LEGAL EDUCATION OF UKRAINE IN THE CONTEXT OF INTEGRATION INTO THE EUROPEAN EDUCATIONAL SPACE

Abstract. The authors of the article investigated the current state of developing legal education in Ukraine in the context of European integration processes, and also identified the main trends towards increasing the level of legal culture of Ukrainian youth, taking into account the experience of European countries and peculiarities of Ukrainian legislation in terms of regulating rights and obligations of major institutions of socialization.

Keywords: European integration, students, legal culture, legal education.

Problem statement in general. Formation of Ukraine as a democratic legal state, as well as civil society establishment urge the need to increase the level of legal culture among Ukrainians. The issues of further developing citizens’ legal awareness, overcoming legal nihilism, meeting the needs of citizens in gaining legal knowledge are to be resolved at the state level. This can be ensured primarily by improving legal education of citizens [1].

Since Ukraine has determined European integration as its path, there arises the issue of harmonizing regulations that govern existence and development of society with those generally accepted in developed countries. The problem of building a civil society, a democratic legal state is directly related to development of legal awareness and legal culture of each individual [2, p. 58-60].
In contrast to a number of post-Soviet countries, public opinion in our country is concentrated around two opposite poles. Only the victory of European integration aspirations in 2014 established new reference points as to entering the legal framework not only at the declarative level, but also at the level of citizens’ awareness of the need to comply with regulations. An important role in the formation of a new social worldview is assigned to education, and therefore to educators. Since a high legal culture of society is currently declared as one of the priorities for development of a future specialist’s personality, the educational process also requires a skilled teacher who could develop students’ legal competence [3, p. 26-28].

Establishment of democratic society in Ukraine requires a significant revision of both legal knowledge that graduates of various departments should acquire and formation of psychological mechanisms of respect for law within the legal awareness structure of students. Legal culture is the foundation of a new civil society in Ukraine. The successful resolution of these tasks depends on many factors, but mostly on the level of legal education planning and the country's population upbringing [4, p. 11]. That is, in order to build a legal state, it is necessary not only to ensure knowledge of one's rights and duties, but also to develop young people’s sense of responsibility for their actions and deeds, the inner need to carry them out within the legal framework. Yet, the content of legal education cannot be limited only to knowledge of the law theory or reduced to the study of some set of legislative national and international statutes and regulations. There is an urgent need to form citizens’ legal culture, legal education modernization in higher educational institutions being one of the factors of such formation.

Analysis of major researches and publications. The issues of legal education, legal competence, legal consciousness, legal culture, as well as technologies of their formation have been repeatedly considered by such Ukrainian and foreign scientists as H. Ammerer, O. Hanzenko, A. Heringa, M. Geelhaar, A. Zaiets, L. Kaseniuk, A Kudryachenko, M. Kupchak, O. Makeieva, R. Oliynychuk, R. Palmstorfer, V. Salohub, S. Tretiak, I. Sharavara and others.

Most of the mentioned authors considered legal education at the level of secondary schools. There is also a number of studies devoted to educators’ legal culture. However, there is no profound researches into legal education of students of the national higher school. The aim of the paper to investigate modern development of legal education in Ukraine in the context of integration into the European educational space and identify trends in raising the level of legal culture of Ukrainian youth, considering the experience of European countries.

Presentation of the main material. A certain system of legal education having quite old historical traditions and aiming to support democratic processes in our state has been established at higher educational institutions of Ukraine. In this regard, there is a growing interest in legal knowledge, increased prestige of legal institutions, and
awareness of the role of legal mechanisms in solving problems of an individual, society and the state. All this is characterized by dramatic changes in the growth of demand for legal education, legal literature, and legal culture formation.

The logic of establishing democratic processes in our country, the approved European vector of development caused evolutionary approximation of Ukrainian legal education to international standards. Russian aggression became a catalyst for European integration processes in our country. On June 23, 2022 the European Council voted to grant Ukraine the status of the European Union candidate country [5]. This fact determines the necessity and inevitability of bringing national legal education closer to the European legal educational environment. However, sharing the opinion with Salohub, we note that in view of possibilities of the open information society, new educational technologies, availability of foreign sources, one cannot forget that Ukrainian and Western legal traditions had different cultural backgrounds. That is why, forming legal awareness and legal culture of a future teacher, one cannot fail to take into account the fact that a student is inextricably linked with society being a product of its cultural development [6, p. 198-203].

Most European countries have a responsible attitude to legal education of their citizens. The study of rights, freedoms and obligations is an important component of secondary education. In school curricula, the elements of legal education are present either as a separate independent discipline or as classes for flexible attendance. Basic courses in different countries may be called “Civic Studies”, “Legal Relations”, “Social and Political Education”, “Personal Socialization”, but all of them are based on fundamental knowledge of a person and his/her place in society, aimed at shaping the personality able to adapt to social life, development of human morality and political and legal knowledge.

For example, in Austria, the Law on Civic Education in Schools was adopted in 1978. It states that “… Austrian educational institutions must implement a set of goals facing them in the context of solving the tasks of legal education. Legal education becomes the basis for social and state development in general and its citizens as individuals in particular. The goal of legal education in Austria is formation of legal awareness among citizens on a pan-European scale and understanding of global world problems”. In accordance with current legislation, the Austrian education system pays considerable attention to acquisition of legal knowledge in the field of civics and human rights, but recently more and more emphasis is placed on the issue of civic education and civics [7].

Until the end of the last century, the study of legal disciplines in England and Ireland was voluntary and optional. These were programmes intended for different levels of training – elementary and basic. But since the beginning of the 2000s, legal education in England has been moving from voluntary to compulsory acquisition of knowledge on human rights and freedoms. The basis of pedagogical programmes of such legal education is an attempt to give students the opportunity to realize their
human rights, form the ability to protect and defend them within the framework of the existing civil society. Several approaches to the study of human rights can be distinguished: historical, based on the historical aspect; the one based on analysis of human rights from the standpoint of international documents; reconstructive, the basis of which is interpretation of human rights within the framework of social perspectives (economic stability, stable environment).

In the national educational system of France, one can trace a trend of educating those who learn the proper attitude to human rights, similar to the policy of the country's government. Since the mid-1980s, the Ministry of Education and the Secretary of the Human Rights Committee have been focusing the attention of teachers on a comprehensive review of legal education programmes, taking into account the following features: appointment of people responsible for implementing legal programmes in the educational system; implementation of creative programmes and projects in national contests; full-scale application of human rights in the examination system of educational institutions.

Social and legal education in Belgium is based on teaching human and individual rights on a global scale, avoiding conflict situations and effective methods of solving them. In the early 1980s, the Belgian National Ministry of Education and Culture developed a special document that provides information on human rights and freedoms to students through their conversations with teachers.

The departments of education and the Youth Department of the Council of Europe play an important role in legal education of the EU citizens. The Department of Education supports development of a policy and practice of promoting a culture of democracy and human rights through education in the 50 member states of the European Cultural Conventions and runs a wide range of capacity building and cooperation programmes in the perspective of lifelong learning.

A large-scale project of the Youth Department of the Council of Europe on education in the field of human rights [8] is now being implemented. It is a direct contribution to the fulfillment of the main mission of the organization to promote and protect human rights. It builds on the Council of Europe’s 2030 Youth Sector Strategy promoting young people's access to rights and increasing potential and resources for youth organizations and other relevant stakeholders to deliver human rights education. The project consolidates and supports the role of non-governmental youth organizations as participants in implementation of the Council of Europe’s Charter on Education for Democratic Citizenship and Human Rights Education. This is achieved through a combination of developing and disseminating resources and activities for trainers, youth workers, advocates and defenders of the right to human rights education.

The Human Rights Education Youth Program supports implementation of the World Programme on Human Rights Education and contributes to the achievement of the United Nations Sustainable Development Goal, which aims to ensure inclusive

One of the important public organizations that operates at the international level and was founded and supported by the Council of Europe is the European Wergeland Centre (EWC). It is an educational resource center considering the issues of intercultural rapport, human rights and democratic citizenship for the 47 member-countries of the Council of Europe. The main goal of the European Centre named after Wergeland is strengthening the potential of individuals, educational institutions and educational systems in the field of building and supporting democracy culture and human [12].

As for legal education, for many decades, it was a purely internal matter: students studied laws and doctrines of their national legal system. However, the development of European law (international law) has led to the inclusion of courses in European and international law in educational programmes. The Erasmus/Socrates student and staff exchange and the Erasmus Mundus programmes encouraged law schools to create more courses that seemed attractive to students and develop collaboration networks. This led to expansion of courses (aspects) in European and international law, as well as comparative law. In those countries where the national language was not expected to attract many exchange students fluently speaking it, the schools began to offer those courses in English. For many vacancies, employers began to value international exchange experience and related knowledge of a foreign legal system, as well as expertise in legal language. This should lead to the emergence of another legal education: perhaps not to a complete reform of all European law schools, but at least to law schools that specifically meet the needs of European, transnational and international lawyers [13].

Thus, under present conditions in all European countries, development of the education system of human rights and freedoms is based on establishing the fundaments of students’ social behaviour in civil society, realizing the fact that rights and freedoms of a person and a citizen are the highest value of society. In general, European legal education aims to solve the following tasks:

1) socio-pedagogical, which are to shape citizens’ ideas of individual participation in the life of society, the division of its interests, a responsible attitude to the fundaments of a democratic society;

2) pedagogical, aimed to create the required level of knowledge, sufficient to percept all the diversity of views and beliefs of a person regarding politics, society, international relations, understanding of rights and legal standards;

3) political and legal, aimed at accumulating knowledge and skills by a person and encouraging him/her to fully participate in the development of civil society and the legal state.
European integration processes actively influence the current socio-cultural situation of Ukraine that, in turn, requires certain mobility and literacy from the society, an appropriate level of legal culture and legal consciousness. Bringing the national system of legal education into line with international requirements needs quite significant systemic changes. Thus, Kupchak [14, p. 146-152] claims that the reform of legal education to harmonize national and European systems should include:

1) modernizing the structure and content of legal education applying the competence approach;
2) updating and creating a new legal and regulatory framework for legal education;
3) reorganizing existing and creating modernized educational institutions and educational electives, experimental centers for selection of effective pedagogical innovations;
4) building an effective system of national education, development and socialization of children and youth;
5) ensuring lifelong legal education, increasing the nation’s intellectual and mental potential;
6) improving the quality of legal education on an innovative and informational basis, creating a modern information-resource and material and technical base of the legal education system;
7) conducting national monitoring of the legal education system;
8) bringing legal education to the European level, introducing innovative pedagogical technologies and scientific and methodological achievements of the European Union and the Council of Europe into the legal education process.

The author believes that under the influence of European integration processes on the development of legal education systems in Ukraine, their reformation and modernization will take place. The access to legal education will be simplified, its quality and importance will be increased; students’ and teachers’ mobility, as well as national revival and democratization of society in Ukraine will be promoted [14, p. 146-152]. Sharing this statement, we note that the process of reforming legal education should begin with legal education and raising the level of citizens’ legal culture. However, the goal of legal education should be “…creation of a specific toolkit for conveying legal values to the mind and feelings of every person” [15, p. 26].

As the experience of developed countries shows, the political and legal culture of society also affects socio-economic relations in the state. The facts of disrespect for law, legal ignorance, gross violation of human rights and freedoms, and defiance of law should be eliminated. Studying the basics of law provides wide opportunities for young people to make the right choice in a specific situation; forms a sense of
self-worth, self-respect, responsibility for their choices and actions. A person who knows his/her rights gains the respect of others; asserts his/her rights in various situations. Legal education is essential. In this regard, it is extremely important to familiarize young people with human rights and fundamental freedoms, as well as obligations that involve respect for rights and freedoms enshrined in national legislation and international documents.

The challenges faced by our state caused a dramatic rethinking of civilizational values at the level of society. Therefore, increasing the level and quality of legal education planning, bringing it closer to international standards, acquiring legal knowledge, attracting citizens of Ukraine to legal values, strengthening legislation in the state, ensuring the principle of the rule of law should become an important direction of the state policy [16, p. 28-32]. Thus, a citizen’s legal culture should be manifested not only in respect for the law, sufficient knowledge of the content of its standards and the ability to use them, but also in understanding of its value and meaning.

Emphasizing the role of every citizen in the legal system of the state, Makieieva says that the main task of civil society is to achieve an adequate level of legal culture and form a benchmark of a legal personality that respects the law, recognizes its supremacy in all spheres of life, and supports the rule of law with actions in Ukraine [17, p. 261-265]. Integration of Ukraine into the European legal educational environment requires innovations, including adaptation of the national legal educational system to the requirements of the Bologna process; joint training of specialists in European institutions of higher education and exchange of graduates; solving the problems of legal recognition of Ukrainian higher education diplomas in EU countries; training specialists capable of protecting Ukrainian interests in the conditions of global competition [14, p. 146-152]. In general, it is worth agreeing with Kudryachenko, who draws the conclusion that Ukraine’s strategic choice in favour of European integration and the Euro-Atlantic course is well-founded and civilizationally logical. Historically, Ukraine is part of the Christian macro-civilization (Ukrainians make up 3% of the world's Christians). Eastern and Western Christian values are combined here in the national mentality, namely collective and individual freedom, rationalism and pragmatism. European tolerance towards other political, ideological and religious systems is characteristic of Ukrainians [18]. So, in the near future, the system of legal education in Ukraine is expected to undergo a number of reforms that will bring it closer to European standards, and make it less formalized, practically oriented and in line with the needs of a democratic society.

Conclusions and generalizations. During the years of its independence, Ukraine has gone through a short but rapid way from the post-Soviet republic to the modern stronghold of world democracy. The choice made by Ukrainian society to integrate into the European space requires deep internal transformational processes. One of such processes is the acquisition of – high-level legal consciousness, legal
culture, and legal education of both society in general and each citizen in particular. First of all, this applies to pupils and students who will build the country, bring it to a new way of reality perception, a new level of relations both within the country and abroad.

The entry of Ukraine into the European community leads to inevitability of transforming the educational system and rethinking its role in society. Based on the experience of European countries, there is a shift in emphasis of legal education (awareness) of young people towards informal education. Public organizations, coordinated by the Council of Europe, have taken a great deal of responsibility for improving legal education of the EU youth. This again confirms the priority of studying international regulations instead of national legislation, which definitely will be approximating the European one.

Interaction of state and civil institutions necessitates revision of the legal education programme in terms of deeper consideration of the interests of this socio-demographic group, while the establishment of a truly democratic, legal state, proclaimed by the Constitution of Ukraine, requires a significant increase in legal awareness of citizens.

Raising the level of legal culture is a rather complex and long-term process. It requires significant efforts and application of comprehensive measures by the state, its bodies and officials, local authorities, and every citizen. The role of legal education consists in strengthening young people’s attitudes, increasing their civic activity, etc. A carefully thought-out and effective system of legal upbringing and education of schoolchildren and university students will contribute to developing legal culture of society as a whole.

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