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Presentation date: December, 2019

Date of acceptance: January, 2020

Publication date: March, 2020

PECULIARITIES

OF TEACHING LEGAL DISCIPLINES FOR STUDENTS OF NON-PROFILE DIRECTIONS OF HIGHER EDUCATIONAL ESTABLISHMENTS

LAS PECULIARIDADES DE ENSEÑAR LAS DISCIPLINAS LEGALES A ESTUDIANTES SIN PERFIL DE DIRECCIÓN EN ESTABLECIMIENTOS DE EDUCACIÓN SUPERIOR

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Suggested citation (APA, seventh edition):

Nikonova, N. (2020). Peculiarities of teaching legal disciplines for students of non-profile directions of higher educational establishments. *Universidad y Sociedad*, 12(2), 223-228.

ABSTRACT

The relevance of the stated topic is due to the fact that in the field of education of the Russian Federation there has been a tendency towards a universal orientation in the training of specialists. Already now, those who wish to receive a humanitarian education are offered to study the basic institutes of the exact sciences, and those who receive promising technical, technological, industrial and managerial specialties go through cycles of humanitarian disciplines. Meanwhile, the teaching of legal disciplines to students of non-core areas of higher education institutions requires the preliminary development of a special methodology. The materials presented in the article illuminate a circle of problems caused by the inclusion of legal disciplines in the main educational programs of higher educational institutions of non-core areas and the specifics of their teaching.

Keywords: Legal education, principles of studying law, forms and methods of training, methods of teaching legal disciplines.

RESUMEN

El punto importante del feminismo es enfatizar que los hombres, ya sea consciente o inconscientemente, han abusado de las mujeres y les han dado pocas oportunidades o ninguna oportunidad de expresar su opinión sobre los problemas políticos, sociales y económicos de su sociedad. El propósito del feminismo es cambiar esta actitud humillante hacia las mujeres. Para que todas las mujeres se den cuenta de que ni uno "otro" es irrelevante, sino que son hombres dignos de los mismos privilegios y derechos que los hombres. Las feministas esperan poder construir una sociedad en la que los hombres y las mujeres sean tratados con el mismo valor. En este ensayo, hemos explorado ideas feministas en la novela *Girls of Riyadh* del escritor saudita Raja al-Sane de una manera descriptiva-analítica basada en el feminismo derivado de de Beauvoir. Ella ha tenido mucho éxito en retratar estas ideas y ha sido capaz de representar el factor más importante en el fenómeno de la marginación de las mujeres, la soberanía absoluta de los hombres. Su novela es muy destructiva y, en cambio, representa una historia de coraje femenino que es inconsistente con el ambiente cultural tradicional y cerrado de Arabia.

Palabras clave: Feminismo, Patriarcado, *Girls of Riyadh*, Raja al-Sanea, Simone de Beauvoir.

INTRODUCTION

At the present stage of development of civil society in Russia, there is a growing understanding that the necessary condition for the formation of a mature society in any social system is the elimination of legal nihilism. If in the recent past, to characterize a specialist, it was enough to look into his diploma and evaluate his professional knowledge, skills and abilities, but today the requirements for the volume of specialist knowledge have expanded significantly. The state sets the task for higher education to form specialists of the future - competent cultural managers, patriots of their country. These requirements are also understood by students who are trying to broaden their horizons, gain knowledge in the field of sociology, history, jurisprudence, being confident that additional knowledge increases their competitiveness in the labor market.

Legal disciplines have long ceased to be the subject of study exclusively by jurists. The inclusion of certain legal subjects in the curriculum not only enhances general legal literacy, but also gives practical skills that can be applied in further work.

Legal training, as an important component of the education of students in non-core areas of higher education, consists of a number of legal disciplines such as: "Jurisprudence",

"Civil law", "Administrative law", "Commercial law", "Labor law", "Municipal law", "Constitutional law", "Financial law", etc. The purpose of these academic disciplines is to form students' knowledge of the basics of Russian law and skills apply them in a market economy.

However, the teaching of legal disciplines for students in non-core areas has its own characteristics and differs significantly from classical legal courses. In this article, we will try to identify the most common difficulties on the way to assimilation of legal information by students, as well as some possible ways aimed at the productivity of the educational process itself.

RESEARCH METHOD

In modern methodological literature, it is noted that in university teaching, *"the main difficulty lies in the stereotypes of teaching that are established and rooted in educational practice. The vast majority of teachers, starting their activities at the university, are not guided by the modern achievements of the educational sciences, but reproduces the approaches by which they themselves were taught. The methodological arsenal of such teachers is limited to a meager set of uniform forms and methods of work: the same "information" lectures, the same seminars, the*

same exam tickets, the same techniques and manners". (Akhmerova, et al., 2017)

The main task of any educational process is to form a student a certain amount of knowledge, skills and abilities, to teach independent work with the material. With the legal disciplines that are read to students of non-core educational institutions, the situation is similar. A possible exception may be the amount of knowledge gained, which will depend on the students' initial specialization and their goals, as well as those tasks that are set before the teacher.

The methodology of teaching specialized training courses is different from the methodology of teaching non-core. The tasks of training professional lawyers were formulated by Peretersky (2010), an outstanding Russian jurist, they are understandable and periodically become the subject of attention of scientific conferences and publications. But at the same time, undeservedly little attention is paid to the tasks and methods of teaching legal disciplines to students of other, non-legal, specialties on the pages of modern scientific literature.

At the same time, the modern rhythm of life and the clear predominance of mercantile interests in society, coupled, at times, with outright legal nihilism, put at the forefront the educational function of law. Therefore, the methodology of teaching law to students in non-legal profiles should take into account current processes in society, because law is a social phenomenon, it is precisely the main regulator. The educational task of teaching jurisprudence does not need substantiation, and now, I think, it is becoming the main one.

One of the problems in teaching legal disciplines to students in non-core areas of higher education is the lack of a common understanding of the term "law". Pluralism of legal approaches presents a certain problem in the teaching of disciplines of the legal cycle. In particular, proponents of a political science approach to law emphasize the study of law as a political institution. In this case, priority is given to the study of the state, the foundations of the constitutional system. From our point of view, such an approach to teaching the discipline "Jurisprudence" cannot be considered optimal, since with a detailed examination of constitutional law, such branches as civil, family, and labor law remain almost unstudied.

Proponents of the normative approach to law define it as a set of legal norms and place emphasis in teaching on the study of various normative acts. This approach has its advantages and disadvantages. Among the first is the fact that it allows you to highlight such important properties of law as normativity, hierarchy, structurality, makes it

possible to get acquainted with various laws and by-laws, and develops the ability to analyze them. The negative in the normative approach is manifested in ignoring the substantive side of law: the morality of legal norms, their conformity to the objective needs of social development.

Proponents of the sociological approach focus on the study of "living law", that is, the system of legal relations, people's behavior in the field of law. This approach is characterized by modeling various social situations and their active discussion. Often, teachers who support this approach deviate from the study of controversial social issues about which there is no consensus in society (Lukash, 2010).

From our point of view, the harmonious combination of these approaches to understanding and teaching law is optimal. Using only one or two approaches often does not allow reaching the required level of legal training for students of non-legal specialties.

Formation of the goals of the article (statement of the task). The research topic is devoted to identifying the main problems that arise when legal disciplines are included in the educational programs of universities of non-core areas, which has become a common practice. The aim of the work is the justification of individual teaching methods aimed at improving the educational process in the field. In the work, logical (analysis, induction) and empirical (observation, description, comparison) research methods were used to a greater extent. The article also discusses practical situations that may occur in the process of teaching law to students of non-core specializations and as conclusions, specific methods are proposed for possible solutions to these problems.

RESULTS

When students of law schools begin to master, for example, the norms of civil or administrative codes, they already have sufficient scientific and legal knowledge. Law students have a clear idea of the theory of state and law, they know what law is and theories of its occurrence, they are free to orient themselves in various points of view regarding law. For non-core students, students often have very fuzzy and fragmentary knowledge regarding the basic legal foundations, without which it is impossible to fully study any of the legal branches.

If we turn to the classical textbook of the theory of state and law, then the range of theoretical questions necessary for students to understand will be very diverse (Russian Federation. State Duma, 2006). This includes the basic concepts and methods of the theory of state and law and their relationship with other disciplines; origin and

typology of states; the principle of separation of powers and the structure of the state apparatus; legal system and rule of law; the place of law in the state system and its relationship with economics and politics; the process of lawmaking and features of the implementation of law and many other categories.

However, it is not possible to fit all this educational information into the framework of one applied special course, which aims to acquaint students, for example, with the basics of entrepreneurial activity.

Therefore, the task of the teacher is to maximally concisely and clearly explain the main categories of law, taking into account the age and educational specialization of students. Lecture material should be combined with lively discussions so that students can build causal relationships themselves, express their point of view and try to argue it.

In addition to the fact that this form of familiarization with the material allows you to make the learning process more interesting and emotional, this allows the teacher to see how much this information is understandable to students.

In jurisprudence, the correct use of legal terminology is very important.

If a student, for example, does not know what the rule of law is, how law and law are related, what constitutes substantive law, and what is procedural, he can nevertheless understand in general terms what the institution of sale is. But if at the same time he did not understand what the concept of "deal" includes, then the full assimilation of the training material is unlikely, since it is important that the student not only learn a specific legal norm, but that he develops independent legal thinking in this process.

To solve this issue, the teacher should dwell on all definitions that are found in the studied normative acts.

As an example, we take one of the articles of the Civil Code of the Russian Federation that governs the sale and purchase agreement already mentioned above. According to paragraph 1 of Art. 454, "under a contract of sale one party (seller) undertakes to transfer the thing (product) into the ownership of the other side (buyer), and the buyer undertakes to accept this product and pay a certain sum of money (price) for it". (Russian Federation. State Duma, 2006)

For a student who is just starting to master legal knowledge, it is highly desirable to explain all the details of this definition. So, it should be noted that the seller, according to the current legislation, can be any organization, regardless of its legal form, as well as an individual entrepreneur

who sell goods to consumers under a purchase agreement (National standard of the Russian Federation, 2016). And the buyer is “an individual or legal entity acquiring, ordering or having the intention to purchase or order goods and services”. It is also advisable to explain how the buyer legally differs from the consumer.

So, according to the current legislation, *“a consumer-citizen who has the intention to order or purchase or ordering, purchasing or using goods (work, services) exclusively for personal, family, household and other needs not related to entrepreneurial activity”*. (Russian Federation. State Duma, 2006)

Students should also pay attention to the wording “the buyer agrees to accept this product and pay a certain amount of money for it” from the above definition of the contract of sale. The key to determining is the buyer’s responsibility not only to pay for the goods, but also to accept them. This obligation also needs additional comments, it is necessary to explain what it means to “accept the goods”, when the parties must draw up the moment of transfer of the goods by the act of acceptance and transfer, and when you cannot do this, at what point the ownership of the goods passes from the seller to the buyer and as it should be reflected in the contract.

As you can see in this example, a detailed presentation of the emerging issues requires additional time, but it provides more opportunities for students to understand and master the teaching material.

One more point is very closely connected with the question that was discussed above, namely the form of conducting the classes. Typically, such courses are offered to students as lectures. This is understandable, since indeed, most of the educational process in this area requires a lecture. However, at least two difficulties arise here:

1. The peculiarity of legal disciplines is a large number of norms, definitions and rules that students need to understand. Legal language is often difficult to quickly understand and understand.
2. At lectures, the teacher cannot assess the degree to which students understand the teaching material.

One of the possible ways to overcome these difficulties may consist in the mandatory allocation of part of the time from lecture classes for dialogue with students. It can be: explanation, interpretation of a teacher of legal norms, court decisions, etc.; a conversation during which the teacher, based on the knowledge available to the students of the legal baggage, submits new information, formulates and (or) consolidates new material; discussion, which

involves the exchange of views on the scheme “teacher - student” or “student - student”.

The discussion method not only increases interest in classes, but also helps to transform knowledge into beliefs and actions, and forms the ability to independently and creatively solve problems. Organization of discussions allows you to take into account the interests of students, the profile of the university and specialty. In non-legal universities, this method contributes to the formation and consolidation in practice of professional knowledge, skills of future specialists, including on legal issues: fluency in the basic principles of law and the ability to understand a difficult extreme situation related to offenses or even crime, as well as establishing contact with colleagues and resolving conflict situations with customers. The debatable nature of the classes makes it possible to quickly and objectively reveal to the teacher the general level of students’ training, assess their capabilities, level of knowledge and degree of intellectual development.

If there is the possibility of conducting seminars, then the best way to understand the degree of mastering the learning material by students, along with surveys and reports, will be to conduct practical exercises in the form of a legal game, where students need to solve their task by applying specific legal norms. Such practice contributes not only to a better understanding and remember the provisions of legal documents, but also to the formation of proper legal thinking.

Interactive learning models include creative tasks, modeling of various situations that require the application of legal norms (case method), business role-playing games, joint discussion and problem solving through discussions, Socratic dialogues and much more. In this case, the teacher should build the lesson so that, on the one hand, it does not dominate the audience, suppressing student activity, and on the other hand, it does not lose control over the situation so that the discussion does not go far from the subject of the subject being studied. Ideally, such an environment of educational communication is created, which is characterized by openness, interaction of participants, the equality of their arguments, the accumulation of joint knowledge, the possibility of mutual evaluation and mutual control.

For example, students are encouraged to split into two groups, one representing the interests of the seller, and the other representing the buyer. Further, certain conditions of the upcoming transaction are proposed, and the parties should foresee their interests, being guided by legal norms, and coordinate them with each other. In the process of discussion, it becomes obvious that the

students understand and what needs to be clarified additionally, what the teacher should pay attention to in the future. And, of course, this is a very exciting process for the students themselves, and therefore, it contributes to a better study of the educational material.

Another aspect, indicated above and related to the peculiarity of legal formulations, requires constant clarification and explanation from the teacher. And sometimes the need to rephrase certain legal provisions in a less formal language, when the rule of law allows it without prejudice to its main semantic content.

Considering legal terms and definitions as elements of the formation of legal consciousness, it should be noted that both legal consciousness and the indicated language tools in the mechanism of legal regulation of social relations perform similar functions, which (in the context of our study) include cognitive and evaluative functions. The cognitive function of legal consciousness is expressed in the totality of legal knowledge regarding the place and role of law in the life of society and each individual. The cognitive function of the definition is expressed in the fact that the definitions of legal concepts reveal essential features, structure, goals, that is, a more or less true idea of legal reality is formed. Using definitive norms, we formulate the sum of theoretical and practical knowledge developed by mankind in the field of jurisprudence, which provides a basis for a deeper understanding of the essence and social nature of law. The evaluative function of legal awareness allows you to determine whether the current legal norms are proper norms, whether they meet certain requirements, and also develops a certain attitude to compliance or non-compliance with current legal norms. All this contributes to the knowledge of definitive norms and basic terms contained in regulatory legal acts.

As an example, take paragraph 7 of Art. 1483 of the Civil Code of the Russian Federation (Russian Federation. State Duma, 2006). It reads as follows: *“Designations that are identical or similar to the point of confusion with the appellation of origin protected in accordance with this Code, as well as with a designation registered as such, cannot be registered as trademarks in relation to any goods the priority date of the trademark, unless such a name or a designation similar to it to the extent of confusion is included as an unprotected element in a trademark registered in the name of a person having the exclusive right to such a name, provided that the registration of the trademark is carried out in relation to the same goods for the individualization of which the name of the place of origin of goods is registered”*. (Zhang, 2018)

The main meaning of this paragraph can be explained to students more briefly - a designation cannot be registered as a trademark if it is confusingly similar to the name of the place of origin of goods, the exclusive rights to which belong to another person. Separately, it is worth explaining what the priority date of a trademark is.

It should also be noted that legal language is often very difficult to hear. Therefore, it is advisable to include the text of the legal norm in the presentation and comment on it, paying attention to individual, most important aspects.

The main task of any educational process is to form a student a certain amount of knowledge, skills and abilities, to teach independent work with the material. With the legal disciplines that are read to students of non-core educational institutions, the situation is similar. A possible exception may be the amount of knowledge gained, which will depend on the students' initial specialization and their goals, as well as those tasks that are assigned to the teacher (Inomata & Lagos, 2019).

It can be assumed that the fundamental moments in such an education for most students will be an increase in general legal literacy, an understanding of the main categories in a specific legal field, free and independent work with legal sources, which allows using the acquired knowledge in practice. And, most importantly, independent legal thinking, allowing in the future, if desired, to deepen the knowledge gained. It is important for the student not only to remember these or those norms, but to understand the fundamental moments of this right branch and to learn how to freely navigate in legal documents.

CONCLUSIONS

The methodology of teaching legal disciplines should take into account the particular qualifications of poor specialists. For the legal course, it is advisable to select basic legal knowledge. Moreover, the applied aspects of the discipline are developed taking into account the direction of training and regional characteristics, i.e. the course is profiled. In addition, the legal course is structured accordingly, sections of the discipline include different types of knowledge in a logically defined sequence.

Therefore, starting to study a specific legal course, the teacher must clearly understand the initial level of general legal knowledge of students. And if it is clearly insufficient for the material being studied, try to convey the necessary information to the audience as much as possible. Classes should be conducted in a form that allows you to assess the degree of understanding of the material being studied and, if necessary, make adjustments to the educational

process. The presentation form should be adapted for students, taking into account their educational direction.

Summarizing all of the above, we note that the above features of teaching legal disciplines to students of non-core specializations are not exhaustive. Much depends on the initial education of students, their age, the objectives of studying legal disciplines, and the experience of a teacher. But at the same time, taking into account the noted points, it is possible to make the educational process easier and more productive.

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