

The Methods of Learning Law in Russian Educational Institution

Khalmakshinova Svetlana, Daoyan Fan

School of Humanities and Law, Northeastern University, Shenyang, China

Email address:

svetulka0507@mail.ru (K. Svetlana), 314089395@qq.com (D. Fan)

To cite this article:

Khalmakshinova Svetlana, Daoyan Fan. The Methods of Learning Law in Russian Educational Institution. *Humanities and Social Sciences*. Vol. 4, No. 6, 2016, pp. 181-185. doi: 10.11648/j.hss.20160406.18

Received: November 15, 2016; **Accepted:** December 5, 2016; **Published:** December 30, 2016

Abstract: The formation of Russian civil society is inseparable from education of modern youth within modern legal thought, viewpoint, and the spirit of the idea of law education. At the same time, the state of legal culture is not as good as society wants. This includes not only the ignorance of the existing law that is the non-recognition of law being social force, the lack of knowledge of the most important legal principles. Educational institution, as one of the main institutions of society, has an important role in forming legal socialization; educational institution must intentionally form members of society, who can make conscious decisions. The process of learning jurisprudence should promote the education of social positive people who can solve social problems. The methods of modern school law include principles such as legal education, coherence, scientificness, accessibility, similarity to life, personal experience of students, interdisciplinary relations, legal certainty and accuracy of legal knowledge.

Keywords: Law, Education, Russian Educational Institution

1. The Timeliness of the Study

The problem of teaching law in school - one of the most important issues now, it affects interests of teachers and methodologists. Its timeliness is related, on the one hand, with the changes in Russia and Russian society, because the course of the state is taken to the construction of legislative state and civil society. Russian government's order is the preparation of young people to be active, to have developed civic position and high legal culture. On the other hand, knowledge of the principles of law, the opportunity to navigate in the legal space, knowledge and ability to protect their rights is necessary for each person in the twenty-first century.

1.1. The Principle of Unity of Law Education

The principle of unity of law education is the principle when law education is organized primarily for the sake of solving education problems. It is well known that in addition to regulation of public relations, function of law is to play an educational role, which is manifested in the fact that the law except for state coercion is based on persuasion. The law is

intended to develop in people a sense of justice, truth, humanity. The law is inseparable from justice, which, in essence, is its core. The essence of law is that it is a method of establishing a fair balance of interests of all people. The unity of law and justice is fixed in formulas of Roman law: "Law is the art of goodness and justice"; "The provisions of law are: to live honestly, not to offend the other». The principle of education is very similar to the principle of developing education, education of the individual, personal psychological qualities of students. The changes occurring in the world and in Russia, and a modern social and cultural situation actively influence to education, require it to have a mobility and adequate response to the requirements of modern society, put it in front of the need to revise the traditional goals and targets.

The priority aim of education is to create a set of conditions for the development of the student, which will ensure his willingness to live in future and work successfully in the world of humanitarian values. In pedagogical terms, this means that the main result of education should not be a system of knowledge, skills and abilities in itself, but a set of modern essential competencies in intellectual, social, legal, communication, information spheres. The subject of law in the framework of academic education has a special place. Being

both a field of science and practice areas, the law provides a unique opportunity to solve modern pedagogical problems, not only to acquire legal knowledge, but also to develop specific abilities and skills of action in the social sphere [2].

The uniqueness of the law as a specific form of social consciousness and social practice also causes significant educational potential juristic courses. As you know, the situation arising in the legal sphere is determined by the position of the person. The choice of a particular mode of action depends on his or her goals, values, and personal preferences. Meeting within the educational process with the legal situation as a situation of choice, analysis of position and human actions, which is their subject, creates the conditions for personal self - to find an answer to question "Who am I, what do I want?" Thus, the law as educational content sets the conditions for the development of abilities that are significantly different from the capabilities forming in the scientific content, including other materials of other courses of socio-humanitarian cycle – this is the development of self-image and self-concept. In addition, working with legal content creates conditions for the formation of a number of skills related to the development of thinking and speech. The ability to project the rate of a particular situation and to see through the lens of specific standards - quite a unique ability that occurs precisely in the field of law and based on a special type of thinking (critical thinking). This type of thinking provides an analysis of open-type situations: they have no standard solutions; they are associated not only with the traditional mental operations, but also with the choice of values, with the recognition of the multiplicity of correct decisions. Material for its development present in other social and humanitarian sciences, especially in some areas of philosophy. But the fundamental difference between the legal rates is that the thinking of them formed in practical actions to analysis of the situation that is formed as a party of practical consciousness.

Children's work with legal material becomes a condition for the development of specific linguistic tools of expressing their own thoughts. The development of speech – is the special task of the educational institution, it is solved when working with any training material, if it is issued verbally. But in the field of law you need to deploy the argument of your thoughts, to use specific verbal tools to strengthen the voice of impacting the audience, building and execution of the verbal complex multilevel logical conclusions. Special rhetoric of law, of course, is unattainable in the school, but familiarity with the best samples of the sample self-organization of complex speech periods - all of which can be opened by child in the form of the possibility of building their own actions. Thus, working with the law training courses ensures the development of the child's conception of oneself, relationship to themselves and the community of people, mastering the production of conventional and personal value orientations, rules and norms of behavior, ways of acting in society, as well as the development of thinking and speech [5].

1.2. The Principle of Scientific and Accessibility of Law Education

Scientific principle implies matching of educational material with the latest achievements of legal science; priority of scientific knowledge: not ideology determines the selection of knowledge, but scientific knowledge allows you to do ideological conclusions. The law can serve as a form of expression and implementation of the policy only as long as the policy itself is based on the original principles of law and justice. The principle of scientific teaching of legal knowledge requires familiarization with students who has different points of view on the legal issues.

The principle of accessibility is to move from easy to difficult, from the known to the unknown. Thus, it is assumed that learning is in a zone of proximal development. However, it is necessary to be aware that passion to theoretical aspects of law school is impractical due to the fact that:

- 1 In general education there is no any professional training for lawyers, and pupils are to comprehend just the basics or fundamentals of science; psychological and physiological characteristics of pupils' age are not allow to be aware of some of the theoretical problems of law deeply and thoroughly;
- 2 In the curriculum of schools does not provide a large number of hours on learning law because it can lead to a reduction in hours for other courses which are considered to be very important.
- 3 Students must clearly understand that the study of the theory of law is carried out not for the theory, but for using the acquired knowledge in practice.

Experts have concluded that it is insufficient to acquaint students with the laws and to encourage them to obey. In the juristic training necessary to create an environment in which students can independently come to the conclusion that a knowing laws make life easier. Experience has shown that most people, who do not violate the laws, never heard of them. What allowed them to not violate the legal rules of conduct at the situation of complete ignorance about them? The answer is obvious: people's knowledge of moral norms and notions of social justice. Understanding the psychology of children, the authors stated that clear understanding of justice is close and clear for every child. It is not necessary to teach every child. Students should be helped to realize their rights and learn how to protect them [8].

1.3. The Principle of Connection with Life, Personal Experience of Pupils

In teaching the law for teacher is very important to rely on the facts of life, which are close to the students, which involves the extension, deepening and enrichment of legal knowledge of pupils and getting rid of students' legal representations, stereotypes and attitudes. Are children able to use the knowledge gained at the law lessons in some situations? In a one corresponding survey 62% of students answered positively. Among the 73% of teachers said that they are aware of cases of students' legal knowledge in

practice. Naturally, the vast majority of cases have occurred with the older students, with the students of high school. The teachers specified the areas in which students have to apply legal knowledge. According to the data in the survey, the most common areas of applications of students of legal knowledge in practice are the resolution of conflicts between peers, with teachers and parents (32% of students and 60% of teachers), protection of consumers (25% and 60%, respectively), the protection of their personal freedoms, honor and dignity (27% and 64%). Students apply their legal knowledge especially in relationships with peers (23% and 70%) and parents (22% and 58%), less often - with the teachers and the administration of educational institutions

(13% and 67%). Much less questioned boys and girls had to decide legal issues with law enforcement officials (7% and 48%), representatives of state authorities and local self-government (2% and 10%), to defend their rights in employment (6% and 30%), transactions and contracts (9% and 10%), and make up the legal documents (6% and 31%). Periodically, students are faced with issues of ownership and protection of the rights of the owner (9% and 22%). We have asked people aged from 23 to 50 years, the question was did they learned a law in school, if lessons were effective and did they use knowledge in life. We have studied the questions we got and draw a conclusion and made a table:

Table 1. The results of the survey.

Question Answer Age				
	Have you learned a law before?	Have you used the knowledges you got?	Do you think that lessons of law are useful?	In what areas have you used the knowledge of law?
10-15	I am studying it now at school	No yet	I think the lessons are useful, maybe I will use it in future	I did not meet any situations I could use my knowledge
15-20	Yes, in high school	Yes, I used my knowledges when I participated national election, went to the bank, when I got a part-time job	Yes, because it's very important to know your rights especially when you got your first part-time job	In signing contracts, in participating elections, and in studying in school
20-40	Yes, in middle schools and high school	Yes, when I got a full-time job, when I signed a lot of contracts	Very useful, the knowledge can help you to avoid unpleasant situations	In signing contracts, when I was protecting my rights in the court
40-50	Yes, we have learned it very thoroughly	Yes, when I bought real property	Yes, your knowledges can help you to solve a lot of problems without a lawyer	In signing contracts, when I was protecting my rights in the court

It can be concluded that the present system of education need modifications, because the current generation cannot use their knowledge in real life. It is concluded that the older generation were trained very well and they used their knowledge in many areas. Modern system should take methods of teaching of the Soviet Union period's system.

1.4. The Principle of Legal Certainty of Legal Knowledge

The peculiarity of the teaching of law is that while explanation of the legal information, the teacher uses the structures and formulas of the law, which are difficult to conceive for students whose abstract thinking is still underdeveloped. Nevertheless, it is inadmissible to study the field of law to replace the general reasoning and approximate interpretations of legal provisions. This is a requirement of the principle of legal certainty and precision of legal knowledge. All legal structures, as opposed to the conceptual apparatus of other disciplines, suggest the rigor and clarity of language. It is unacceptable to have unprofessional adapting material, such a simplification that distorts the meaning of the norms. Most legal courses prepared for school, originally have strictly scientific nature, the study of legal questions are arranged in the system of scientific logic. Among experts appeared the notion «substantive approach to the study of law», which was to be self-training course on the Law in the school's curriculum. Some Methodists believe that the study

of law can be carried out solely on the basis of primary sources. However, legal documents cannot serve as the main source of legal knowledge of students, and there are many reasons for this. Legal documents are not adapted and cannot be understood by students, it contain complex official and juristic words, and so on. Using of documents may be in the process of studying the subject for confirmation of thought, showing how legal norm acts. Studying the individual rule of law sector-specific legislation is appropriate to use in the training process of the extraction of the laws or normative legal acts [4].

1.5. Principle of Ensure Interdisciplinary Connections

Principle of ensure interdisciplinary connections is to identify the relationships between the components of the educational process, allocated on a substantive basis. Harmonization of academic subjects, as a rule, is determined due to its content. In the process of realization of intersubject communications consistency in the formation of a scientific outlook, outlook of the pupils, understanding patterns of development are ensured. Except for the interdisciplinary connections in interdisciplinary teaching methods there is intersubject communication used in that serve, the deepening of legal knowledge, their generalization, systematization, and develop interest in the subject, stimulate cognitive activity and form independent thinking. In addition intersubject

communications provide continuity in the development of the system of axiological knowledge, evaluation skills, intellectual abilities of students. In practice, in legal education variety of techniques and methods for the establishment of interdisciplinary and intrasubject communications are used, for example:

- 1 An explanation of the new material based on the knowledge about other subjects;
- 2 A reminder for teacher to recall known material;
- 3 Recalling have already studied knowledges through questions of the teacher in the course of the conversation;
- 4 The organization of the systematic repetition at the basis of the developed tasks aimed to the application of knowledge, skills, updating of previously learned knowledge [3].

1.6. Principles of Education in the Field of Human Rights

Sustainable (long-term), a comprehensive and effective national strategy for the inclusion of human rights education in the educational system may include the following activities:

1. Mainstreaming of human rights education in the national legislation regulating school education;
2. Revision of curricula and textbooks;
3. Training teachers in educational institutions and in the course of professional activity, including human rights training and education methodologies in the field of human rights;
4. Organization of extra-curricular activities, based on schools and on the family and community;
5. The development of training materials;
6. Establishment of networks providing assistance to teachers and other specialists (from among members of human rights groups, teachers' unions, non-governmental organizations and trade unions), etc.

The concrete forms that will take this process in each country, depending on the local characteristics of education systems, which are significantly different from each other, degree of freedom of teachers 'action to establish their own learning goals and achieve them. At the same time the teacher will always be a key figure in the implementation of new initiatives. Therefore, it is a great responsibility for the transfer of the meaning and content of human rights. To do this, there are various possibilities: subject of human rights can be incorporated into existing school subjects, such as history, civics, literature, art, geography, languages and scientific disciplines, or it may be taught separate courses on human rights; education in the field of human rights may also be carried out in a less formal form in schools and outside, for example in the framework of activities after school clubs and youth forums. Ideally, the culture of human rights must permeate the entire curriculum (although in practice, in particular in high school, it is usually taught in fits and starts as part of the established curriculum for the study of social and economic sciences and humanities) [10].

2. New Methods Learning Law in School

2.1. Using Traditional and Innovative Technologies on the Law Lesson

The leading goal of legal education is to create conditions for training and improvement of knowledge and skills of each student, building on the principles of level differentiation, including consideration of their individual characteristics and abilities.

Innovative legal training is a combination of innovation, expressed in the system of actions and operations of educational activities that allow you to quickly and effectively achieve the projected results of diagnosed legal training. They become extremely productive in a new type of schools and educational institutions, where many experiments, mastered unfamiliar to mass education pedagogical technologies. The novelty in the legal education is relative. Often those instructional techniques that offer the right experts to the modern teacher are not at all new. It can be well-forgotten teaching methods that have been used in the past; those used now, but in the education system to other sciences; as well as those that are unusual for Russian education, but our colleagues were taken by examining retrospective and current status of study abroad.

Traditional technologies of legal training are the set of pedagogical technologies existing in the legal education over the years. They are a well-established and generally accepted. According to ML. Clarina, "is a traditional lesson - simultaneous activity with the whole class. Teacher reports, transfers of knowledge, forms and skills, based on the presentation of new material (report, presentation), playback disciples, and evaluates the results of this play. It is impossible to think that the traditional teaching law clearly has a negative character. On the contrary, it is tested practice, it has numerous testing and improvement, allowing such a system to change and improve. The system of traditional teaching law also emits divergent forms of organization of training sessions (introductory and summarizing lessons, lectures and seminars, and so on.). The system of innovative approaches dominates active and interactive forms of classes. On the right lessons the teacher should initiate independent work of children. Therefore, in the process of learning a new topic it is advisable to offer the student a small question, a problem for discussion. Discussion of these issues cannot be tightened, and therefore response algorithm is necessary to explain the students write down on paper and posting as needed. Innovative learning technologies currently focused on the formation of active student attitudes. The modern system of legal training allows the teacher to optimally combine the practice of traditional and innovative technologies [6].

2.2. Using Game Technology in the Law Learning

Game - it is a definite integral reality, always somehow correlated with the existing world ("piece" of life). People act and interact in this reality. The components of the experience

can be both knowledge and emotional experience, and skills and some understanding (insight, catharsis), and to develop or change in attitude - to something or to himself - and more. Activities party games related to the content of its role, functions and gaming scene. Playing a role in deciding one way or another by knowing the reality of the game, and then analyzing the last game, he studies the phenomenon, which served as a prototype model of the game. The result of the participation in the game may be as emotional, personal, and intellectual changes. Didactic role or simulation games involve the identity of the participants. The personal involvement in the events of the game, the emotional intensity, the intensity of these games often increase learning motivation, stimulate students' interest in the phenomenon under study. Activities in terms of the relative uncertainty over the decisions that must be made, allowing escape from the common reproductive side of education - a mere repetition once studied methods of action are not always able to ensure success. The game requires creative thinking about the situation, the search for new solutions, which in turn leads to the development of independent creative thinking. Games-dramatization, role-playing games, simulation games, business games, organizational and active and organizational thinking game. Some of them are very easy to define, identify other merge with each other, confused. It is difficult to share simulations and business games, business and role. Either way, each type of games has a set of attributes (they may be the same for different games), get to know them you can refer to the literature [9].

3. Conclusion

Concluding the topic, it is necessary to note that the right teaching techniques should be varied, combining both traditional and innovative. It should include games and discussions, lectures and seminars, and independent work of the students. If we only play with the kids, the student can form frivolous attitude to the subject, which will be perceived exclusively as a game, like some kind of entertainment. The ratio of the cognitive and active teaching methods also depends on the type of employment. What does it mean? If the activity is carried out within the framework of additional education: elective or class hours, various forms of

extracurricular activities, then the teachers aren't necessary to assess the problem of knowledge. But if it is a subject matter, which involves exposure of the student assessment, teacher before the inevitable question arises: how to assess the child's participation in a game that measured? But he can apply, for example, one idea to continue to not participate in the discussion. However, this idea may prove to be very valuable. We talk about the specifics of working in high school, there is a great deal depends on the class level. A combination of lectures, discussions, games can be very different: in some situations the game - an invitation to debate at some - to discuss the problems that have accumulated.

References

- [1] After-hour activities on legal education of schoolchildren // Ukolov IE, Drubochevskaya IL. etc. -. RFPR. 2001. // Basics of State and Law. № 5-7, 1999, pp. 25.
- [2] Vakulenko VA Ukolov IE Interactive learning in the classroom right.// Right at school. №1. 2004, pp. 276-279.
- [3] S. Dyachkova Games at the Law School.// Teacher. Number 5. 2001, pp. 109-116.
- [4] Live right. Entertaining Encyclopedia practice law. - SPb., 2000, pp. 201-202.
- [5] Experience of schools according to the method of the Youth Centre for Human Rights and Legal Culture.// Economy: Theory, History, modernity. Ed. EA Pevtsova. - Rostov-on-Don, "Phoenix", 2001, pp. 89-91.
- [6] Aysmontas, Theory training: schemes and tests. M., 2002; Nesterova; Educational psychology in diagrams, tables, and reference notes. M., 2006, pp. 24.
- [7] Volochay AV, Dimitrov L. et al. in Education. Rostov-on-Don, 2013, pp. 128.
- [8] Voplenko NN Socialist legality and application of the law. Saratov, 2012, pp. 44.
- [9] Zaretsky I. Basic principles and methods of teaching law in the modern school / I. Zaretsky // Members. – 2014, pp. 90-112.
- [10] Methods of teaching law in school- M: Publishing house "the new textbook", 2013, pp. 222.