



## Civil-Law Education: Foreign and Russian Experience

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### ABSTRACT

The relevance of the study is conditioned by the peculiarities of civil-law education in contemporary society and the necessity to form a coherent civil and legal educational system for social problems' effective solving. The purpose of this article is to identify the effective core directions of youth civil-law education in the contemporary world in the context of national and international experience, as well as to offer the most effective model of civic education. The leading methods of this problem's study are the methods of philosophical cognition (dialectical, historical- logical, systematic -analytical methods), allowing in the complex to take into consideration the subject of research. The article reveals the basic characteristics of civil law education in Russia and abroad, presents a model to assess the quality of civic and law education, justifies patriotic education's approaches in Russia and foreign countries, reveals core directions for the development of civic education in the context of domestic and foreign practice. The structure of the considered practical educational model that embodies the internationalization paradigm can be the basis to build innovative educational curricula that do not possess an absolute national and regional insularity, but include the leading invariant components of Western educational standards relating primarily to the complex of general subjects, aimed at the formation of the civil and law activity of a modern person.

**Keywords:** Civil Society, The Scope of Public Relations, Civil-law Relations, Socio-law Education, Modern Educational Paradigm

**JEL Classifications:** A23, I23, I26

## 1. INTRODUCTION

### 1.1. The Relevance of the Study

The relevance of the study is conditioned by the peculiarities of civil-law education in contemporary society and the necessity to form a coherent civil and law educational system for socially significant problems' effective solution (Pevtsova and Annenkova, 2015; Malevanov et al., 2015; Kozhanova et al., 2015).

In modern world one of the most important factors to grow civil society in general and to form its foundations is a civil-law education. This allows it to have a significant impact on the minds of young people, forming its social activity and legal behavior models (Pevtsova, 2009, 2012; Lavitskaya et al., 2015; Zakirova et al., 2016).

Speaking about the civil society, it is important to take into account that it presupposes the presence not only of morally independent, liberal-minded and autonomous citizens. Its construction is also carried out on the basis of the principles' recognition of private autonomy and the autonomy of the state, the economy, education as the independent sectors of social life taking place within which and in interaction with which on the basis of laws and rights rule (Pevtsova et al., 2015; Bodalev et al., 1992).

### 1.2. Civil and Law Culture

Civic culture and legal culture are inseparable from each other. Civic culture is not able to be legal one. With regard to the legal culture, it expresses the values of civil society, provides activities-willed striving to recreate legal forms of various civil organizations in modern society.

One of the most important tasks of the Russian legal science is in its connection with the modern foreign discourse on civil society and civic virtues, to identify the degree of civic issues' elaboration in domestic social science. And this is understandable, because in the conditions of a quick and decisive change of political and legal, social and moral values, the transformation of social orders and the re-evaluation of the principles that form the civil structure, there is a new stage of socio-legal reality, requiring the birth of a new entity of political and law activities and civil relations (Pevtsova, 2015; Yamburg, 2015). That is why the civil, civil law (social and legal) education and training of a new generation now needs a special attention.

## 2. MATERIALS AND METHODS

### 2.1. Methods of the Study

The methodological basis of the study is the philosophical methods of cognition (dialectical, historical, logical, systematic and analytical). In order to achieve the objectives of this study socio-cultural, systemic - Structural and systemic-functional methods of knowledge, as well as specific sociological methods: survey, interview, methods of analysis of social facts and phenomena are widely used.

### 2.2. Experimental Base of the Study

In the frame work of the study testing of models developed in more than 50% of the regions of the Russian Federation was carried out, basics on national program on the quality assessment of civil and law education in Russia are prepared.

## 3. RESULTS AND DISCUSSIONS

### 3.1. A Comparative Analysis of Approaches to the Study of Civic Education in Russia and Abroad

In order to achieve high efficiency of civic education it should be coupled with its own law, specialized education. Civil law education of children, young people and of all Russian citizens - A "squared law education," immersed in a social and spiritual environment of the moving and evolving process of the person's involvement in the life of civil society and organizing its vital functions of norms and rules of human behavior.

A very successful definition of the concept of civic education is formulated by Evladova and Vyazemsky (2013). For example, they note that "civic education in modern Russia should be able to give students the totality of knowledge, ideas and values necessary for a Russian citizen, including knowledge of the political and legal foundations of Russian society and the state, moral attitudes and skills of positive participation in public life."

Indeed, civic education should contribute to civic competence's formation of the individual as a combination of willingness and ability to provide an opportunity for his or her active and responsible realization of the full range of civil rights and responsibilities in a democratic society, effective application of knowledge and skills in practice.

Foreign system of civic education in comparison with the Russian system has its own characteristics.

If we take into consideration the school system abroad in general, we can see that it is characterized by a large proportion of the social and law disciplines within the humanities, which is learnt by the students. Usually they are called "civics" ("civics" or "civic education"). This training course plays the role of a public laboratory for the formation of students' civil qualities. The main of them are the ability to cooperate, to correspond by their actions to democratic ideals, to possess civil liability (Vyazemsky, 2015).

For social studies or civics, which is an integrative one, the exceptional usability and possession of special functions are natural. This is observed in schools of such countries as the USA, France, Japan and England. In some countries, however, the study implies the mastering of a separate course of the State and the Law foundations. In the main Middle school for the course of social science, as a rule, is given from 2 till 5 h a week. Sometimes in addition to this the course of religion (England, Italy, Germany) or ethics (up to 2 h/week) are given. In high school a special attention is given to the courses (especially in the US) "problems of democracy" and "the American political system." With regard to academic schools' graduation classes in Western Europe (e.g., France), philosophy is taught there (from 3 to 8 h per week). In France, the teaching of civics is maintained at the Lyceum in the first and second year, and in the history and geography units. Only an hour is given on it per week. The unit of social sciences also includes Politics and Economics (2-3 h per week). In Germany, in addition to the ethics (or religion) an integrative study of social policy is provided in different types of primary school from the 7<sup>th</sup> or the 9<sup>th</sup> till the 10<sup>th</sup> grade, as well as in the 11-12 classes of gymnasiums of the second stage (Thomas, 2001).

So, in the middle schools of developed Western countries a strict system of social and civic, social and law disciplines' teaching operates, which is reflected in the inclusion of basic knowledge about nature and society in elementary school's subjects. The basic school provides for integrated social courses study (civic). In addition, in many foreign countries religion and ethics are taught. In high school education ends with the study of such disciplines as philosophy, political science, sociology, which are taught a year or two. It should be noted that the social science disciplines in school have tendency to expand.

However, in Western countries, including the United States, "constantly sounds the call for the enhancement of social and legal knowledge among students, improvement of the methods of teaching and the universalizing of this type of educational activities."

Analyzing the achievements of foreign university education, particularly in the US, which is traditionally associated with the liberal intellectual and cultural tradition, it should be noted that together with the achievements and a lot of problems are marked. For example, adopted more than half a century ago, the structure of the educational curriculum at the college/university - General education's disciplines (general education), discipline of profiling

area (major) and elective courses (electives) are not a single entity, as these disciplines are not fully connected to each other.

A significant concern of educators and scientists is associated with the efforts of the students' desire to choose courses focused on the future professional work, showing a clear pragmatism. Of course, this fact can not be considered as negative one. At the same time it forces researchers to pay attention again at the problem of the status of liberal education (Safonova, 2012).

According to American scientists, the concept of a liberal education, which is the basis of the educational model for many American colleges and universities, is an asset for this century. Today, the definition of "liberal" has virtually no political meaning. Liberal education is almost the opposite one to the practically oriented, applied education. Liberal education to promote intellectual freedom's development focuses on a wide range of subjects' study that is not directly related to the future work. At the same time a liberal education is practical education because it is aimed at the formation and development of the analytical and communication skills. Liberal education also contributes to the formation of civil liability, i.e., the properties of the individual, which in the future will be in demand in the course of its interaction with the micro- and macro-social environment (Henry, 1993).

Despite the fact that most American researchers claim that a liberal education is autonomous, independent of the practical policy of the American society, in reality it is extremely difficult to separate the ideological component from the content of liberal education.

A liberal education in American colleges and universities includes civil-law component. It is focused on the formation of civil liability. If earlier liberal education was available only for the political and economic elite of the country, now it is a liberal education which is opened to every American entering life, aspiring to serve his state.

### 3.2. The Structure and Content of the Quality Assessment Model of Civil and Legal Education in Modern Russia

One of the urgent tasks of the modern period of Russian development is to develop a reproduction of civil - law relations in order to maintain the stability of the Russian state, and the acquisition of the features of sustainable development. Today, in the Russian Federation under the democratic citizenship is understood a civic education, as training and education in the spirit of democracy, human and citizen rights. Civic education is based on three values: Democracy, human rights and the rule of law. The centerpiece is the emphasis on the active participation of people in the democratic process.

The study allowed concluding that under a civic education it is necessary to understand the purposeful process aimed at the formation of civil qualities and development of civic consciousness among the growing generation of young citizens. The result of civic education is recognized to be a formation of social competence of modern man, including tolerance and willingness to cooperate, the ability to make choices and to be engaged in dialogue, social

activity and creativity. Among the core elements are allocated: the legal culture, human rights teaching, prevention and resolution of conflicts, the skills' development of non-violent behavior in the society, the culture of peace, respect for individual differences between people, as well as the cultural differences between the various ethnic and religious communities. Thus, civic education is a multilateral process of formation of students' civic competences (knowledge, communication skills, tolerance, self-realization, while respecting the rights of other people, law-abiding, search and analysis of information, social adaptation, vocational guidance and active participation in public life, and others.), which implies the unity of teaching and educational work.

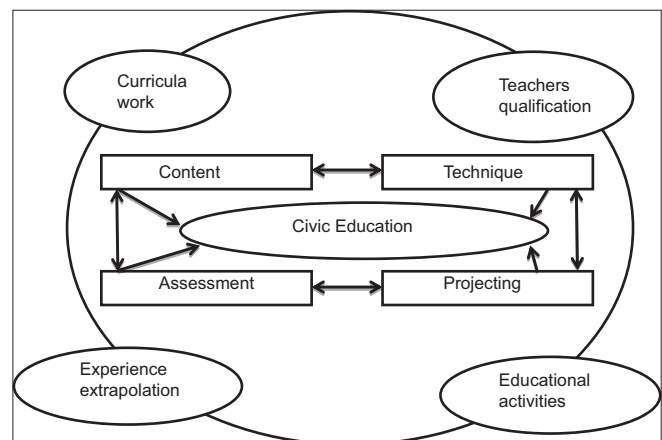
Civic education is comprehensive, systematic and meta-subject by nature. The model of civic education can be imagined in the form of systematization (Figure 1).

The model, which not only brings together the education system's elements (content, methodology, project work), but also takes into account the diversity of forms - training and educational activities, training of teachers, the involvement of all participants in the educational process (including the parents and the local community), the democratization of management, creation of a favorable educational climate.

Among the main directions of the organization of students' education and socialization in the curriculum the civil-patriotic direction is called. Under civil-patriotic education is understood as a holistic system of formation of students' spiritual and moral, law and political culture, which provides a basis for the development of social activity of the individual, endowed with civil self-consciousness, self-respecting, knowing and respecting human rights and freedoms, ready to defend and protect them; a patriot which is responsible for the fate of the country, his or her actions and ready for civil actions' and the constitutional duties' fulfilling to protect the interests of the motherland.

The aim of civic and patriotic education is the formation and development of the individual citizen-patriot of Russia, capable to combine patriotism and patriotic consciousness with the ideal of civic consciousness, values, social solidarity, fairness, responsibility, ready to serve the Russian society and strengthen

Figure 1: The model of civic education in modern Russia



its unity, being conscious of all of the unity's significance of Russian society, the importance and value of Russian national identity.

The content of civil and patriotic education includes:

- The development of respect for the rights, freedoms and duties of man.
- Formation of valuable ideas about love for Russia, the Russian Federation's peoples, to their native land.
- Assimilation of the values and the content of such concepts as "service to the Motherland," "legal system and the state of law," "civil society," the ethical categories of "freedom and responsibility," the philosophical concepts of "honor," "conscience," "duty" "justice," "confidence," etc.
- The development of moral representations of duty, honor and dignity in the context of the attitude to the Motherland, to fellow citizens, to the family.
- The development of competence and value representations of the supremacy of law and the need in law order, social cohesion and intercultural interaction.

### 3.3. The Implementation of Civic Education's Model in Modern Russia

To determine the core directions of civil law education's development in modern Russia the study of curricula of the civil education's quality assessment in Russia was held. The study to assess the quality of civil education is focused on identifying of trends, successes and problems of education's development in the following areas:

- How the process of socialization of the younger generation and its adaptation to the conditions of social and political changes are organized
- How the communication of participants of the educational process, the success of the dialogue and cooperation is carried out
- The orientation of education on the interest of pupils and the practical relevance of social tasks
- Respect for social diversity and tolerance towards different positions on issues of social development
- Potential of students' self-interest implementation in the activities of civil orientation
- Social activity of youth and young people's interest in social and political life
- Patriotic and civic education in the educational process
- What is the structure of a democratic school as element of civil society (non-governmental organizations system of school-pupils, development of school constitutions and laws, the conduct of elections in the school parliament, etc.).

The main areas to assess the quality of civic education in Russia can be allocated:

- Civic knowledge (not only in the social sciences, but also in other school subjects - humanities, mathematics and science cycles).
- Civic skills (meta-subject results of education, allowing citizens' conscious attitude to current events, intelligent analyzing of information, making of appropriate conclusions).
- Understanding of social processes (the ability to see patterns

and cause-effect relationships, which is necessary for building of their own behavioral trajectory in a given situation).

- Civil propensities (willingness to take their own position on relevant issues of civil life, to argue their own views and opinions, to be responsible for their own choices, to form value systems based on civil qualities).
- Skills of civil actions and behavior (active participation in public life on the basis of cooperation and interaction with other people).

Three categories of participants took part in the study of the educational process: 248 leaders from 42 regions of Russian Federation, 3452 teachers, 5271 students of the 8<sup>th</sup> form. The students orient in the cognitive component of civic education's content very well.

But social activity of schoolchildren is low. The vast majority is not a member of any public organizations - 65.2%, and 23.1% did not answer this question. Among those who answered positively - only 10.5% of respondents. In general, students are engaged in circles, sections.

The students' attitude to the situation with migrants so that the most of the responding students (60.3%) chose relatively loyal position that they can live, but have to respect local customs and correspond by their behavior and appearance to the accepted rules, to speak a common language in this area. Sharply negative attitude towards migrants was not popular, but the total number of answers who chose the given answers was 10.5%.

Almost 30% of students estimate that everyone has the right to choose their place of residence at his or her own discretion and to follow their traditions.

The most popular answer (59.5%) was the getting of an education and a spacious mind. The next most popular response was the success of professional respect (38.3%). Quite a lot of the responses were referred to the existence of private business and independence from employers (36.3%). Finally, 31% of respondents considered prestigious keeping to a healthy lifestyle.

Contrary to the stereotype about the youth commercialism, only 26.9% linked the success with a lot of money, a bank account, a prestigious car and property. Very few students chose a pleasant appearance as a success indicator (4.9%). Other unpopular positions were the presence of subordinates (1.6%), being elected as the deputy (10.2%) and victory in competitions of different levels (12.7%).

## 4. CONCLUSION

Thus, according to the results of the study it is advisable to establish as relevant and required a number of changes in education, including:

- To identify as an important task and a priority direction the civil adaptation and socialization of the younger generation in terms of social changes through the school system based on extracurricular educational work.

- In educational activities of the school to pay special attention to the activities with the civil component, to facilitate the transition from the moralizing and theorizing to students' actions allowing expressing of their active civic participation in the practice of socially significant affairs.
- To contribute to constructive interaction of all participants in the educational process, creating an atmosphere of dialogue and cooperation, allowing school life to have conditions for effective civil identity formation.
- When selecting development directions (including the development of relevant projects) to take into account the opinion of students, guided by their interests and needs, confronting them with the objectives of important social problems' solving on the basis of non-violence, respect for the people around them, and civic engagement.
- To develop young people's activity in public (especially school) life, contribute to the growth of interest in participation in social projects and volunteering movement of civil orientation.
- To form the structure of the democratic school as an elements of civil society (through the non-governmental organizations system of students, development of the school constitutions and laws, the conduct of elections in the school parliament, etc.).
- To use the representations about school culture to support different types of effective methods of civic education.

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