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# ORGANIZATION OF TRAINING IN LEGAL DISCIPLINES BASED ON THE IMPLEMENTATION OF INTERNATIONAL STANDARDS

**N. A. Pohoretskyi**

Taras Shevchenko National University of Kyiv, Kyiv, Ukraine

**A. N. Cherniak**

Interagency Scientific and Research Centre on problems of combating organized crime under  
the National Security and Defense, Kyiv, Ukraine

**M. L. Hribov**

National Academy of Internal Affairs of Kyiv, Kyiv, Ukraine

**A. V. Rusnak**

National Academy of the Security Service of Ukraine, Kyiv, Ukraine

**V. Y. Artemov**

National Academy of the Security Service of Ukraine, Kyiv, Ukraine

## ABSTRACT

*The article is devoted to the main aspects of the organization of training in legal disciplines in the context of the implementation of international standards. Features of the implementation of training in the field of law are disclosed, taking into account a number of features characteristic of each individual state. It is concluded that the introduction of international standards is a prerequisite for the formation of a unified educational space in the EU. This is a condition for increasing the level of competitiveness of specialists in the field of law and the functioning of a single labor market. The analysis of the national standard for teaching legal disciplines in Ukraine. The degree of dependence of the national standard on the pan-European ones was determined and a conclusion was drawn on the necessity and permissibility of using the most advanced methods of teaching legal disciplines that were not included in these standards. In particular, were considered the relevant Street Law programs for implementation, a PRES formula, a case study methodology for teaching legal disciplines. It is concluded that it is necessary to constantly expand and improve the quality of teaching methods of legal disciplines by universities independently,*

*taking into account the mandatory compliance with national standards for such training. This will save the uniqueness and competitive advantages of domestic universities and increase their competitiveness.*

**Key words:** training in legal disciplines, ECTS, European standards of education, Bologna process, higher school

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## 1. INTRODUCTION

The development of the educational space in Ukraine, and especially higher education, is largely focused on solving a number of socio-economic problems. First of all, we are talking about the formation of a competitive workforce, which against the background of Ukraine's integration into the EU, is seen as a way to improve the quality and effectiveness of the activities of many single-discipline professionals engaged in professional activities and who are tax agents. In other words, the ability of these specialists to occupy their market niches depends on the level and quality of education in the future. In conditions of open markets and freedom of movement of labor in the EU, this task is significantly complicated, due to the possible penetration into the Ukrainian markets of highly qualified and well-trained specialists from Europe.

In order for domestic Ukrainian youth to compete, they must receive a quality education, and, among other things, an education in the field of law, since it is lawyers and notaries that are the basis of the middle class in developed countries. Despite the fact that the domestic higher school was formed back in Soviet times, the teaching methodology and approaches to educational processes as a whole have undergone significant changes. The implementation of the basic principles and methodological foundations, introduced in higher education in the framework of the Bologna process, has led to a significant increase in the prestige of many domestic universities and made a number of educational programs and courses in the field of law prestigious, including.

But at the present stage of the formation of the educational system, the priority is the introduction of new progressive methods and methods of teaching legal disciplines, which will make it possible to significantly increase the level of individual competencies for graduates of legal universities and programs, and will allow them to compete in the labor market not only in Ukraine, but also in Europe. Therefore, at the present stage, it is necessary to solve a number of problems, namely:

- what methods and teaching methods should be implemented in the practice of teaching legal disciplines in Ukraine;
- what you need to focus on when changing the methods of teaching legal disciplines.

The solution of these problems will allow for the implementation of qualitative transformations in the system of training professional personnel in the field of jurisprudence with minimal costs and losses for universities.

## 2. METHODS AND MATERIALS

National and international standards in the field of teaching legal disciplines were studied, for example, the Bologna Declaration: Joint Statement of European Ministers of Education (June

18-19, 1999, Bologna), Convention of European Higher Education Institutions and Educational Organizations (March 29-30, 2001 Salamanca), Communique of the Conference of Ministers Responsible for Higher Education (September 19-20, 2003, Berlin), etc.

From the point of view of achieving the objectives of this study, the most useful are such research methods as systemic and structural analyzes, the use of which, together with the formal logical analysis, will help to achieve the maximum effect in solving the main problems. In particular, using these methods, it will be possible to reveal the features of modern methods of teaching legal disciplines and their greatest utility for Ukrainian realities. In addition, an important research method is the modeling method, which allows you to determine the level of utility of implemented educational programs and teaching methods.

### 3. RESULTS AND DISCUSSION

It is well known that the modern processes of organizing higher education in the EU have been shaped by the following legal and international legal acts: Magna Charta Universitatum (September 18, 1988, Bologna), Lisbon Convention (April 11, 1997, Lisbon), Sorbonne Declaration (May 25, 1998, Paris), Bologna Declaration: Joint Statement of the European Ministers of Education (June 18-19, 1999, Bologna), Convention of European Higher Education Institutions and Educational Organizations (March 29-30, 2001, Salamanca), Commune The conference of ministers responsible for higher education (September 19-20, 2003, Berlin), Graz Declaration The role of universities until 2010 and so on.

The conclusion of T. Mitchell and R. Wavell that the main point of the standards introduced by the above documents is the formation of a universal level of preparation of the first fundamental cycle of education, which can be considered as a guide to the progress in learning made by a student, who intends to begin program of the second cycle, immediately or after a short break, and continue their education throughout life [1]. This approach suggests that the implementation of educational standards ECTS [2], the system of higher education standards, developed during the Bologna process, it makes sense at the first and second stages of education with varying degrees of obligation to adhere to the established minimum amount of such standards.

The fact that the adoption of the final version of ECTS took place only in 2015 indicates the presence of certain disagreements between different countries in approaches to maintaining the competitive advantages of their own educational systems, so that they could receive highly educated, highly qualified and competent specialists in various fields, including in the field of jurisprudence. However, one way or another, but the modern educational space of Europe is characterized by unified approaches to organizing the processes of methodological support for the teaching of disciplines, including legal ones, at least at the stage of preparation of bachelors.

This is concluded by I. Romashchenko, analyzing the principles set out in the recommendations of the Committee of Ministers of the Council of Europe No. R (2000) 21 On the freedom of professional activity of a lawyer, indicating that the system of training specialists in the field of law should be based on unified approaches to enable the improvement of the level of competitive advantages of such specialists regardless of the country of study, at least at the undergraduate stage [3]. Thus, it will be fair to conclude that the system of teaching legal disciplines, in the conditions of a single educational space, should contribute to the formation of a minimum unified level of competencies, which would allow students to move freely within this space.

Then, the preservation of the innovative components of education and the competitive advantages of universities is complicated, however, it is carried out through the

implementation of the most advanced educational methods and programs, which subsequently acquire the importance of standards for the educational process.

According to L.M. Prokopov the introduction of educational standards is always accompanied by a change in the level of quality of the educational process, since there is a change in the essential organization of the entire educational process, which entails a number of complications due to national characteristics of public relations [4]. This thesis demonstrates the need to conclude that the complexity of implementing international standards in the field of teaching legal disciplines is associated with a number of factors:

- national features of legal systems and national legislation, associated with the need to apply various approaches to the formation of the volume of the studied material. This aspect most significantly affects the implementation of international standards;
- features of building the structure of the justice system, which determines the nature of the relationship between them and the specifics of law enforcement;
- the level of requirements for the professional competencies of specialists in the field of law.

All this is the initial data and those social guidelines that determine the depth and intensity of the implementation of international educational standards in the system of teaching legal disciplines.

The current state of the organization of the process of teaching legal disciplines in Ukraine, in addition to the above international documents, is regulated by Order of the Ministry of Education and Science of Ukraine of 12.12.2018 No. 1379, which introduced the Standard of Higher Education of Ukraine in the specialty "Law". This standard defines the integral, general, and special (professional, subject) competencies, and also indicates those features of the ECTS system, that must be observed in the field of training in legal disciplines.

A systematic analysis of the provisions of this order indicates the following features of the implementation of international educational standards:

- firstly, the volume of the educational program is 240 ECTS credits on the basis of complete general secondary education, of which: at least 150 ECTS credits should be aimed at ensuring general and special (professional) competencies in the specialty 081 "Law"; at least 10 ECTS credits - for the acquisition of practical skills and legal practice. These volumes are comparable with European educational standards;
- secondly, the system and structure of competencies is structured in such a way that general competencies prevail over special ones. But the structure of general competencies is aimed at developing skills and abilities that are more characterized as adaptive, which allows legal experts to use general methodological approaches to the application of normative acts, taking into account the variability of the system of legal regulation of public relations;
- thirdly, the system of special competencies has a pronounced sectoral approach, which indicates the dispersion of educational programs for various legal professions, which complicates the further implementation of international standards;
- fourthly, the structure of the educational standard is structured in such a way, that allows universities to introduce special and additional educational programs.

In general, the national educational standard, according to which, the teaching of legal disciplines is carried out, takes into account the most general requirements of international educational standards, but more to the requirements and structure of the educational process than to its filling.

The further process of implementation of international educational standards in the system of teaching legal disciplines should be accompanied by the most progressive programs and teaching methods. The formation of the level of competencies, which is determined by the national educational standard, defines only the most general requirements for the professional qualities and knowledge of future lawyers. However, the national educational standard can hardly be described as one that forms competitive specialists in the labor market in the field of jurisprudence.

In this regard, we consider logical the conclusion of V.N. Zhadan that in the teaching of legal disciplines there is an objective need to base and proceed from the most important provisions and categories of the general theory of state and law, the history of state and law, constitutional law and others, the consideration of which, to a certain extent, serves to expand and deepen the relevant ideas of students, and only after that, it is considered possible to form special industry knowledge [5]. In general, this conclusion fits into the concept of training specialists in the field of law.

On the other hand, it is necessary to take into account the point of view of C. Lorenz, who concludes that the main idea underlying all EU educational plans is economic: the main idea is to expand the scale of European higher education systems, as it was implemented in economic systems in Europe earlier, in order to increase its "competitiveness" [6]. Therefore, a pan-European standardization of the "values" created in each of the national higher education systems is necessary. Thus, the introduction of the European credit transfer system - ECTS-points - allows you to make all European assessments compatible and comparable, which can be compared with the introduction of the euro, since the "value" of higher education throughout Europe will in future be calculated from the point of view of the same credit points. On the one hand, this allows us to solve the issue of the cost-effectiveness of educational programs, their cost estimation, which makes it possible to rationalize the costs of the education system.

This is especially true in the prevalence of public education over private. ECTS in this case is considered as the ability to bring costs to a common denominator, based on the minimum standards guaranteed by the state. If this conclusion is interpreted through the peculiarities of the organization of the process of training in legal disciplines, then we come to the conclusion that it is necessary to constantly develop the system of training specialists by forces and means of universities. A synthetic approach to the budgeting of many universities by combining public and private funding leads universities to independently create competitive advantages, taking into account the presence of minimum established educational standards. This leads to the fact that, in addition to introducing a national standard, universities must implement those educational programs and innovations that have not yet become standards, but are only a progressive vision of the process of preparation and formation of the level of competencies.

R. Loades argues that in the event of an overabundance of programs in European higher education, these programs will need to focus on attracting students based on their exclusivity and progressiveness [7]. L. Ryabovol draws attention to the fact, that in such conditions a systematic approach to teaching legal disciplines is required, which involves a comprehensive study of complex objects, which is the process of teaching law, as a focused and functionally differentiated system - a single whole, whole set of hierarchically located elements [8]. In this case, the goal of legal didactics is the study of the relevant pedagogical reality, the accumulation, generalization and systematization of the knowledge necessary for understanding, explanation, planning and forecasting the development of legal education, the process of teaching law.

This approach determines the need to focus on the synthesis of educational standards (national and international), as well as progressive methods of teaching law. The first will be responsible for the basic level of education and the economic justification of the training program, the second - for increasing the competitiveness of students who have completed such a course of study and training in the field of jurisprudence.

N.I. Golovko noting in his research that today the requirements of national educational standards require revision, if you do not agree with the position that they can be accepted only as basic requirements for the formation of the basic level of knowledge [9]. P.A. Dziuba and T.A. Zaitseva also comes to a similar conclusion, arguing that in addition to the basic national standard, it is necessary to introduce into the field of teaching legal disciplines such methods as the project method; modeling method; "training ground"; PRES formula (Position-Reason-Explanation or Example-Summary) [10].

O.O. Rezvan, also speaks about the PRES formula in his research, considering it the most effective auxiliary teaching method, aimed at developing and consolidating the skills of argumentation, substantiation and defense of one's own position in discussion, dialogue, business meetings. In this formula, the algorithm of logically sequential actions is programmed, which allows you to form the skills of effective professional communication, which is crucial for lawyers [11].

E.M. Kropaneva draws attention to such a practical law training program as Street Law, which is widely used in the USA. This is an American program of practical general education in the field of law, democracy and human rights (through the study of street law, that is, those situations that each of us encounters on the street, and there is a comprehension of law) [12]. It is a unique combination of information and methodological approaches.

Students learn real-life information in the fields of law, democracy and human rights through pedagogical techniques that promote coeducation, critical thinking and the ability to be full members of a democratic society. The introduction of this methodology significantly increases the level of practical skills and special competencies and is the most interesting and progressive tool for training specialists in the field of protection of civil rights and freedoms.

N.V. Artikutsa, in turn, considers it the most promising for introducing the method of specific situations, or the case method, into the domestic curriculum of teaching legal disciplines. The method is based on the principle of a precedent, or case, which exists in Anglo-Saxon law and serves as a weighty criterion for making a decision in a court case in the absence of various codes (civil, criminal, administrative, etc.) [13].

In addition, according to L.V. Dudikova this and any other method, which is focused on increasing the role of students involvement in the learning process and analysis of practical situations, is justified for inclusion in educational programs, since it allows to increase the independence of students' work, stimulate them to common research tasks [14]. Improving the independence and initiative of students, including in the field of research work, is one of the elements of the formation of a high level of professional skills that allow developing law-making abilities among future lawyers.

#### 4. CONCLUSION

Thus, the further process of implementing international standards in the field of teaching legal disciplines should be based on a synthesis of pan-European standards, as well as the inclusion in educational programs of the most advanced methods and courses for teaching legal disciplines. This will help to form not only a common, basic level of competencies and knowledge, but also help to increase the level of competitive advantages of future specialists.

In general, the current state of the organization of training in legal disciplines in Ukraine should be characterized by the following theses. Firstly, the pan-European educational

standards are being actively introduced, which makes it possible to increase the degree of unification of the domestic and European educational space. This facilitates the transfer of students and enhances their competencies. Secondly, the implementation of international standards should take into account the needs and characteristics of domestic legal reality, legislation, as well as the system of construction of justice bodies.

Therefore, any implementation of international standards should occur adaptively, which is expressed in the development of national standards for teaching legal disciplines. This meets the modern needs of the educational sector and the labor market, and also allows universities to independently introduce innovative forms and teaching methods, which increases their level of competitiveness and, accordingly, the competitiveness of students.

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