.

Legal consciousness can be formed using the humanistic approach which is one of the main conditions for ensuring freedom of the individual, a responsible attitude to law. Freedom is one of the main

conditions for humanistic development. The idea of significance of humanitarian training is determined by legal education. In line with this approach, the student is provided with an opportunity to develop as a subject of professional activity.

Results

The study shows that development of legal knowledge is based on the ability to use information to solve legal issues, make informed decisions in accordance with the law. The practice plays a crucial role in developing a professional ego of the lawyer.

It has been established that there is a positive relationship between the level of legal awareness and success of vocational training. Tasks involving legal assessment and legal actions are crucial. Their most significant results are as follows: deepening of legal knowledge, cognitive motivation; awareness of the practical significance of theoretical knowledge; readiness to solve legal problems.

Involvement of students in creative, cognitive activities based on dialogue technologies is one of the ways to form skills required for solving legal tasks. The research activity of students improves their scientific level and professionalism.

Analysis of the survey of law students of the institute of management, economics, and jurisprudence of Vologda State University showed (320 people) that legal consciousness is “awareness of the need to maintain legal norms for the benefit of society”, “awareness of legal norms, adherence to rights that a person has.” This reflects the result of social and legal reality, interaction of various forms of social consciousness. In order to understand the subjective world of a person, his preferences, behavior and choices, it is necessary to comprehend the space of his values and landmarks.

The most preferred professional orientations are active life (fullness and emotional richness of life), compliance with laws, high professionalism, development (self-improvement, constant physical and spiritual improvement), education. Orientations reflecting the sphere of personal life fall into the category of moderately significant: health (physical and mental), love (spiritual and physical intimacy), self-esteem, freedom, independence, tolerance, respect for views and opinions of other people, honesty, truthfulness, self-esteem, productive life. Orientations reflecting the sphere of creation are of little significance: a steady interest in legal and political information, readiness to fulfill official duties, high professionalism, rationalism (logical thinking, making rational decisions).

The analysis showed that students have ideas about their professional meanings, values, and opportunities. Influence of the success factors are shown on Fig. 1.

Accordingly, factors determining the success of professional activities of future lawyers were identified: teacher’s personality (average score is 6,35), attractiveness of student life, ability to communicate with a large number of interesting people, including professional lawyers, creativity (average score is 5,96), guaranteed employment, stable wages, prestige of the profession (average score is 4.21).

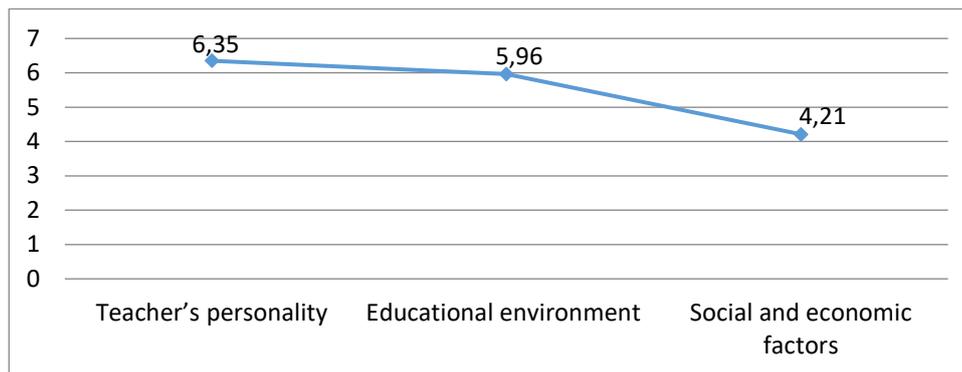


Figure 01. Success factors for professional activities of future lawyers (first-, second-, third- and fourth-year students)

The answers reflect the result of social and legal reality, interaction of various forms of public consciousness. This allows us to determine the nature of legal consciousness issues, identify professional tasks for developing competences which contribute to making independent decisions independently in the legal field.

6. Findings

The issues of training lawyers in foreign universities are of interest. Zakharov (Zakharov & Ilyina, 2014) analyzed the current state of legal education in England, Germany, USA, and France. He paid attention to the reformation of legal education. The author believes that “the system of sources of law, the model of the judicial process affects the format of legal education; this indicates the need to take into account these factors when developing transformation strategies” (Zakharov & Ilyina, 2014, p. 113). He says that there is a search for a balance between theoretical and practical components of the modern model of legal education. According to the author, “lawyers need flexible legal thinking, should understand the social context of legal institutions, know legal principles and norms, the historical background of their formation, judicial methods” (Zakharov, 2014, para. 8). Some aspects of legal education in foreign countries were studied by Kirillova (2012), Nikolaev (2017), Smirnov and Strus (2017). The authors focus on practical orientation and individualization of legal education. The research on the problems of legal education of Institute “Law of Public Interests” (PILnet) covers the issues related to the search for new quality standards and legal education in Europe and America. This analysis makes it possible to understand similar problems in Russian legal education. In addition, by comparing various models of legal education, it is possible to evaluate advantages and disadvantages of each model.

Therefore, studying the works by foreign authors, it is necessary to focus on specialization and practice orientation. According to some authors (Mena, Hennissen, & Loughran, 2017), practicing lawyers should deliver lectures to students. Ragone (2018) writes about the role of the Socracial method in training students. Muñoz (2018) suggest the narrative method, in particular for teaching comparative law, as the latter contains an intercultural component. To prove his hypothesis, the author explores the relationship between storytelling and gaining intercultural experience, especially legal skills.

A prerequisite for quality training is online technologies (Beach, 2017; DeBrock, 2018; Carpenter & Green, 2017). DeBrock (2018) focuses on the need for using interactive online tools. They allow for

efficient learning of the material on the basis of “non-standard ideas suggested by both teachers and students”.

It is important to use the experience of the global scientific community in the legal sphere which implements their own concepts of legal education, educational technologies. Diversity of practices allows us to understand how legal activities are arranged, differences in national legal systems which entail differences in legal education systems.

7. Conclusion

Appeal to the experience of foreign countries that have developed their own concepts of legal education gives an idea of the degree of elaboration of this problem and allows us to evaluate their experience, adopt some of the approaches and teaching methods. The domestic experience allows us to conclude that training should be in compliance with priority goals and needs of the rule of law, taking into account the latest achievements of legal thought. Therefore, a systematic approach to legal education contributes to assimilation of the scientifically based logic of professional activities and development of legal consciousness. The most important indicator of high-level legal education is readiness to learn, need for self-improvement.

Analysis of domestic and foreign experience, taking into account the type of a legal system, provides an opportunity to see what transformations have taken place in the legal system, identify trends in training future lawyers: integration of general education and special training, deepening interest in profession, development of competences, improvement of professional qualities; dialogization of education in the form of the Socratic dialogues, narrativization contributing to development of legal relations; actualization of knowledge and practice-oriented education which strengthens the value component of personality of young professionals; gradual professionalization in accordance with the objective functions which enhances orientation towards practical training, improves the quality of education; preservation of the level of readiness to become a lawyer by three components: psychological orientation, personal qualities, competencies characterizing this readiness.

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