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Interactive Teaching Methods at the University as a Mean of Legal Competence Formation

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Abstract

The article is devoted to the analysis of the actual problem associated with the disclosure of the characteristics of interactive teaching methods at the University and their pedagogical capabilities in the formation of legal competence of students. The purpose of the study was to identify pedagogical opportunities of interactive teaching methods in the formation of legal competence of students – future lawyers on the basis of theoretical analysis of scientific literature. Research methods: theoretical (analysis of scientific and pedagogical literature on the problem, comparison, generalization, transfer, etc.), empirical (questioning, observation).

The paper shows that legal competence is an integrative concept that includes a set of competencies in the field of law, the ability to perform socially significant functions in society, as well as the readiness of the individual to conscious active work to prevent and eliminate illegal behavior of citizens. The structural components are identified and the classification of the functions of legal competence is given, which includes two groups: invariant (reflecting the essence of the phenomenon described by this concept) and variable (reflecting the specific changes occurring with the phenomenon under study at this stage of its development). The main features of interactive teaching methods in higher education influencing the formation of legal competence of students are revealed. It is shown that interactive teaching methods have, along with the content of training, an independent potential for the development of legal competence of future lawyers. This potential is associated with the activation of students' thinking, increasing the density of emotionally rich communication of participants, ensuring that individual characteristics are taken into account in the learning process.

Key words: legal competence, structure of legal competence, interactive methods of education in high school.

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Introduction

Problem statement.

The nature and content of modern requirements to the quality of training of future teachers of law actualizes before the system of higher education the issues of motivational involvement of students and strengthening the activity orientation of the educational process in order to form students' legal competence. In accordance with the requirements of the activity approach, the formation of legal competence requires not only the inclusion of students in active cognitive activity, but also the development of their skills of cooperation, interaction with people, the ability to listen, to perceive different points of view, to carry out self-analysis of the process and the result of activity, etc. This means that as a mean of forming legal competence is not only the content of training, but also teaching methods responsible for the nature (active, passive, productive, reproductive) cognitive, communicative, reflective activity of students. In this regard, the interactive teaching methods, the essential characteristics of which (close cooperation between the teacher and the student, based on dialogue interaction; high level of involvement of students in the learning process and communication with all participants; orientation of the educational process to internal, delayed in nature, the results; operational feedback, etc.) suggest that they have significant potential in the formation of the legal competence of future teachers of law.

Hence the problem: what are the pedagogical potential and conditions for the implementation of interactive teaching methods in the formation of legal competence of students?

The purpose of the study is to identify the pedagogical possibilities of interactive teaching methods in the formation of legal competence of students – future teachers of law and to determine the pedagogical conditions for their implementation.

Research methods: theoretical (analysis of scientific and pedagogical literature on the problem, comparison, generalization, transfer, etc.), empirical (questioning, observation), methods of mathematical processing of the results of empirical research.

Research results

To identify the potential of interactive teaching methods in the development of legal competence of University students it was necessary to determine the question of what is the content and essence of the concept of “legal competence”. For this purpose, we have studied and analyzed scientific works devoted to the study of this phenomenon. Let us consider the results in more detail.

The I.Y. Seryaeva's study noted that “legal competence is an integrative property of the individual, expressed in a set of competencies in the legal field of knowledge, the ability to have an active impact on the process of development and self-development of social and value characteristics of the individual, allowing to perform social and value functions in society, to prevent and eliminate illegal manifestations of behavior”(Seryaeva, 2005, p.62). As you can see, the author considers legal competence to be an integrative property of personality, uniting law and competence and characterized by three groups of features. *The first group* – a set of competencies in the legal field of knowledge. *The second group* – a set of skills to perform social and value functions. *The third group* includes two subgroups of abilities: a) to prevent illegal manifestations of behavior; b) to eliminate illegal manifestations of behavior. This group of

abilities needs to be clarified in terms of composition, first of all. However, it is important to emphasize that we are talking about the behavior of the individual and its illegal manifestations, that is, the direct actions of a person in conflict with the law and the rules. All three groups together, thus, characterize the knowledge, skills and behavior of the individual from the point of view of law.

Substantiating the set of components of legal competence, the author writes: "Acting as an individual subject of professional activity, the future specialist is a public subject, the carrier of social knowledge and values. Because of this, in the subjective characteristic of the student four planes are always connected: axiological, cognitive, communicative, reflexive" (Seryaeva, 2005, p.63). Hence, the structure of legal competence includes the unity of four components: motivational-value, cognitive, communicative, reflexive. It should be noted in this regard that the idea that the future specialist is the bearer of social knowledge and values is fair, because a person develops as an individual and as a person in the process of mastering the social experience accumulated by humanity. This means that it develops by appropriating social knowledge and social values. Because of their appropriation, they acquire a subjective color, become subjective knowledge and values. The development of these knowledge and values is possible only if a person carries out activities for their development consciously, that is, motivated, shows a positive attitude to them as values.

What is the characteristic of the components of legal competence? The motivational and value component implies an interest in law and, in particular, human rights as a universal value. The cognitive component is a body of scientific, theoretical and practical knowledge about human rights, responsibilities and ways to protect them. The communicative component is manifested in the ability to establish interpersonal relations, to coordinate their actions with the actions of other subjects of law, to choose the best style of communication in different situations, to master the means of verbal and nonverbal communication. Communicative abilities include the ability to understand human relationships, adequately perceive the situation of communication, the ability to cooperate, the ability to defend their point of view, the ability to predict the results of communication, to know the basic techniques of communication, the ability to avoid conflicts in communication. The reflexive component is manifested in the ability to consciously control the results of their activities and the level of their own development in the framework of the implementation and protection of their rights, freedoms and duties.

Further, the analyzed work reveals the main functions of the legal competence of the University student, including: information and communication, analytical and constructive, activity and regulatory, forming and developing, prevention and education. Information and communication function is associated with the creation of the necessary normative flow in the process of relationships, determines the development of socially significant relationships in the team, includes the ability to express thoughts clearly, maintain a conversation, transmit rational and emotional information. Analytical and constructive provides mastery of the legal knowledge necessary to perform this type of activity, the ability to assess the situation, decision-making. The activity-regulatory function includes the organization of execution of administrative decisions, consists in creation of the social-psychological and pedagogical conditions inducing to productive performance of duties and social-valuable functions in society. The forming and developing function consists in active influence on process of development and self-development of social and valuable characteristics, and also productive realization of creative potential in professional activity. Preventive and educative function lies in the prediction, prevention and elimination of unlawful behaviors, teachers' anticipation of abnormal behavior, overcome and eliminate the negative qualities and traits of personality in the interests of forming and development of socially-valuable entities.

Let us pay attention to three points. The first is related to the answer to the question – where do these functions come from, what is the basis for their allocation? It follows from the work that the author singled them out on the basis of the analysis of several studies devoted to the problem of formation of professional competencies, but does not give a specific justification for this composition. The second point is why the functions are given in binary form? What does not suit the author of the nomenclature of “single” functions, such as gnostic, etc. functions? The third point – from the content of the functions it seems that the author speaks about the functions of professional competence of a specialist in general, the specificity of legal competence in the functions allocated is not clearly visible.

Let us make another point about the functions of legal competence. Speaking of functions, it should be borne in mind that they are treated as relatively homogeneous, constantly arising and repetitive tasks, the solution of which is a prerequisite for the successful functioning of a system. That is, functions are tasks. But not any tasks, but only those that meet the following requirements: relative uniformity, constant occurrence and repeatability; the obligation of their presence for the successful functioning of any system. Function is a concept that reveals the activity side of the system. With this in mind, sometimes the view is expressed that the functions can only be said in relation to concepts that reflect the essence and content of a particular activity (for example, the functions of pedagogical, professional, training, organizational, managerial, engineering and other activities). As for other kind of concepts (not activity character), in relation to them it is incorrect to use the term “functions”? We think that such a statement of the question is wrong. The fact is that the function, reflecting the main objectives of a system, reveals the essence of this system, its purpose. And since any phenomenon or process can be considered as a system, so far as the concept of “function” is applicable to them.

In this context, speaking about the functions of legal competence, we must answer the question: what is the legal competence of the individual? What tasks are designed to solve a person with legal competence? This raises the methodological question: what is the composition of the functions? What determines a particular composition proposed by researchers, what are the main factors affecting the composition of the functions? Analysis of the literature shows that there are no unambiguous answers. We can definitely say that functions, as well as concepts, are of a specific historical nature, that is, their composition and content for the same concept may differ depending on the historical context. That is one side of the question. Another is that regardless of the historical context to reflect the essence of a phenomenon, a system must have some invariant functions associated with the qualitative originality of a concept. These invariant functions in content may have different content, while maintaining its semantic purpose.

Along with the invariant functions at a particular stage of historical development, there are always some new functions that reflect changes in the environment, the development of the relevant science, etc. Taking into account the above, we believe that characterizing a particular concept from the point of view of its purpose, we can talk about two groups of functions – invariant and variable. Invariant functions are basic functions related to the essence of the phenomenon described by a particular concept. In this sense, they can be called timeless. Variable functions are additional functions that appear at a particular historical stage of development and reflect the specific changes that occur with the phenomenon under study at this stage of its development.

In the analyzed work the main didactic means of formation of legal competence of students (communicative tasks, discussions, dialogues, legal situations, legal games) which were chosen according to stages of formation of legal competence are allocated. At the first stage, the emphasis was on the

formation of the motivational and value component (dialogue with discussion elements – the main means), at the second stage – the cognitive component (the main means – discussions), the third – the communicative component (the main means – communicative tasks), the fourth – the reflexive component (the main means – legal games, legal situations).

In another work, the legal competence is understood as “a holistic education of his personality, reflecting the readiness to solve problems that require legal knowledge, as well as their use in professional activities” (Polyakova, 2007, p.10). As you can see, there are two main features of the concept: readiness to solve problems that require legal knowledge; readiness to use legal knowledge in professional activities. It is noteworthy, in our opinion, that both of these features are of an activity nature, which fully meets the basic idea of the competence approach to the formation of students’ skills to apply knowledge to solve certain problems. The emphasis on the readiness to solve problems (and not the ability to do it) is not accidental. The fact that the readiness, as noted by psychologists and teachers, involves the development of the student not only the operational side of the activity (in the form of skills), but also motivational (the desire to use these skills). Readiness – is the presence of the desire to carry out activities and possession of the relevant skills. And since any skill is based on knowledge, insofar as the concept of “readiness for...” includes three elements: knowledge, skills and the desire to use them to solve certain tasks and situations in social and professional activities.

A comparison of this definition with the one given above allows us to state the following. I.Y. Seryaeva in his definition emphasizes the attributes associated with the terms of the legal knowledge and ability to apply knowledge in activities. M. E. Polyakova tells about the readiness to solve problems. There are noticeable differences in the definition of the main features of one concept. It is not possible to explain these differences convincingly, since both authors do not disclose in their studies the specific theoretical foundations on which they relied in their definitions of the concept of “legal competence”. We can express our point of view on this issue: the definition of M. E. Polyakova seems to be more correct as it highlights, firstly, more generalized and clear signs, and secondly, these signs (in the form of readiness for ...) more correctly reflect the philosophy and methodology of the competence approach.

If we talk about the functions of the legal competence of a specialist, M. E. Polyakova refers to them: motivational (stimulates the use of legal knowledge and skills in prof. activities); gnostic (activates self-educational activities in the field of law); emotional and volitional (actualizes the ability to demonstrate endurance, perseverance, to mobilize their efforts to overcome the difficulties arising in professional activity); technological (implementation of an individual system of using legal competence in real practice); reflexive (systematic self-analysis specialist of their level of professional activity, development of self-improvement programs in the field of additional legal education); prognostic (helps to foresee a specific situation and solve it by optimal methods). As you can see, identifies six functions of legal competence (instead of five that took place in I. Y. Seryaeva’s work). Of all the functions, three functions are repeated (motivational, gnostic, reflexive).

In the study N. V. Yurasyuk notes that legal competence is an integral professional and personal characteristic that reflects a high level of legal knowledge and skills and includes communication skills and personal qualities of the manager, aimed at creating conditions for legal regulation of management (Yurasyuk, 2009, p. 10). In this definition, there are two features associated with the specifics of the Manager’s activity: “communication skills” and “personal qualities of the manager aimed at creating conditions for the legal regulation of management activities”. The author concretizes the characteristics of the legal competence of students – future managers on the main structural components (cognitive,

motivational, activity, personal) and levels of development (adaptive, productive-performing, creative). This specification is associated with the reflection of the specifics of the Manager. For example, in the cognitive component specificity is expressed in the fact that focuses on knowledge in the field of labor law, the analysis of economic and legal situations, the ability to form adequate legal relations. In the motivational component – the attitude to the activities of the legal settlement of labor disputes; in the activity component – legal skills related to the observance of human rights and freedoms, the fight against offenders, etc.

Comparison of the structural components of the legal competence in the work of I.Y.Seryaeva (motivational and valuable, cognitive, communicative and reflexive) and N.V.Yurasyuk (cognitive, motivational, activity, personality), shows that there are certain differences. Only one component (cognitive) has a complete match, another (motivational) has a partial match; the other two do not match (by name) – in other words, only 50% of the components coincide in whole or in part. Selection in N. V. Yurasyuk's work, the action component of talking about the increased focus on the activity component of legal competence. And the use of a personal component instead of a reflexive one can also be considered as an attempt to give more weight to the personal characteristics of the future specialist (for reflection can be considered one of the personal characteristics).

Now let us consider in more detail the issue of pedagogical means of formation of legal competence of University students. In our study, we focused on the identification of pedagogical opportunities of interactive teaching methods as a means of forming the legal competence of students. It should be noted that the study of the role and place of interactive teaching methods is devoted to a lot of research both Russian and foreign scientists. Interactive learning is based on the phenomenon of interaction (influence against each other). This term refers to training based on active interaction with the subject of training (leader, teacher, coach). In the process of learning there is interpersonal cognitive communication and interaction of the teacher and students as subjects of educational activity. Interactive teaching methods (discussions, didactic games, trainings, quests, etc.) are characterized by the following features: close cooperation of the teacher and the student, based on dialogue interaction; high level of involvement of students in the learning process; activity in the process of different types of educational activities; orientation of the educational process not so much on external results, but on internal, delayed in nature; intensification of the potential of the educational process; the presence of feedbacks in learning; motivation of learning not only personal, but also socio-cultural significance; the possibility of modeling the integral content of future professional activities; increased emotionality of students (Ibragimova, 2013).

Interactive teaching methods involve changing the role and place of participants in the educational process. It lies in the fact that: firstly, both the teacher and students are considered as subjects of learning, and equivalent and equivalent; secondly, the interaction of students with each other is a key essential feature of interactive teaching methods. This means that students in the process of communication have the opportunity to fully realize their cognitive, life, social, personal and other types of experience; third, the use of interactive teaching methods assumes as a mandatory requirement the creation of a favorable educational environment: other students, teachers, infrastructure (classroom, equipment, textbooks, information and computer support, the building of the educational institution, library, etc.). It is clear that the environment of the student will be different depending on where the training takes place – in the walls of the educational institution or at work, in the workshop, library, in the Prosecutor's office, at home, etc. At the same time, the educational environment is the same for everyone within the walls of the educational institution, but can vary significantly elsewhere – for example, in self-education at home, or in the library,

etc. And what the educational environment largely depends on the effectiveness of training, since it acts as a reality in which the student finds a field of learning experience.

Experimental work was carried out at the Department of legal education of the faculty of law of Kazan Federal University. It was attended by students of the first and fourth years – future teachers of law (total sample – 84 people, including 40 – experimental groups, 44 – control groups). The study showed that the dynamics of formation of all components of legal competence in the experimental groups was higher than in the control groups. At the same time, we confirmed our assumption that interactive teaching methods have a different impact on the formation of different components of legal competence. In particular, interactive teaching methods have the greatest impact on the formation of communicative and motivational components, and to a lesser extent – cognitive and reflexive components. For example, the number of students with a high level of motivation in the experimental groups increased by 15.0 %, while the control – only 2.5 %; communication component, respectively, 22.5 % in the experimental and 5.0 % - in the control groups. The reliability of the differences in this and other components of legal competence is confirmed by the use of mathematical statistics with a probability of 95 %. This suggests that the tested experimental factors (interactive teaching methods) have a significant impact on the formation of the legal competence of students–future teachers of law. This conclusion is related to the essential characteristics of interactive teaching methods (the establishment of emotional contacts between students, the formation of the habit to work in team, to listen to the opinions of other team members, reducing nerve stress on students, etc.).

Conclusions and recommendations.

The essence and content of legal competence as one of the important goals of the future lawyer training are revealed. Legal competence is considered as an integrative concept, which includes a set of competencies in the field of law, the ability to perform socially significant functions in society, as well as the readiness of the individual to a conscious active activity to prevent and eliminate illegal behavior of citizens. Legal competence performs two groups of functions - invariant and variable. Invariant functions are basic functions related to the essence of the phenomenon described by a particular concept. In this sense, they can be called timeless. Variable functions are additional functions that appear at a particular historical stage of development and reflect the specific changes that occur with the phenomenon under study at this stage of its development.

Interactive teaching methods have, along with the content of training, independent potential for the development of legal competence of future lawyers. This potential is associated with the activation of students' thinking, increasing the density of emotionally rich communication of participants, ensuring the consideration of individual characteristics in the learning process, etc.

According to the results of the study, teachers of legal disciplines can be recommended to practice the use of interactive teaching methods more often. However, they should be used in combination with traditional teaching methods.

Results

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