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## ПОНЯТИЕ И ОСОБЕННОСТИ ПРАВОВОГО ОБРАЗОВАНИЯ В ПЕДАГОГИЧЕСКОЙ СИСТЕМЕ

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### Аннотация

В статье рассматривается понятие правового воспитания, обеспечивающего глубокое уважение к законам и правилам человеческого существования, готовность соблюдать и выполнять закрепленные в них требования, выражающие волю и интересы народа. В статье описываются три основные задачи правового образования. Представлена связь правового образования с другими сферами человеческой жизни.

**Ключевые слова:** право, образование, правовое воспитание, понятие, методы.

## THE NOTION AND FEATURES OF LEGAL EDUCATION IN PEDAGOGICAL SYSTEM

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### ABSTRACT

The article deals with the notion of legal education that provides deep respect for the laws and rules of human cohabitation, readiness to comply with and fulfill the requirements enshrined in them, expressing the willing and interests of the people. Three main tasks are described in the article. The connection of legal education with other spheres of human behavior are presented.

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**Keywords:** law, education, legal education, notion, methods.

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### Introduction

Legal education has not been considered as a separate type of education for a long time. It was traditionally associated with the formation of political culture, with moral education. And this is quite logical, since law is closely linked to morality and plays an important role in the political and social development of society. Sometimes legal education is considered as a component of economic education. Only recently legal education has become a separate branch in the educational system. And this is motivated by in our the need for a broad and comprehensive legal education is due to the development of the creative, organizing, coordinating role of law in the economic, political and social development of our society.

In modern pedagogical and legal literature there are various definitions of the notion "legal education". Speaking the language of "legal terminology" legal education is defined as socio-legal and pedagogical assistance to a person, primarily a young person, in the formation of legal consciousness and legal culture, education of a sense of human dignity, understanding of the social value of law; the most humane way to prevent legal violations, overcome the phenomena and consequences of legal nihilism [2]. Legal education is a purposeful constant influence on a person in order to form a legal culture and strive for active lawful behavior. Applying this notion to educational process we can mean the educational activity of schools, families, law enforcement agencies, aimed at the formation of legal consciousness and skills and habits of lawful behavior of schoolchildren under legal education [9].

So, to make conclusion according the conceptual meaning of legal education it could be distinguished as a purposeful, consistent, systematic activity of the state and its bodies, as well as public associations and organizations for the formation of a certain system of legal knowledge, skills, legal thinking, legal feelings - a sense of law, legality, a sense of respect for those social values that are regulated and protected by law and legislation.

Based on these different definitions, researchers define the tasks of legal education in different ways. Most researchers identify six main tasks of legal education [6]. Among which:

1. giving students the knowledge of the laws, raising their legal awareness, systematically informing them about current legal issues;
2. formation of legal consciousness as a set of legal ideas, views, beliefs and feelings that determine the attitude of a person to the requirements of the law, regulate their behavior in a particular legal situation;
3. formation of respect for the state and law, understanding of the need to comply with the requirements of laws;
4. development of skills and abilities of lawful behavior;
5. formation of intolerant attitude to offenses and crime, the desire to take all possible part in the fight against these negative phenomena, the ability to resist negative influences;
6. overcoming misconceptions in the legal consciousness formed under the influence of negative phenomena of life.

At the same time, individual tasks duplicate each other. For example, such tasks as educating students with knowledge of laws, raising their legal awareness, systematically informing them about current legal issues; forming the legal consciousness as a set of legal ideas, views, beliefs and feelings, they have the same meaning – the formation of right-consciousness.

Furthermore it is necessary to state main tasks of the concept of legal education: formation of legal awareness; formation of lawful behavior; formation of a legal culture. The primary task of legal education is the formation of legal consciousness. In the concept of civil education of the

individual in the context of the development of the society, it is noted that “the defining characteristic of civil maturity as civil education is a developed legal awareness-awareness of one's rights, freedoms, duties, attitude to the law, to state power. Legal consciousness covers knowledge, feelings, imagination, thought and the sphere of subconscious spiritual experience of the individual” [5]. A person's legal consciousness is the main factor that influences the behaviors, readiness for action in a particular situation.

According to psychologists, consciousness is a characteristic function of the human brain, which consists in reflecting the objective properties of objects and phenomena of the surrounding world, the processes occurring in it, their actions, in preliminary thinking drawing them and anticipating the consequences, in regulating the relationship of a person with nature and social reality. Consciousness includes the reflection of reality through sensations and abstract thinking [7]. Consciousness and legal awareness are associated with understanding and knowledge of law. Conscious are such mental phenomena and actions of a person that pass through his mind and will, are mediated by them, and are carried out with the knowledge of what he is doing. The way consciousness exists is knowledge, and consciousness can never be anything other than conscious being, and the existence of people is the real process of their life [1]. Therefore, legal awareness is primarily related to knowledge of current law and legislation.

Until recently, the main components of individual law-consciousness were considered to be: 1.the system (level, volume) of legal knowledge. 2. person's attitude to the current or desired system of law and legislation. This was expressed in respect for the law, for the law on the basis of internal beliefs. This means that legal knowledge itself means little if you do not respect or ignore the current legislation. 3.person's readiness for social and legal activity. This component is related to the legal activity of a person, with his lawful or illegal behavior. Society and the state are interested in ensuring that actions and behavior are carried out consciously and on the basis of respect for the current law and the rule of law.

Legal awareness exists not only within itself, but primarily for activity. It potentially exists in the form of legal knowledge, but manifests and functions only in the process of legal behavior and activity of a person. Thus, individual legal awareness includes in its structure: legal knowledge; respect the law; social and legal activity of the individual. These components of legal awareness are expressed externally and can be fixed. At the same time, more in-depth analysis of this phenomenon from the point of personality psychology shows that legal awareness has a more complex structure. It rightly, in our opinion, states that legal consciousness consists of intellectual (rational) processes and states; emotional processes and states; volitional processes and states [4]. Each of these components has its own complex structure and they are very closely interrelated. The intellectual (rational) sphere of legal consciousness includes the following processes: sensation, perception, attention, representation, memory, legal thinking and language. Psychologists refer these processes to cognitive processes. At the same time, they relate to the emotional and volitional spheres of a person's legal consciousness. The second component of the intellectual sphere of a person's legal consciousness is particular states: legal knowledge and legal skills. Legal skills are very closely related to the volitional sphere, a person must not only have a certain amount of legal knowledge, know their legal rights and obligations, but also be able to fulfill them, use and observe them, have the skills to protect their rights, skills of lawful activity and behavior, make correct decisions, apply legal norms in accordance with the requirements of legality, justice, expediency and validity. The third component of the intellectual sphere of a person's legal consciousness is general and special legal abilities. Abilities are such properties of a person that they learn new legal knowledge and legislation faster and better, and are able to use

them to meet their own interests and interests, as well as other persons. Each person has their own natural abilities, and, in addition, they can develop certain abilities.

The intellectual sphere is closely related to emotional processes and states. Without emotions, a person ceases to be a human being and can turn into a programmed robot. Emotional processes include emotions and feelings, including legal feelings and emotions. This area is the most difficult because of the impossibility to capture, especially emotions. Emotions are very dynamic, they are polar in nature, they can be both positive and negative. Emotions cannot be separated from feelings, which are the core of a person's consciousness. In a state of strong excitement, a person does not control himself well, sometimes loses his mind, common sense, and extremely strong emotions lead to affects. Strong negative emotions – stress, affect, frustration disorganize a person's behavior and activity. Affect is a state of mind that leads to partial or complete loss of control over consciousness and mind. Frustration is an emotional state of a person that occurs as a result of dissatisfaction with any needs and interests.

Legal feelings are closely related to emotions. They have a direct connection, because emotions cannot exist without legal feelings. Legal feelings are more stable and long-lasting mental states. Legal feeling is a form of reflection of legal phenomena that is perceived and evaluated by a person in accordance with their needs and interests and to the needs of other subjects of law and expresses the subjective attitude of a person to these phenomena, for example, a sense of legality, a sense of law, a sense of justice, and so on. In the process of legal activity and behavior, legal feelings merge with the intellectual and volitional spheres of individual legal consciousness. They arise and develop as a result of legal education (training), social and legal experience, practical activities and legal relations.

An important component of a person's legal awareness is the volitional sphere. Will is a person's conscious self-regulation of their behavior and activities, which consists in the ability to actively achieve a consciously set goal, overcoming external and internal obstacles. Volitional action begins with the awareness of the mother and the desire for her, which becomes effective, turning into desire and intention. The volitional sphere of a person's legal consciousness begins, in fact, with the realization of the legal needs and interests of subjects of public relations. Legal needs and interests are the source of a person's behavior and activity, and they force him to enter into social relations. Legal needs are the requirements of the state and civil society for the lawful behavior and activities of a person. Interests are conscious needs, and they can be different – legal or illegal. Needs and interests express the orientation of a person to its objects or subjects.

The volitional sphere also includes the purpose and motives of a person's behavior and activity. In other words, it is the motivating cause of a person's actions. The motive acts as a reason for setting certain goals. They are not identical but sometimes they coincide. There may be one goal, but there are many motives. When there are several motives in the process of activity and behavior, then the concept of motivation of behavior is used. Legal motives are expressed in the form of aspiration, desire, intentions, attraction, inclinations, admiration, evasion, and so on. The volitional sphere of a person's legal consciousness is also related to legal attitudes and beliefs. A legal attitude is a state of readiness for legitimate activities and satisfaction of needs and interests. It ends with the adoption of decisions that have legal significance and are aimed at the implementation of subjective rights and obligations.

To sum up, the intellectual, emotional and volitional spheres of the legal consciousness of the individual are a necessary basis for lawful behavior. Thus, the legal consciousness of the individual is such a form of reflection of legal phenomena, which includes mental, intellectual, emotional and volitional processes and states: knowledge of the current law and legislation, legal skills and abilities, legal thinking, legal emotions and feelings, legal beliefs and attitudes that are

synthesized in decisions made and which are based on knowledge, communication and interaction in the process of legal activity and behavior in the sphere of legal relations [3].

The second task of legal education is the formation of lawful behavior. Behavior is a category for determining the totality of a person's actions. In the theory and practice of applying legal norms, such terms as lawful, illegal and legal behavior and activity are used. All these terms characterize different states of activity and behavior of a person and other subjects of public relations regarding the legal requirements that are fixed in the current regulatory legal acts. If the behavior or activity meets the requirements of law and the law, then they are considered legitimate, and if they contradict the requirements of law and the law, then they are illegal. All these types of behavior and activities are covered by one term "legal behavior and activity" [7].

Any behavior act of a person can be evaluated from different positions – morality, politics, religion, law. From the point of view of morality, one can view behavior in the categories of "good" and "evil", "justice" or "non-justice", from the point of view of law, one can assess whether it is legitimate or illegal. The evaluation criterion is the social value of a person's activity and behavior, moral norms, samples, standards, models that are fixed in them, as well as legal norms. Behavior or activity that violates generally accepted rules is negative and antisocial. Lawful behavior of a person differs from illegal behavior, first, by the laws and other regulatory legal acts themselves, as well as by the principles of law. The Constitution of the country and other legislative acts establish the limits of human freedom in the form of legal rights. In this way, they also determine the boundaries of lawful behavior. Such type of behavior is closely related to the concept of legality which means that all persons comply with the legal norms that are expressed in the law. Since the law occupies a special place in the system of normative legal acts, legality is the implementation of the law and only the law. The concept of legality means that the behavior of subjects of law corresponds to the law, that is, their lawful behavior. Lawful behavior implies that there is no harm or social danger in a person's actions, which in turn may be determined or not determined by law. Thus, lawful behavior of a person is such behavior and activity that meets the requirements of current regulatory legal acts, legal rights and legitimate interests of other persons, and is not socially dangerous for the state and society as a whole.

The third task of legal education is the formation of a legal culture. It is a set or system of legal knowledge, skills, emotions, feelings, and volitional components that manifest themselves in legitimate activities and behavior. It reflects the state of law and order, the level of legal awareness. The legal culture of a person includes legal awareness, understanding of the principles of law, respect for it, and confidence in the fairness of laws, legal rights and obligations, and other legal phenomena. The individuality of legal culture is manifested in the style of lawful behavior, which determines the totality of its characteristic features and features [8]. The style of lawful behavior of a person is characterized by a constant specificity in solving life problems and tasks and in this aspect is an important indicator of his legal training, experience, reveals the features of choosing the option of lawful behavior within the limits defined by legal norms.

Thus, legal education provides deep respect for the laws and rules of human cohabitation, readiness to comply with and fulfill the requirements enshrined in them, expressing the willing and interests of the people. It can be effective only when it is carried out on the basis of certain principles: it has a certain system, is carried out continuously, purposefully, has consistency, is provided with certain requirements, as well as trained personnel.

Legal education is carried out in certain forms. Among them:

1. Legal Education (Training). This is the most effective and effective form of legal education, since it provides a certain system of legal knowledge. It is carried out in schools,

colleges, technical schools, universities, colleges, institutes and universities, advanced training courses for employees of various categories.

2. Legal Education. It is very closely related to legal teaching but it is not limited to them. It has limited tasks to provide certain knowledge on certain issues of law and legislation, to explain the current legislation.

3. Legitimate social activity. This is a form of legal education that is carried out practically in the process of implementing the norms of law: use, compliance, implementation and application, for example, participation in the protection of public order, duty, etc.

The content of legal education is determined by the legal status of a person in society. For all categories of the population, this knowledge is determined by the constitutional status of a citizen, which establishes the basic rights, freedoms and obligations of citizens in the sphere of political, economic, social, cultural and personal legal relations. This content is also due to the need to obtain special knowledge on the legal regulation of certain spheres of public relations. Thus, the content of legal education for different categories of the population may be different. Various methods can be used in the implementation of legal education. Methods of legal education are a set of techniques or methods that are used to form legal knowledge, skills and abilities, as well as to form a sense of respect for the law, the law and those social values that are protected and regulated by law. Methods of legal education include: the method of persuasion, punishment, visibility, positive example, solving legal incidents, encouragement, criticism and self-criticism, the method of suggestion, imitation, and so on. The forms methods and content of legal education may vary depending on its objectives and goals.

### **Conclusion**

Thus, the formation of legal awareness, lawful behavior and legal culture should not be considered as consecutive stages of legal education work, but their development is carried out in organic unity and interdependence through the implementation of a specific content of legal education.

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