

# Tuning

Russia

Reference Points  
for the Design and  
Delivery of Degree  
Programmes in  
Law





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of Degree Programmes  
in Law



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University of Deusto  
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## **Reference Points for the Design and Delivery of Degree Programmes in Law**

Reference Points are non-prescriptive indicators and general recommendations that aim to support the design, delivery and articulation of degree programmes in Law. The document has been developed by subject area group, including experts from Russian and European universities, in consultation with different stakeholders (academics, employers, students and graduates).

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# Preface

Tuning started as a project in 2000, initiated by higher education institutions and their academics, and strongly supported morally and financially by the European Commission. Over time Tuning has moved beyond the EU and gradually transformed itself into a global methodological system covering educational sectors in many regions of the world.

Androulla Vassiliou, the European Commissioner for Education, Culture, Multilingualism and Youth, underlined when closing the “Tuning in the World: New Degree Profiles for New Societies” Conference in Brussels on 21 November 2012, that whilst Tuning started as an attempt to solve a strictly European problem, it has become a methodology that can be adapted to different higher education structures in very different cultural contexts and that the commitment of the universities, the associations and the national authorities involved is key to the continuing success of this initiative.

The Tuning Russia project has been designed as an independent university-driven project with contributions of university staff members from different countries. The Tuning Russia project reflects the idea that universities do not look for the harmonisation of their degree programmes or any sort of unified, prescriptive or definitive curricula; but, simply for points of convergence and common understanding. The protection of the rich diversity of education has been paramount in the Tuning project from the very start and the Tuning Russia project in no way seeks to restrict the independence of academic and subject specialists, or damage local and national academic authorities. The objectives are completely different. Tuning looks for common reference points. The Reference points are

non-prescriptive indicators that aim to support the articulation of degree programmes.

The publication of the “Tuning Russia Reference Points” series became a reality due to collective work of Subject Area Groups and project teams at participating European and Russian universities, their academic and administrative personnel to whom we would like to express our sincere gratitude. We stress our deep appreciation to all European and Russian experts who have made a significant contribution to the development of reference points for the design and delivery of degree programmes in various subject areas.

The Tuning process in Russia has been supported by the National Tempus Office in the Russian Federation from the very beginning of the project. Our special thanks go to Director Olga Oleynikova, whose support and recommendations were invaluable during the implementation of the project. The project and this publication would not have been possible without the coordination and recommendations of Tuning General Co-ordinators Julia González and Robert Wagenaar.

We hope that readers will find this book both useful and interesting.

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# 1

## General Introduction

The convergence of national educational systems within the EU is an important milestone in the global development of modern higher education in the 21<sup>st</sup> century. The day when the Bologna Declaration<sup>1</sup> was signed (19 June 1999), is considered the official starting point of the harmonization process of higher education systems within Europe, a process whose end aim consists in the creation of the European Higher Education Area (EHEA). Russia joined the Bologna process in September 2003 at the Berlin Conference of European Ministers in charge of Higher Education.

Signing the Bologna Declaration has led to a series of reforms in the educational systems of the majority of European countries. For higher education institutions (HEIs) these reforms consist in tuning basic teaching programmes in terms of both the structure and the outcomes of degrees. A prominent role should be given to the graduate and degree profiles so that they meet the needs of both the labour market and society, as well as to the specific tasks an academic community has to solve. Therefore, it is particularly important to express all the various educational levels in terms of competences and learning outcomes.

### 1.1. The contribution of universities to the Bologna Process and Tuning

It is well known that the Tuning Project —“Tuning educational structures”— has developed within the broader context of continuous

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<sup>1</sup> The Bologna Declaration on the European space for higher education. <http://ec.europa.eu/education/policies/educ/bologna/bologna.pdf>

reforms of European higher education systems, when society at large has been undergoing rapid changes. The name Tuning was chosen for the project to reflect the idea that universities do not look for uniformity in their degree programmes or any sort of unified, prescriptive or definitive European curricula but simply for points of reference, convergence and common understanding. The protection of the rich diversity of European education has been paramount in the Tuning Project from the very start and the project in no way seeks to restrict the independence of academic and subject specialists, or undermine local and national academic authority.

Tuning Educational Structures in Europe<sup>2</sup> started in 2000 as a project to link the political objectives of the Bologna Process and at a later stage the Lisbon Strategy to the higher educational sector. Over time, Tuning has developed into a Process, an approach to (re-) design, develop, implement, evaluate and enhance quality first, second and third cycle degree programmes. The Tuning Project and its methodology constitute one of the academic tools for creating the EHEA. The need for compatible, comparable and competitive higher education in Europe reflects the students' requirements. As student mobility increases, so does the demand for reliable and objective information on the degrees offered by different HEIs. Apart from this, employers both within and outside Europe require reliable information on qualifications awarded and on what these qualifications mean in practice and in the labour market context. Therefore, the process of creating national qualification frameworks is inseparable from the EHEA development process.

Tuning aims to meet the needs of educational institutions and structures and to offer a concrete approach to implementing the Bologna Process at the level of higher education institutions and subject areas. The Tuning approach proposes a methodology to (re-) design, develop, implement and evaluate study programmes for each of the higher education cycles. Furthermore, Tuning serves as a platform for developing reference points at subject area level. These are relevant to making study programmes comparable, compatible and transparent. The agreed-upon reference points for subject areas and their degree programmes are expressed in terms of competences and learning outcomes.

Tuning in general has emerged from the understanding that the Bologna Process is about universities, their students, academic and non-academic

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<sup>2</sup> Tuning Educational Structures in Europe. <http://www.unideusto.org/tuningeu/>

staff. It is they, with all their knowledge and experience, who should be deciding upon higher education innovation strategies. Tuning is a university-driven project and movement, which came into being as a reaction of HEIs to new challenges and new opportunities that emerged within the process of European integration and the creation of the EHEA.

## 1.2. Tuning in Russia

The Tuning methodology, which allowed European Universities to cooperate successfully and coordinate their activities aimed at creating unified educational cycles, uniform requirements for the structure of programmes, the development of common approaches to comparison and the assessment of learning outcomes, has become a “road map” for the Bologna process. Developed within the framework of the “Tuning educational programmes in European universities” project, the Tuning methodology as a universal tool for modernizing curricula in the context of achieving professional competences, has today gone beyond the borders of the EU and has acquired international significance. Universities in different countries and continents in expanding cooperation have increasingly resorted to using it to build joint programmes involving academic mobility, integrated education, introduction of a credit system, the exchange of educational modules and the mutual recognition of qualifications.

Russian Universities are also mastering the principles of the Tuning methodology through incorporating generic and subject specific competence descriptions into educational planning at the level of full degrees and individual degree components. Upon the implementation of the third-generation Federal State Educational Standards<sup>3</sup> based on principles compatible with the Tuning methodology – namely, making use of a credit-modular system, increasing the variety and number of elective courses, placing more emphasis on quality, taking into account professional qualification requirements, etc. – the interest in actively using the Tuning methodology to design educational programmes in different areas has increased significantly.

The first Russian HEIs that supported the need to develop the Tuning methodology were the Higher School of Economics, People’s Friendship

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<sup>3</sup> Federal State Educational Standards. <http://xn--80abucjiibhv9a.xn--p1ai/документы/336>

University of Russia and the Tomsk State University. In 2006-2008, within the framework of the "Tuning educational programmes in Russian universities"<sup>4</sup> TEMPUS project, these three centres designed bachelor and master degree programmes in the areas of «European Studies» and «Applied Mathematics».

The next step in the promotion of competence-oriented techniques within the system of higher education in Russia was the participation of Moscow State University, the Russian State University for the Humanities, St. Petersburg State University and Chelyabinsk State University along with the EU partners (2007-2008) in the "Russian Tuning-ECTS based model for the Implementation of the Bologna Process in Human Sciences" (RHUSTE)<sup>5</sup> TEMPUS project. Lists of generic and subject-specific competences and Bachelor's and Master's degree programmes in the areas of *History* and *Cultural Studies* were an outcome of that project. The experience of the reform of higher education in Russia in accordance with the principles of the Bologna process was summed up; Tuning methodology was analysed and recommendations on its implementation within the framework of Russian higher education system were advanced.

The "Tuning Russia"<sup>6</sup> project (TEMPUS, 2010-2013), which has brought together four EU universities (the project coordinator - University of Deusto, Bilbao, Spain; University of Groningen, Groningen, Netherlands; Trinity College Dublin, Dublin, Ireland; University of Padua, Padua, Italy), 13 Russian Universities (Astrakhan State University; Don State Technical University; Moscow State Academy of Business Administration; Moscow State Oblast (Region) University; Lomonosov Moscow State University; Moscow State University of Railway Engineering; N.I. Lobachevsky State University of Nizhni Novgorod; Yaroslav-the-Wise Novgorod State University; Russian State University for the Humanities; North Caucasus Federal University; Tver State University; Lev Tolstoy Tula State Pedagogical University; Udmurt State University) and the Association of the Classical Universities of Russia, tries to institutionalise the use of the Tuning methodology in the Russian Federation's educational practice. Its aim is to create a network of Tuning Centres in Russia and to develop a common

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<sup>4</sup> Tuning educational programs in Russian universities. <http://www.hse.ru/org/hse/iori/pr15>

<sup>5</sup> Russian Tuning-ECTS based model for the Implementation of the Bologna Process in Human Sciences (RHUSTE) <http://ru-ects.csu.ru/>

<sup>6</sup> Tuning Russia. <http://tuningrussia.org/>

list of generic and subject-specific competences which will be used later on in the process of structuring and describing higher education degree programmes of all levels in the following subject areas: Ecology, Economics and Management, Education, Environmental Engineering, Information and Communication Technologies, Languages, Law, Social Work, and Tourism.

This book contains the key general findings of the Subject Area Group within the Tuning Russia project. These reflect in synthesis the consensus reached by the group members and international experts on the subjects mentioned above. We hope and believe that the material contained in this book will be very useful for all higher education institutions wishing to implement the Bologna Process, and that it will help them to find and use the most suitable tools for adapting or creating higher education programmes in order to respond to the needs of today's society.

*Julia González and Robert Wagenaar*  
Tuning General Co-Coordinator



# 2

## Introduction to the subject area Law

### 2.1. Definition of the subject area

Law is one of the most important social sciences. A civilized society exists in the frame of numerous rules of behaviour (laws, decrees, legal practice etc.) established or authorized by the government. This implies not only the existence of legal knowledge and legal culture of all participants in social relations but also requires the existence of a dedicated body of professional lawyers.

Law fulfils several tasks:

1. studies, analyses the condition and development of the state and justice, offers scientifically based ways of their improvement;
2. designs legal norms at various levels and spheres of social life (international norms, federal constitutional laws, industry-specific legislation, regional legislation, law enforcement acts of different levels and types, local normative acts etc.) and analyses the practice of their implementation;
3. assists in the realization of legal activity, defence of human rights and freedoms, settlement of conflicts between citizens, legal persons, the state etc.

Law is a science of state and justice, a theoretical form and mode of production and organization of legal knowledge.

Juridical science studies law and the state in their unity from the aspect of the internal mechanisms of the emergence and development, the connection and mutual influence with general and economic structures of society. It also deals with the specific character of the common understanding of state-legal phenomena, legal awareness, the functioning of state-legal relations in practice and other legal bonds of the subjects of law. So, juridical science studies the state-legal structure of society and that's why it is a part of the social studies system. Law influences the social environment in two ways: by the activity of law-enforcement agencies and by the impact that the fixed order of proper behaviour makes on personal consciousness, the consciousness of social groups and society as a whole. Today the approach according to which juridical science studies not only social institutes but also the activity of people in their state-legal bonds and relations is becoming the most widespread one. The orientation of real people with their complicated consciousness, the study of the impact of state-legal institutions on the development of their consciousness is the background for research effectiveness in the field of Law and law-enforcement activity. That's why it is necessary to implement the social and psychological approach to interpret law as the basis of Law. Of course, solving the problems of law-enforcement activity juridical science cannot stay within its own narrow framework and fail to consider economic, demographic, cultural, social-psychological and other factors. The intersection between Law and the above-mentioned sciences can give a route to new branches of scientific knowledge that have a dual nature but one aim – to ensure law-enforcement activity.

With a glance at what is said above, the peculiarity of the subject area Law as a training direction within the higher education system in Russia is that the Russian Government pays much attention to the improvement of legal education as not only the success of political-legal reforms but the effectiveness of the cooperation between the state and civil society as a whole depends on the quality of legal staff training. This was expressed by the adoption of the President's Decree of 26.05.2009 n.º 599 "On the means of improvement of Russian higher legal education"<sup>7</sup>, "On the basis of the Russian Federation Policy in the sphere of the development of legal competence and awareness of the citizens" (adopted by the RF President 28.04.2011)<sup>8</sup> etc.

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<sup>7</sup> Access mode: <http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=LAW;n=88097>

<sup>8</sup> Access mode: <http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=LAW;n=113761>

Legal education enables the building of careers in different spheres: both in government service and private sector.

In particular, the following federal laws name higher legal education as the obligatory requirement for professional activity in the related spheres: the laws “On the interior service in the Russian Federation”<sup>9</sup>, “On the status of judges in the Russian Federation”<sup>10</sup>, “On the Russian Federation Prosecutor’s Office”<sup>11</sup>, “On advocacy and the Bar in the Russian Federation”<sup>12</sup>, “On the Russian Federation Committee of Inquiry”<sup>13</sup>, “On Intermediate Courts in the Russian Federation”<sup>14</sup>, The Basis of the Notarial System Legislation<sup>15</sup>, “On free legal aid in the Russian Federation”<sup>16</sup>. Besides, enterprises, establishments and organizations are assisted by **legal advisers**, who, according to the Qualification directory of the positions of managers, specialists and other staff<sup>17</sup>, should possess professional legal education.

According to the all-Russian classificatory of specialties in education<sup>18</sup> the subject area “Law” enters the third enlarged group – “Humanities” (together with philosophy, history, linguistics, cultural studies etc.). This is typical of the Russian system of law understood as a philosophical category. The International Standard Classification of Education (2011)<sup>19</sup>

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<sup>9</sup> Access mode: <http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=LAW;n=138622>

<sup>10</sup> Access mode: <http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=LAW;n=133394>

<sup>11</sup> Access mode: <http://www.consultant.ru/popular/prosec>

<sup>12</sup> Access mode: <http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=LAW;n=121949>

<sup>13</sup> Access mode: <http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=LAW;n=132925>

<sup>14</sup> Access mode: <http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=LAW;n=121921>

<sup>15</sup> Access mode: <http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=LAW;n=144683>

<sup>16</sup> Access mode: <http://base.garant.ru/12191964>

<sup>17</sup> Qualification directory of positions of managers, specialists and other staff adopted by the RF Ministry of Labor 21 August 1998 n.º 37 (current edition)// Access mode: <http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=LAW;n=111830>

<sup>18</sup> The all-Russian classificatory of specialties in education ( adopted by the RF ST of 30.09.2003 N 276-ct) (date of introduction 01.01.2004) (ed. of. 31.03.2010)// Access mode: <http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=LAW;n=115840>

<sup>19</sup> The International Standard Classification of Education (2011) // Access mode: [http://www.uis.unesco.org/Education/Documents/UNESCO\\_GC\\_36C-19\\_ISCED\\_RU.pdf](http://www.uis.unesco.org/Education/Documents/UNESCO_GC_36C-19_ISCED_RU.pdf)

puts Law into the group of “Social Studies, Business and Law” (Group 3) together with Economics, Political Science, Social Science, Ethnology, Documentation, Archival Science, Management etc.

The distinctive feature of **legal** education in Russia is that it is one of the subject areas where, apart from obligatory state accreditation of the basic HEIs’ educational programmes, an effective system of public accreditation of the professional community is developed. This accreditation is performed by the all-Russian public organization “Association of Lawyers of Russia”. Thus, in 2011-2012 the Quality assessment committee of higher legal education gave accreditation to 86 Russian HEIs providing legal staff training.<sup>20</sup>

The analysis of the state of legal education in different countries showed that it has much in common in respect of content and of teaching methods. The main difference consists in the length of study and in the correlation of the theoretical and practical parts of the courses. Thus, for example, a three-year education is typical of the American education system. Today it is necessary to have a “Bachelor of Arts” certificate in order to enter a US legal school (college). The study process is planned in accordance with the requirements of the American Bar Association that is allowed by the US Ministry of Education to develop and confirm the requirements for a legal HEI. The 1992 report “Legal Education and Professional Development: An Educational Continuum (“MacCrate Report”)”, published by the American Bar Association<sup>21</sup>, defined the following competences that should be formed within the study process: ability to solve problems; ability to provide legal assessment; ability to analyse legal literature, documents and facts; communication skills; consulting skills; ability to carry on negotiations; awareness of procedures connected with judicial contests and alternative ways to settle them; organization and management in legal work; detection and solution of ethical problems. As a rule, the list of obligatory subjects is established only for the first year of studies, and these subjects are Constitutional Law, Contract Law, Criminal Law and Administrative Law. The subsequent years of study are devoted to a narrow specialization. A student may also choose a certain number of subjects in history and legal philosophy, psychology etc. A lawyer who has acquired a Bachelor’s degree may enrol in one-year

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<sup>20</sup> Official site of the “Association of Lawyers of Russia”. Access mode: <http://www.alrf.ru/>

<sup>21</sup> URL: <http://www.americanbar.org/aba.html>

Master course (Master's degree in law – LL.M). This system is distinctive due to the combination of a narrow specialization with the intensive practical orientation of the study process: case study, moot courts, documentation (making documents etc.). Usually, in the US system there is no division between lecture and seminar (practical) classes.<sup>22</sup>

China's intensive economic growth and appearance on international markets encouraged the demand for legal education. The Bachelor's programmes are planned for a 4-year term. One fourth of the study time is devoted to general professional subjects, half a year is devoted to practice and the writing of the final thesis. Magistracy in Law is planned for 3 years.<sup>23</sup> The China's Ministry of Education runs the Legal Education Committee that created a new structure for the study plan which now consists of 14 obligatory subjects for all legal HEIs: Legal Theory, History of the Justice of China, Constitutional Law, Administrative Law and Administrative Process, Civil Law, Commercial Law, Intellectual Law, Economic Law, Criminal Law, Civil Procedural Law, Criminal Procedural Law, International Law, International Private Law and International Economic Law. Lecture classes prevail in the China's system which causes much criticism.<sup>24</sup> In the Legal Education Committee's report "On the means of improving the quality of legal education" of 23.12.2011 the following tasks are set forth:

- to intensify cooperation between HEIs and legal institutions as well as the joint creation of study programmes, the joint creation and improvement of manuals in order to provide the planned training of qualified staff;
- to extend cooperation between Chinese universities and the leading foreign HEIs as well as the system of student-tutor exchange, the system

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<sup>22</sup> See: Ilyina T.N. Legal education in the USA: history and modernity. Uchenyie zapiski. E-journal of Kursk State University. 2010. N.º 3-2. P. 53-59 - Access mode: <http://elibrary.ru/item.asp?id=15230356>; Karnakov Y.V. Peculiarities of the US legal education // Law. 2009. N.º 3. P. 73-84; Official site of Harvard University // Access mode: <http://www.law.harvard.edu/index.html>

<sup>23</sup> E.g, see Magister's programs of the Law Faculty of Jilin University (the largest higher education establishment in Northeast China that is among 100 best universities of PRC – so-called "Project 985")//URL: <http://law.jlu.edu.cn/>

<sup>24</sup> See Lyan Minyan. Legal education in modern China: state and reforms// Vestnik, Omsk University. "Law".2011 n.º 2(27). C.134-217.

- of credits and certificates of recognition, to intensify the use of rich experience of other states in the process of legal staff training;
- to develop innovative technologies as well as case-study, model trials, legal clinics etc.<sup>25</sup>

One of the most famous centres of European legal education is **the Law Faculty of the University of Groningen** (Netherlands).<sup>26</sup> In 2011/2012 the Law Faculty was providing education for 3841 students – 2869 Bachelors and 972 Masters. The Faculty provides training in 7 profiles which find their continuation in Magistracy – Dutch Law, Notarial System, Finance (Fiscal) Law, International and European Law, Law and Management, Law and Information Science, European Law (Law in a comparative perspective). The following courses are delivered in English: European Law and Human Rights; International Law and Law of International Organizations; International Economics and Entrepreneurial Law; International Private Law; Criminal Law and Criminology. The workload input of the above-mentioned programmes is 60 credits. The University professor Jenneke E. Bosch-Boesjes gave the following statistics on the graduates' employment – 36% find a job in law firms, notarial offices, rating authorities; 28% get a job in government service; 4% build an academic career; 6% are employed in banks and finance companies; 4% are employed in national and international industrial companies; 22% find some other job.

Having examined the competences most demanded among graduates and employers, the Law Faculty of the University of Groningen made the following list:

- ability to implement knowledge in practice;
- ability for abstract thinking, analysis and synthesis;
- basic knowledge of the branches of Law;
- written and oral communication in a native language;
- ability to solve problems.

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<sup>25</sup> URL: [http://www.moe.gov.cn/publicfiles/business/htmlfiles/moe/s3875/201204/xxgk\\_134451.html](http://www.moe.gov.cn/publicfiles/business/htmlfiles/moe/s3875/201204/xxgk_134451.html)

<sup>26</sup> URL: <http://www.rug.nl/rechten/index>

The competences least demanded are the following:

- ability to work in international context;
- basic computer skills;
- the understanding of foreign traditions and culture;
- the understanding of multiculturalism and diversity;
- ability to design and manage projects.

According to the graduates the least demanded competences are:

- ability to work in an interdisciplinary team;
- basic computer skills;
- ability to design and manage projects;
- the understanding of multiculturalism and diversity;
- the understanding of foreign traditions and culture.

Thus, the Law Faculty of the University of Groningen formulated the following learning outcomes:

***Knowledge:***

- to show a deep knowledge and understanding of Dutch Law and its structure, European and International Law, law, social and historical aspects of legal problems.

***Applied knowledge (skills):***

- ability to implement knowledge in practice and solve problems;
- ability to adjust to new legal situations and create new knowledge.

***Skills:***

- information skills, management and computer skills;
- written and oral communication;

- research skills, ability to work in team with specialists and non-specialists;
- self-education skills.

The structure of the basic educational program of Groningen University is the following:

***Term 1:***

Introduction to Dutch Law – 7 credits  
 Legal History – 6 credits  
 Constitutional Law – 6 credits  
 Introduction to European and International Law – 5 credits  
 Legal Practice, Computer Practice – 5 credits

***Term 2:***

Constitutional Law – 4 credits  
 Administrative Law – 5 credits  
 Criminal Law – 7 credits  
 Private Law – 8 credits  
 Legal Practice – 3 credits  
 Optional courses – 4 credits

***Term 3:***

Private Law – 9 credits  
 Administrative Law – 7 credits  
 Criminal Law – 6 credits  
 Roman Law – 6 credits

***Term 4:***

European Law – 7 credits  
 Civil-Procedural Law – 6 credits  
 Administrative-Procedural Law – 4 credits  
 Labour Law – 4 credits

Law and Economics – 6 credits  
Legal Philosophy – 6 credits

**Term 5:**

Criminal Law – 6 credits  
Private Law – 7 credits  
Corporate/ Entrepreneurial Law – 9 credits  
Constitutional Law – 7 credits

**Term 6:**

Optional courses – 14 credits  
Non-legal subjects – 5 credits  
Training trial – 10 credits

**The Master's programme:**

Obligatory subjects (courses) – 36 credits  
Seminar – 6 credits  
Master's dissertation – 18 credits  
Total – 60 credits

Thus, despite certain national peculiarities, legal education in the leading countries and Russia develops in similar directions.

**2.2. The relationship of the subject area with other degree programmes**

Legal scholars traditionally single out three forms of interaction of Law with other allied sciences:

1. The use of data of the sciences allied to Law for solving actual specific problems of law creation and legal regulation.
2. The use of scientific ideas and principles of the allied sciences for the analysis of the state law regulation system.

3. The use of certain methods, means of scientific research taken from one or another concrete science in social-legal cognition. For example, the integration of Law and psychology becomes apparent in three aspects:
- implementation of psychological knowledge in Law in the “pure” form; the use of psychological knowledge in the form of the method of expert psychological assessment.
  - the use of psychological knowledge in Law by its “transformation”; specification, expansion, improvement of legal notions and institution by utilization of psychological categories and notions as well as lawyers’ implementation of psychological methods in scientific research or law-enforcement or other legal practice, the use of psychological data in organizational and procedural activity, professional selection, investigation of law infringements, re-education of offenders.
  - synthesis of psychology and Law, their intersection and appearance of a new branch of the science— legal psychology. The demands of Law in psychological knowledge predetermine the appearance of legal psychology that is a twofold science, legal and psychological at the same time, analysing psychological peculiarities in the sphere of law enforcement. Of course, the appearance of such integrative science assists in the development and improvement of both psychological and legal knowledge.

By its content training in Law is similar to such present educational programmes in the Russian Federation as 030901.65 Legal assurance of national safety, 031001.65 Law enforcement activity. Training in 031003.65 Legal Expertise contains rather large units in subject area “Law” (such as Civil Law, Criminal Law, Civil Process etc.). As a special profile, Law acts in training in 050100 Pedagogical Education (the list of profiles is confirmed by the decision of the Education Presidium in pedagogical staff training of 15 June 2010, protocol n.º 2<sup>27</sup>).

It’s worth mentioning that all the basic educational programmes within higher professional education imply students to be able to work with normative acts in the professional sphere and to be aware of the basis of constitutional structure and defence of human rights.

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<sup>27</sup> URL: <http://old.mpgu.edu/umo/prof-bac-pedobraz.htm>

At the same time certain educational Bachelor's and Master's programmes require the formation of special competences connected with separate branches of Law. Thus, for example, training in 031900.62 International Relations implies a graduate to be able to defend his rights in practice (also individual rights), to be able to use the RF Civil Code, to be aware of legal peculiarity of Russian regions and foreign countries.<sup>28</sup> Training in 034700.62 Documentation and Archival Science requires that a graduate should possess knowledge in the sphere of Administrative Law, Civil Law, Labour Law, should be aware of legislative and normative-methodological basis of documentation assurance for the management and archiving and of the legal basis of related areas.<sup>29</sup> The Master's programs in 080400.68 Staff Management should contain material on Labour Legislation Development<sup>30</sup> etc.

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<sup>28</sup> State federal education standard of higher professional education in 031900 International Relations (of 22 December 2009 N 815)

<sup>29</sup> State federal education standard of higher professional education in 034700 Documentation and Archival Science (of 28 October 2009 N 493)

<sup>30</sup> State federal education standard of higher professional education in 080400 Staff Management (of 23 December 2010 N 2009)



# 3

## Qualifications in Law

Typical educational programs which realized within the subject area Law in the Russian Federation are presented in Table 1.

**Table 1**  
The typical degrees offered in Law

Cycle	Degrees	Qualification awarded	ECTS credits
1 <sup>st</sup> cycle	030900.62 Law Possible specialisations: state-legal, civil-legal, criminal-legal	Bachelor	240
2 <sup>nd</sup> cycle	030900.68 Law Examples of possible Master's programmes: <i>Legal History, Legal Theory and Legal Philosophy;</i> Legal Information Science; Public Law; Finance, Fiscal and Customs Law, etc.	Master	120



# 4

## Typical occupations of the graduates in Law

**Bachelors in "Law" are able to perform the following types of professional activity and solve the corresponding tasks:**

*a) Legislation:*

participation in the development of normative acts.

*b) law enforcement:*

stating of a factual situation (real evidence, documents, original evidence etc.);

stating of legal basis of the case (legal qualification), interpretation of rule of law;

delivering of a well-founded judgment by a competent body and its transference to the persons concerned;

activities connected with the realization of legal norms in accordance with the administrative duties.

*c) Law enforcement activity:*

*In the sphere of justice:*

judicial defence of rights.

*In the sphere of public prosecutor's oversight:*

supervision of the observance of the RF Constitution and the execution of laws within the whole territory of the state;

participation in the courts' examination of criminal, civil and arbitration cases.

*In the sphere of order maintenance and security assessment:*

realization of human rights and freedoms defence measures, security of citizens, society and the state, suppression of illegal displays.

*In the sphere of detection and investigation of crimes:*

detection of all important a crime's circumstances, detection of the persons responsible for the crime committed, transference to the court in the established order or exoneration of the non-guilty at pre-trial stage of the legal procedure.

*In the sphere of legal assurance and legal assistance:*

licensing of rights of property and other citizens' rights and assurance of the law execution within realization of civil deals;

legal assistance in the form of legal consultations;

representation in courts or other state structures.

**d) *Expert-consulting activity:***

rendering of legal services to physical and legal persons to defend their legal rights and interests;

legal expertise of documents of a legal character.

**e) *Pedagogical activity:***

teaching of legal subjects (except HEIs);

legal education; legal propaganda.

**Masters in “Law” are able to perform the following types of professional activity and solve the corresponding tasks:**

**a) Legislation:**

development of normative acts (as well as making amendments to normative acts and abolition of out-dated normative acts);

regulation of legislative process.

**b) Law enforcement:**

stating of a factual situation (real evidence, documents, original evidence etc.);

choice and analysis of a rule of law applied to the factual situation, rule of law interpretation;

delivering a well-founded judgment by a competent body and its transferring to the persons concerned;

activities connected with the realization of legal norms.

**c) Law enforcement activity:**

*In the sphere of constitutional control:*

assurance of effective normative acts in conformity with the RF Constitution;

observance of the principles of non-acceptance or abolition of already taken normative acts or their norms.

*In the sphere of justice:*

judicial defence of rights.

*In the sphere of public prosecutor's oversight:*

supervision over the observance of the RF Constitution and the execution of laws within the whole territory of the state;

participation in the courts' examination of criminal, civil and arbitration cases.

*In the sphere of order maintenance and security assessment:*

realization of human rights and freedoms defence measures, security of citizens, society and the state, suppression of illegal displays.

*In the sphere of detection and investigation of crimes:*

detection of all the circumstances of an important crime, detection of the persons responsible for the crime committed, transference to the court in the established order or exoneration of the non-guilty at pre-trial stage of the legal procedure.

*In the sphere of legal assurance and legal assistance:*

licensing of rights of property and other citizens' rights and assurance of the law's execution within the delivery of civil deals;

legal assistance in the form of legal consultations;

representation in courts or other state structures.

**d) *Expert-consulting activity:***

rendering of legal services to physical and legal persons to defend their legal rights and interests;

legal expertise of documents of a legal character.

**e) *Managing and organizing activity:***

managing and organizing functions.

**f) *Research activity:***

research on the problems of Russian and foreign law;

generalization and analysis of court, arbitral and investigative practice.

**g) *Pedagogical activity:***

teaching of legal subjects;

legal education; legal propaganda.

# 5

## Competences

### 5.1. Definition of competences and learning outcomes

The introduction of a two or three cycle system makes it necessary to revise all existing study programmes which are not based on the concept of cycles. In practice these programmes have to be redesigned because in a cycle system each cycle should be seen as an entity in itself. Each cycle should not only give access to the following cycle but also to the labour market. This demonstrates the relevance of using the concept of competences as a basis for learning outcomes.

Tuning makes the distinction between learning outcomes and competences in order to distinguish the different roles of the most relevant players: academic staff and students/learners. Expected learning outcomes of a process of learning are formulated by the academic staff, on the basis of input from internal and external stakeholders and academic judgement, preferably involving student representatives during the process. Competences are developed during the process of learning by the student/learner.

Competences are defined in Tuning as a dynamic combination of knowledge, understanding, skills and abilities. Fostering competences is the object of educational programmes. Competences will be formed in various course units and assessed at different stages. As a rule, competences cannot be fully developed within one particular discipline. Competences are normally developed in an integrated and cyclical manner throughout a programme, sensitive not only to the content of learning but to the teaching format and methodology. Yet, in some systems (e.g. in a modular system) it is also feasible to develop a certain subject specific competence during one module focused on this particular competence. To make levels

of learning comparable, the cycle (level) descriptors are developed for specific subject areas and are also expressed in terms of competences.

Learning outcomes are statements of what a learner is expected to know, understand and be able to demonstrate after the completion of a learning experience. According to Tuning, learning outcomes are demonstrated by the students and can be assessed. They can refer to a single course unit or module or else to a period of studies, for example, a first, a second and a third cycle programme. Learning outcomes specify the requirements for the award of a credit. Learning outcomes and assessment criteria together determine the credit allocation requirements, while a grade is given on the basis of students' achievements, which might be above or below the credit-allocation benchmark.

The *Tuning Russia* project defines "learning outcomes" as measurable and assessable competence "components" which are formulated by the teaching staff. Students are expected to be able to reach and demonstrate these learning outcomes at the end of an educational programme or a component of an education programme. Learning outcomes are described with active verbs (be able to do/demonstrate/will have completed...). To reiterate, learning outcomes may belong to a whole programme or to a programme element (unit). Learning outcomes can also belong to one particular thematic (didactic) discipline unit (module). Statements of learning outcomes form the basis for workload calculation and, therefore, for ECTS credit allocation between structural units of a degree programme. It is necessary to achieve the intended learning outcomes in order to be awarded the corresponding number of ECTS credits.

Competences are divided into generic and subject specific. Although Tuning fully recognises the importance of subject specific competences, it has been found that considerable time and effort should be devoted to developing generic competences. Competences described by the *Tuning Russia* project should be used as *reference points* by programme developers but are not meant to be interpreted as prescriptive. In other words, programme development flexibility and autonomy is preserved, while a common language for formulating programme aims and objectives is made available.

The use of learning outcomes allows for much more flexibility than is the case in more traditionally designed study programmes based only on the acquisition of knowledge, because they show that different pathways can lead to comparable outcomes; outcomes which can be much more easily

recognized as part of another programme or as the basis for entrance to a higher cycle programme. Their use fully respects the autonomy of other institutions as well as other educational cultures. Therefore this approach allows for diversity, not only in a global, European, national or institutional framework, but also in the context of a single programme.

## 5.2. List of competences

### 5.2.1. *Selecting competences in accordance with the Tuning methodology*

Introducing a more student-centred approach means that the focus is shifted from the educational process to learning outcomes, that the learner's and the teacher's roles change and that the learner becomes the centre of attention. It also becomes crucial to check constantly what generic and specific competences are required by society. Therefore, consultations with different stakeholders need to be conducted and lists of competences considered relevant should be regularly revised. Since the language of competences has come from outside the world of education, it best suits the need for consultation by allowing easy dialogue with stakeholders not involved directly in academic activity. The competence discourse permits the design of new degrees and the elaboration of mechanisms for improving those degrees that already exist.

Accordingly, within the *Tuning Russia* project a consultation process including employers, graduates and academic staff/faculty was organised in order to identify the most important generic and subject-specific competences that might be the focus for different degree programmes. As a result, lists of generic and subject-specific competences for the selected subject areas have been produced (cf. 5.2.2 and 5.2.3).

Consultation on generic and subject-specific competences was carried out with a questionnaire. The aims were to:

- initiate general debate in all Russian subject area groups on competences based on consultations carried out with the different stakeholders: employers, students, graduates and academics;
- collect up-to-date information in order to get a snapshot of the current situation in Russia and possibly to detect current tendencies and changes;

- based on this information, evaluate the difference or similarity of the perspectives of different stakeholder, using precise language comprehensible to all parts involved;
- limit the topic of debate to three different levels: the institutional (the basic and first level of discussion), the level of subject areas (reference points for HEIs) and the generalised level (related to the general situation in Russia);
- compare the results with data obtained through similar consultations carried out in Europe and other countries, in order to determine any possible common tendencies and/or regional and/or subject-area peculiarities.

Respondents were asked 1) to indicate the level of importance and development of a competence and 2) to rank the five most important competences. For each competence, a person filling out the questionnaire had to indicate (1) the level of its importance for (future) professional work and (2) the level up to which this competence was deemed to be developed within a particular degree programme already in place. A four-point scale was used with 1 being equal to “zero” importance/development level and 4 being equal to “high” importance/development level.

The lists of generic and subject-specific competences were drawn up by each *Tuning Russia* Subject Area Group (SAG) in the following way:

- a) The Russian labour market and Russian Federation Professional Standards for the occupational area were analysed.
- b) The requirements for the basic outputs of Bachelor and Master degrees stipulated in Russian Federation State Educational Standards were analysed.
- c) Existing international professional standards for the occupational area were analysed.
- d) *Tuning Europe* procedures for selecting generic and subject-specific competences were analysed and adapted.
- e) Russian and EU experts were consulted.
- f) Initial lists of generic competences suggested by the various Subject Area Groups in the project (SAGs) were discussed and the common core within the lists was identified.
- g) Russian academics, employers, students and graduates were consulted about the resulting lists of generic and subject-specific competences.

- h) Finally, lists of generic and subject-specific competences were compiled after analysing the results of the stakeholder-consultation process.

The list of generic competences comprises 30 items (section 5.2.2) and separate lists of subject-specific competences have been developed for nine subject areas: Ecology, Economics and Management, Education, Environmental Engineering, Information and Communication Technologies, Languages, Law, Social Work, and Tourism (section 5.2.3). Lists of subject-specific competences can be consulted in separate publications (like this one) – Reference Points – prepared by the SAGs on the basis of discussions in groups, thematic and subject networks and professional communities. These lists account for the results of the consultations with all the stakeholders. Since every subject area has its own peculiarities, each group used slightly different approaches. Nonetheless, in order to obtain comparable results, a basic common procedure was used by all SAGs. In each case, the list was drawn after a consensus had been reached in the group discussion and after studying the ways the subject degrees are organised in the different regions of Russia and in other countries. It should be borne in mind that the resulting documents may still be amplified and amended.

The use of learning outcomes and competences is necessary in order to make study programmes and their course units or modules student centred/output oriented. This approach requires that the key knowledge and skills that a student needs to achieve during the learning process determine the content of the study programme. Competences and learning outcomes, in turn, focus on the requirements both of the discipline and of society in terms of preparing for citizenship and employability.

In an output-based study programme the main emphasis lies on the degree or qualification profile. This profile is determined by the academic staff and endorsed by the responsible authorities. The profile should be based on an identified and recognized need by society. Although every programme profile is unique and based on the judgements and decisions of the academic staff, the academics have to take into account specific features which are seen as being crucial for the subject area concerned. In the *Tuning Russia* project, the academics identified specific features of their own subject area. These are reflected in so-called meta-profiles, which are, in turn, based on the lists of generic and subject specific competences for each subject area (section 5.2.4).

### 5.2.2. Generic competences

One of the main aims of the *Tuning Russia* project has been that of compiling a unified list of generic competences relevant to degrees in many subject areas. In order to determine which generic competences appeared to be the most important ones, broad consultations have been carried out with graduates, students, employers and academics as outlined above. In order to identify the list of competences to be used as the basis of the wider consultation, the following process was carried out by the participants in the Tuning Russia project.

1. The Russian members of each SAG drew up initial lists of the generic competences.
2. The lists were discussed within each SAG including consultation with EU experts, and were amended if this was deemed necessary.
3. The lists proposed by the SAGs were compared, and the following categories of competences were distinguished: the common core of generic competences selected by all SAGs; competences selected by the majority of SAGs; those selected only by some SAGs; and those selected by only one SAG.
4. The list of 30 generic competences was agreed and its Russian and English versions were established in order to be used during the consultation process.
5. Students, employers, graduates and academics were consulted.
6. The questionnaires were analysed and the final list of generic competences, common for all SAGs was drawn. The results were discussed by all SAGs.

The final list comprises the following 30 competences:

**Table 2**  
Generic competences

Competence code	Competence
GC 1	Ability for abstract thinking, analysis and synthesis
GC 2	Ability to work in a team
GC 3	Capacity to generate new ideas (Creativity)

Competence code	Competence
GC 4	Ability to identify, pose and resolve problems
GC 5	Ability to design and manage projects
GC 6	Ability to apply knowledge in practical situations
GC 7	Ability to communicate in a second language
GC 8	Skills in the use of information and communication technologies
GC 9	Capacity to learn and stay up-to-date with learning
GC 10	Ability to communicate both orally and in written form in the native language
GC 11	Ability to work autonomously
GC 12	Ability to make reasoned decisions
GC 13	Ability for critical thinking
GC 14	Appreciation of and respect for diversity and multiculturality
GC 15	Ability to act with social responsibility and civic awareness
GC 16	Ability to act on the basis of ethical reasoning
GC 17	Commitment to the conservation of the environment
GC 18	Ability to communicate with non-experts of one's field
GC 19	Ability to plan and manage time
GC 20	Ability to evaluate and maintain the quality of work produced
GC 21	Ability to be critical and self-critical
GC 22	Ability to search for, process and analyse information from a variety of sources
GC 23	Commitment to safety
GC 24	Interpersonal and interactional skills
GC 25	Ability to undertake research at an appropriate level
GC 26	Knowledge and understanding of the subject area and understanding of the profession
GC 27	Ability to resolve conflicts and negotiate
GC 28	Ability to focus on quality
GC 29	Ability to focus on results
GC 30	Ability to innovate

As a result of the work of the Subject Area Group and by agreement with European experts the list of generic competences in “Law” was cut up to 7 competences. After a tight discussion in Brussels in November 2012 the formulation of several competences were corrected.

Generic competences were assessed according to the degree of their significance for lawyers and according to their mutual compatibility with subject competences.

**Table 3**  
Generic competences in Law

Code	Competence
GC 6	Ability to apply knowledge in practice
GC 26	Knowledge and understanding of the subject area and profession
GC 14	Understanding and respect for the diversity and multiculturalism of the society
GC 10	Ability for written and oral communication in native and foreign language
GC 4	Ability to define, formulate and solve problems
GC 1	Ability for abstract thinking, analysis and synthesis
GC 22	Ability for research, treatment and analysis of the information from various resources

### 5.2.3. Subject specific competences

Within the Tuning Project the group of Russian experts examined Russian education standards of the third generation in Law and the lists of those competences that were suggested by European experts (as well as the competence list formed within the Project “Tuning-Latin America” and later implemented to develop Law educational programmes in other countries). At this stage the experts tried to detect knowledge and skills typical of Bachelors and Masters in Law. It was stated that the competences in Law and legal expertise differ from each other and cannot be comparable. That’s why it was decided to coordinate subject competences only in Law. The coordinated list of subject competences in

Law was represented at the first seminar within the Tuning Russia Project at the Don State Technical University in April 2011.

According to the recommendations of the European experts', 14 subject competences in Law were coordinated (according to European experts, the number of 14-12 subject competences is optimal to be formulated briefly, in a few words).

**Table 4**  
Subject-specific competences

Code	Competence
SC 1	Good knowledge of legal terminology and techniques
SC 2	Ability to develop normative legal acts
SC 3	Ability to implement normative acts, to realize rules of law in certain professional spheres and to develop legal documents
SC 4	Ability to qualify facts and situations in a legally correct manner
SC 5	Ability to assist in legality, law and order
SC 6	Ability to take well-founded legal decisions in accordance with current legislation
SC 7	Ability to prevent law infringements, detect and eliminate the causes and conditions leading to human rights infringements
SC 8	Ability to implement and explain national legislation as well as the norms and principles of international law
SC 9	Ability to use basic principles and methods of human, social and economic sciences to solve professional tasks
SC 10	Ability for interdisciplinary cooperation and ability to work in a team with the representatives of other professional spheres as a legal expert
SC 11	Ability to implement in professional activity up-to-date research methods and methodologies
SC 12	Ability to teach legal subjects
SC 13	Ability to manage student's independent work
SC 14	Ability to communicate professionally in a foreign language

Thus, the work resulted in the list of generic and subject competences coordinated by the members of the Subject Area Group and European experts in accordance with TUNING methodology.

Then, the task was to ascertain the attitude of the respondents concerned—academic society, employers, graduates and senior students—to these competences. The team decided to hold a general inquiry of representatives of these respondents. The corresponding questions and the order of inquiry were developed. The respondents were to assess the competences according to their importance and the level of realization and then single out the 5 the most significant competences.

The inquiry was held in June-July 2011. The lists of subject competences common for graduates of all HEIs were displayed on the site of Deusto University [www.deusto.es](http://www.deusto.es) to gain the response of 4 groups of respondents – employers, academic society, senior students and graduates. The inquiry in “Law” was held on the basis of the following universities:

- Nizhni Novgorod State University.
- Astrakhan State University.
- Tula State Pedagogical University.
- Tver State University.
- Moscow State Academy of Business Administration.
- Moscow State University of Railway Engineering.

Each university had to question 30 respondents from each profile group.

The processing of the inquiries was carried out by the Tuning Academy, Deusto University (Bilbao, Spain). The rating of importance and level of realization of the competences within the study process was defined according to the maximum meaning – 4 and the minimal meaning – 1.

Analysis of the inquiry results of all respondent groups made it possible to detect what level of both generic and subject competence employers expect from graduates; their assessment of legal training at university. The inquiry of academic society and senior students showed the drawbacks of study programmes and the necessity to correct them.

Picture 1 shows the results of the inquiry of HEIs' academic community. Respondents of this group single out as the most significant the following subject competences:

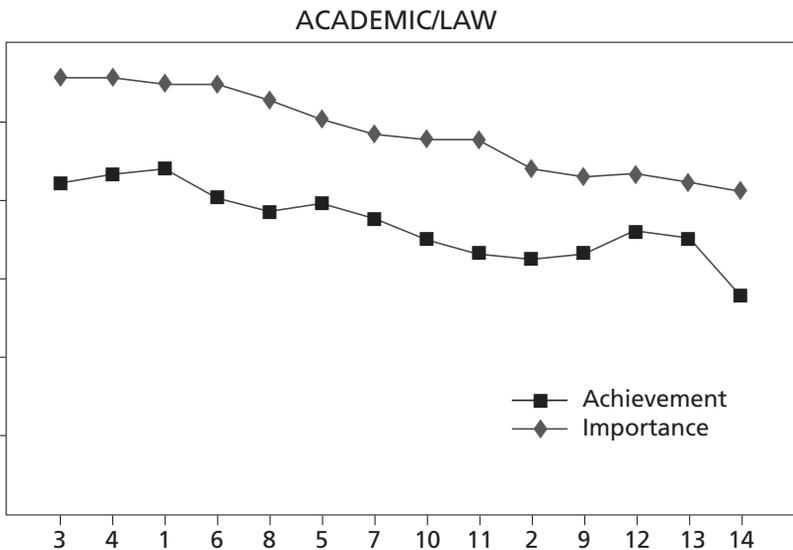
SC 3 – Ability to implement normative acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents.

SC 4 – Ability to qualify facts and situations in a legally appropriate manner.

SC 1 – Good knowledge of legal terminology and techniques.

SC 6 – Ability to take well-founded legal decisions according to current legislation.

SC 8 – Ability to implement and explain national legislations, as well as norms and principles of international law.



**Picture 1**  
Results of inquiry of *academic society*

The least significant competences are SC14 – Ability for professional communication in a foreign language and SC13 – Ability to manage student’s independent work.

As we see in pic.1, there is a rather significant break between the importance of competences and the level of their progress within the study process for all subject areas, the level of their realization in HEIs is lower than it was expected. The smallest break seems to be between competences SC12 – Ability to teach legal subjects and SC 13 – Ability to manage student’s independent work.

Picture 2 shows the opinion of employers. According to them, the most significant competences are:

SC 6 – Ability to take well-founded legal decisions in accordance with current legislation.

SC 1 – Good knowledge of legal terminology and techniques.

SC 4 – Ability to qualify facts and situations in a legally appropriate manner.

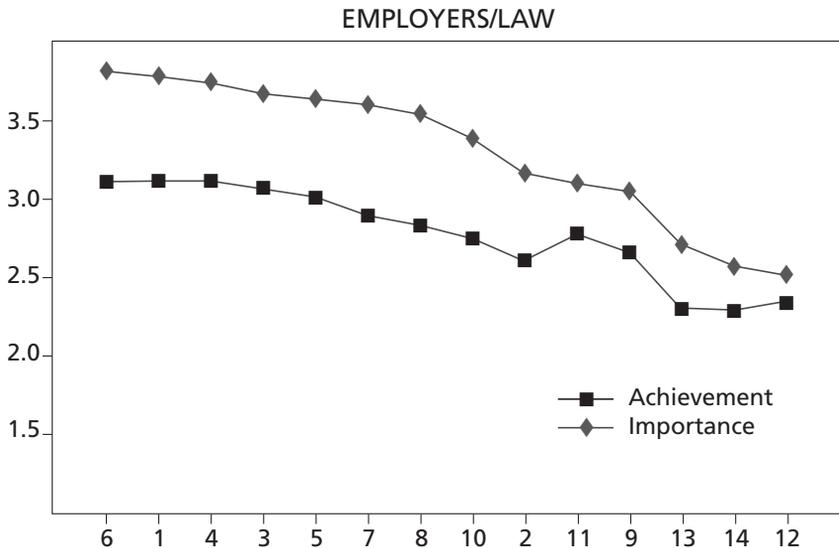
SC 3 – Ability to implement normative acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents.

SC 5 – Ability to assist to legality, law and order.

In this case the least significant competences are SC 12 – Ability to teach legal subjects and SC 14 – Ability for professional communication in a foreign language.

Employers also point out the low level of competence realization in HEIs, especially a significant break between the importance and the level of its realization is typical of competence SC 8 – Ability to implement and explain national legislation as well as norms and principles of international law; SC 7 – Ability to prevent law infringements, detect and eliminate causes and conditions leading to human rights infringement; SC 5 – Ability to assist to legality, law and order.

The smallest break is between competences SC 12 – Ability to teach legal subjects - and SC 14 – Ability for professional communication in a foreign language. However, according to employers, these competences are supposed to be the least significant.



**Picture 2**  
Results of inquiry of employers

Picture 3 shows that **senior students** name as the most important the following competences:

SC 4 – Ability to qualify facts and situations in a legally appropriate manner.

SC 3 – Ability to implement normative acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents.

SC 6 – Ability to take well-founded legal decisions in accordance with current legislation.

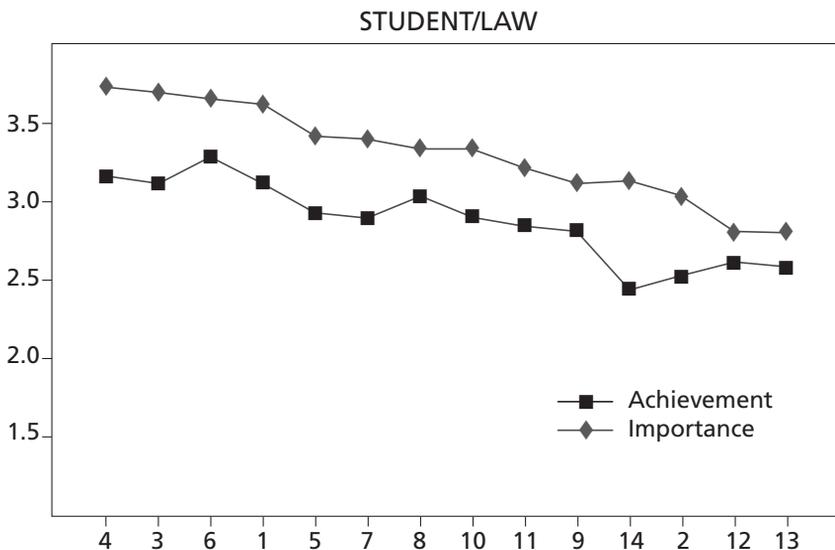
SC 1 – Good knowledge of legal terminology and techniques.

SC 5 – Ability to assist to legality, law and order.

According to students the least important competences are SC 14 – Ability for professional communication in a foreign language and SC 2 – Ability to develop normative and legal acts.

According to students the most significant break between the importance and the level of progress within study program relates to competences SC 14 – Ability for professional communication in a foreign language and SC 5 – Ability to assist to legality, law and order.

The smallest break is between competences SC 12 – Ability to teach legal subjects and SC 13 – Ability to manage students’ independent work.



**Picture 3**  
Results of inquiry of *senior students*

Picture 4 reflects the opinion of graduates. They single out the following important competences:

SC 6 – Ability to take well-founded legal decisions in accordance with current legislation.

SC 4 – Ability to qualify facts and situations in a legally appropriate manner.

SC 1 – Good knowledge of legal terminology and techniques.

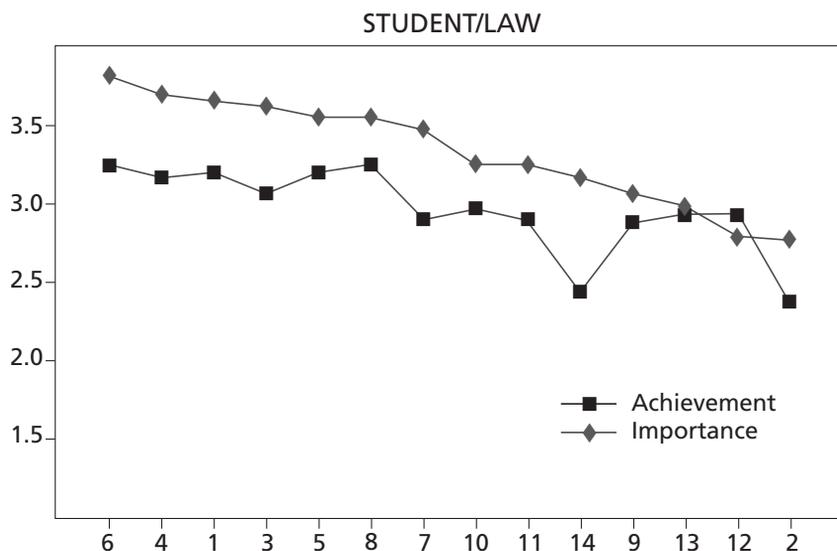
SC 3 – Ability to implement normative acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents.

SC 5 – Ability to assist to legality, law and order.

For graduates the least significant competences are SC 2 – Ability to develop normative acts SC 12 – Ability to teach legal subjects.

According to graduates there is a break between the importance of competences and the level of their realization. It mostly relates to competences SC 14 – Ability for professional communication in a foreign language and SC3 – Ability to implement normative acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents.

The match between the importance and the level of realization of competences SC 13 – Ability to manage students’ individual work and SC 12 – Ability to teach legal subjects was surprising.



**Picture 4**  
Results of inquiry of *graduates*

The rating of subject competences was done in the following manner: respondents had to choose 5 the most important competences and then put them in descending order according to their importance. According to the importance, the first competence was equal to 5, the second – 4, the third – 3 etc.

Thus, **according to academic society the following competences are the most important:**

**SC 3** – Ability to implement normative acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents.

**SC 1** – Good knowledge of legal terminology and techniques.

**SC 4** – Ability to qualify facts and situations in a legally appropriate manner.

**The least important competences are:**

**SC 13** – Ability to manage students' individual work.

**SC 9** – Ability to use the basic principles and methods of human, social and economic sciences to solve professional tasks.

**SC 11** – Ability to implement modern research methods and methodologies in professional sphere.

**According to employers the most important competences are:**

**SC 1** – Good knowledge of legal terminology and techniques

**SC 4** – Ability to qualify facts and situations in a legally appropriate manner.

**SC 3** – Ability to implement normative acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents.

**In this case the least important competences are:**

**SC 13** – Ability to manage students' individual work.

**SC 9** – Ability to use the basic principles and methods of human, social and economic sciences to solve professional tasks.

**SC 12** – Ability to teach legal subjects.

**For senior students the following competences are the most important:**

**SC 4** – Ability to qualify facts and situations in a legally appropriate manner.

**SC 1** – Good knowledge of legal terminology and techniques.

**SC 3** – Ability to implement normative acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents.

**The least important competences are:**

**SC 12** – Ability to teach legal subjects.

**SC 13**- Ability to manage students' individual work.

**SC 11** – Ability to implement modern research methods and methodologies in professional sphere.

**For graduates the most important competences are:**

**SC 1** – Good knowledge of legal terminology and techniques.

**SC 4** – Ability to qualify facts and situations in a legally appropriate manner.

**SC 3** – Ability to implement normative acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents.

**The least important competences are:**

**SC 9** – Ability to use the basic principles and methods of human, social and economic sciences to solve professional tasks.

**SC 13** – Ability to manage students’ individual work.

**SC 2** – Ability to develop normative acts.

**Table 5**

Correlation coefficient between the results of inquiry of all the three groups of respondents

Parameter	Respondents	Academic Society	Employers	Students	Graduates
Importance	Academic society	1			
	Employers	0.91410696	1		
	Students	0.93265625	0.91117344	1	
	Graduates	0.90405977	0.86257258	0.93419296	1
Level of achievement	Academic society	1			
	Employers	0.84152293	1		
	Students	0.89502051	0.91638166	1	
	Graduates	0.82418701	0.65699131	0.83012892	1
Rating	Academic society	1			
	Employers	0.93635175	1		
	Students	0.95624747	0.98055543	1	
	Graduates	0.95603157	0.95830648	0.96944366	1

The table shows that coefficients are positive. For all groups of respondents the most important specific subject competences are:

**SC 1** – Good knowledge of legal terminology and techniques.

**SC 4** – Ability to qualify facts and situations in a legally appropriate manner.

**SC 3** – Ability to implement normative acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents.

The analysis shows a rather strong correlation between the opinion of all groups of respondents in the assessment of the importance of competences and the level of their realization in HEIs.

#### **5.2.4. Meta-profile**

A meta-profile is an understanding of the structure and combination of competences that identifies a certain subject area (definition of “subject area core”). “Subject area core” should be realized in any educational program independently from its profile or orientation. Meta-profiles are reference structures aimed at reflection and analysis of various educational programs in a corresponding subject area. Meta-profiles and meta-competences are formed at the basis of data of consultations with all parties concerned and re-categorization of the competence list. Re-categorization in different subject area is based on various approaches, according to its peculiarities.

**Meta-profile.** A meta-profile is a group represented by one subject area of competence. A meta-profile is a part of a consensus, a combination of generic and specific competences that should be found in their interaction. Through the formation of a meta-profile you can discern the comparability of learning outcomes, through the formation of a competence - the structure of programmes. It is important to compare each competence or its group with the professional sphere in the market, social demands. A meta-profile is the main instrument of the development of global education that should be a mix of the local, national and international.

Among all the possible profiles of lawyers’ training, the universal thing is that legal education should be based on a lawyer model focused on

the needs of social development, the achievement of an effective public regulation. The core of this model is the formation of knowledge and understanding of the mechanism of interaction of legal policy, ideology and culture with the rule-making and law-enforcement practice. Such an approach makes the basis of the legal doctrine of any professional education aimed at the development of social and democratic states with which Russia identifies itself as well. Its implementation provides a level of legal awareness in the society and its relation to legal institutions. Students' training implies that they should possess not only a certain amount of knowledge and skills obtained within the study of legal disciplines but also the development of the style of legal thinking, skills of learning the basis of Law and the system of legal relations. The basic unit of professional disciplines included in the programme of almost all universities offering professional training for specialists, provides the study of: constitutional law, administrative law, criminal law, private law. Common to all areas of legal practice are mastering the professional legal approach as an integrated state of preparedness for professional legal activity; mastering the methods of working with documents (recorded information); performance of interpersonal communication; sorting out, understanding and solving legal problems; assessment and implementation of the results of the activity. Thus it is possible to say that the meta-profile of Russian and international legal education consists of the local component (for example, the MIIT program contains a module on Transport Law (air, sea, rail), the national component (History of State and Law of Russia, Russian Constitutional Law etc for the Russian Federation or "Introduction to Dutch Law" in the curriculum of the University of Groningen) and the international component ("International Public Law" or "Constitutional Law of Foreign Countries" in the curriculum of the Russian Federation or "Introduction to the European and International Law", "European Law" at the University of Groningen).

#### 5.2.4.1. Meta-competences

After consultations with European experts and taking in account the analysis results, the members of the Subject Area Group decided to single out as meta-competences those subject competences that were estimated highly by all groups of respondents, namely:

**SC 1 – Good knowledge of legal terminology and techniques.**

**SC 4 – Ability to qualify facts and situations in a legally appropriate manner.**

### **SC 3 – Ability to implement normative acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents.**

These very competences define the subject area “Law”. To acquire them is obligatory for Bachelors in Law, independently from their future job in this sphere. These subject competences can be called universal for lawyers.

When we speak about these competences, the essence and structure of professional competency of future lawyers are based on an examination of the notions of “competence” and “competency”, on the phenomenon of lawyers’ professional competency itself as well as on examination of the character of legal activity in the context of professional competency.

In specialised literature “competence” and “competency” notions are differentiated. “Competence is a “systematic education” within a student’s personality that is a “component of its quality”. And competence mostly relates to a potential quality than to an actual one. ... Competency is an actualized set of competences ... professional’s dynamic quality that grows from the initial level, designed in the higher professional education system, to the skill as the highest form of competency”<sup>31</sup>. In this context the professional competency of a lawyer is an actualized set of legal professional competences.

The result of mastering basic bachelor educational programmes in “Law” consists in possessing the set of meta-competences chosen by the Group. Besides, it sounds reasonable that as a result of mastering a bachelor educational program in “Law” the level of success of students’ realization of competences should be considered. In this context we put the formation of students’ legal professional competency of the initial level among the aims of modern legal education, together with the formation of meta-competences. This notion can be defined as a dynamic quality of a

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<sup>31</sup> Subetto A. Competence approach: ontology, epistemology, system limits, classification – and its place in the system of noosphere imperative in XXI century // Materials of XVII all-Russian methodological conference “Design of state federal education standards and educational programs of higher professional education in the context of world and European tendencies”. M., Ufa: Research center of quality problems of specialists’ training. 2010. P. 46-47.

graduate of some legal faculty or HEI that lets him successfully perform legal activity as soon as he finishes studies.

On the basis of the chosen meta-competences the notion “professional competency of a lawyer” can be considered in the logic of an integrative approach. Thus, the essence of professional competency will consist of the integration of knowledge, skills, personal qualities and readiness for activity that provide a certain level of professional development. Thus, professional competency is taken as the readiness of a future specialist for effective professional activity that is assisted by the system of knowledge, skills and personal qualities.

The Group members also point out that the chosen meta-competences cannot be taken out of the context of the social character of lawyers’ activity that in its term is determined by social and economic relations and helps to define the place of lawyers in the system of production, social and political life. “The role of lawyers is characterized by politically oriented activity and its content. Their mission is to serve the state and assist in the functioning of its legal system and all related “legal services”<sup>32</sup>. It should be said that lawyers’ activity cannot be taken only as the explanation of laws in a procedurally and technically appropriate manner, the implementation of norms, performing legally significant acts (summons of a witness, interrogation, arraignment etc. ), the working out of legal documents, legalization of evidence, performing legal expertise etc. Being based on authentic cases lawyers’ professional activity naturally embraces human deeds and relations. It is impossible to sort them out and take right decisions without taking into account the complicated character of human psychology.

Lawyers’ professional activity comprises a huge moral component, because being in many cases a representative of governmental authorities a lawyer has to realize that his professional competences touch upon the rights and interests of people. Every day facing situations of moral choice, a future lawyer, apart from professional knowledge and skills, needs to have those personal qualities and a system of values that enable him to solve professional tasks.

In order to prove what is said above we may consider the ideas of distinguished academic lawyers, such as S. Alekseev, V. Bolotov,

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<sup>32</sup> S. Alekseev. Introduction to legal profession / S. Alekseev. M.: Jur.lit., 1976. P. 78.

A. Dergach, V.Serikov, that the professional activity of a lawyer may be performed only in inherent accord with personal values that is with value-notional attitude of deep personal interest in this activity. In this sense professional activity is a type of behaviour, lifestyle of a future employee that comprises his cognitive and artistic skills. All this enables to speak about the importance and necessity of forming both meta-competences and the system of profession-oriented values and motives. The system of personal and professional values is thought to influence the development of professional motivation.

In specialised literature (A.Zhalinskiy, V. Chufarovskiy) several peculiarities of legal professional activity related to the character of its performance are singled out: extraordinary diversity of the tasks to be solved, intensive activity explained by a complicated, unvaried work in conditions of lack of information, time, resistance of parties concerned, unwillingness to contact, ignoring of legal norms; necessity to lead structural communication in conditions of legal regulation; emotional tension; high level of responsibility for the consequences of any acts; high level of self-organization and organization of joint activity.

Commenting on these peculiarities, V. Chufarovskiy remarks that the activity of legal employees is often performed in conditions of high emotional tension. Thus, on the one hand, lawyers should possess good health and stamina for durable mental overwork, high efficiency of work, a high level of emotional stability. All these factors make up professional fitness. On the other hand, lawyers should be able to control their emotions in order to preserve work efficiency in any conditions.

Ability to control an emotional state while solving professional tasks is determined by the level of development of the volitional qualities of a person. Volitional qualities of a lawyer comprise components of his emotional and volitional stability, connect intelligence and moral structures of a person. All this makes it possible to single out the emotional-volitional component in the structure of professional competency of a lawyer. The content of this component reflects the personal attitude of a future specialist to a problem, reflects his feelings, emotions, personal priorities and volitional qualities.

Returning to the chosen meta-competences and explaining this choice, the Group members find that it was made on the basis of the analysis of research on the problem of legal activity, the classification of its

types and methods, the connection between general actions and the requirements for representatives of different legal spheres, the results of the inquiry of the professional lawyers and the potential employers. This analysis made it possible to single out those general actions that, from our viewpoint, make up the basic content of the action component of the professional competency of a future lawyer. Thus, a graduate of a legal HEI (faculty) should show the skills of: collection of normative (legal) and factual information important for the implementation of legal norms in related professional spheres; analysis and assessment of legal norms and relationships that are objects of legal activity; analysis of legal practice; explanation of legal norms, legal principles, judicially significant features of factual situations; taking well-founded decisions and realization of legal norms; development of legal documents, realization of legal acts expertise; holding consultations and making qualified legal conclusions; performance within the framework of professional tasks to be solved a procedurally regulated and non-regulated cooperation in accordance with legal norms and communication abilities of a partner; self-organization and organization of collective activity with physical and legal persons in order to solve professional tasks. The above-mentioned skills relate to the above-mentioned competences.

It is also important to point out that the formation of lawyers' professional competency is a complicated multi-aspect and multilevel process. Its success largely depends on the personal position and activity of a student: motivation for study-professional activity, level of development of socially and professionally important personal qualities, mental culture, ability for adaptation, character of interpersonal relations in a team, desire for personal and professional growth. In this aspect it seems to be necessary to define the initial level of the formation of the intellectual, personal, social and mental characteristics of students, the peculiarities of their value-motivational and emotional-volitional spheres. Analysis of the results will enable students to define real and long-term aims of their personal and professional development, to work out an individual style of activity taking in account personal features, to understand the necessity of personal and professional growth.

For the formation of meta-competences within the study process the following factors are important:

- development of students' interest in legal professional activity, understanding of its peculiarities and its role in the modern world;

- formation of: students' necessity in personal and professional growth; understanding of the necessity to get professional knowledge and skills; understanding of the role of own activity in the process of professional establishment;
- meetings with practising lawyers, observing the performance of different types of legal activity in real situations (in courts, public prosecutor's offices etc.), discussions, team and individual work, reports, writing of essays, team reflection, round tables, gaming simulation;
- formation of students' understanding of the essence and specificity of legal activity; knowledge of the essence, structure and content of lawyers' professional competency;
- examination of normative acts regulating lawyers' activity, discussion of specific details of legal activity, development of the content of professional competency of a future lawyer;
- development of students' skills of self-diagnosis of personal qualities;
- skills of performance of the analysis of personal value, senses, qualities, opportunities and abilities in the context of future professional activity.

The Group members also offered their own structured model of the competence (levels of mastery) including the indicators and descriptors of achievement. As an example you can see the model of competence **SC4 Ability to qualify facts and situations in a legally appropriate manner** (Table 6).

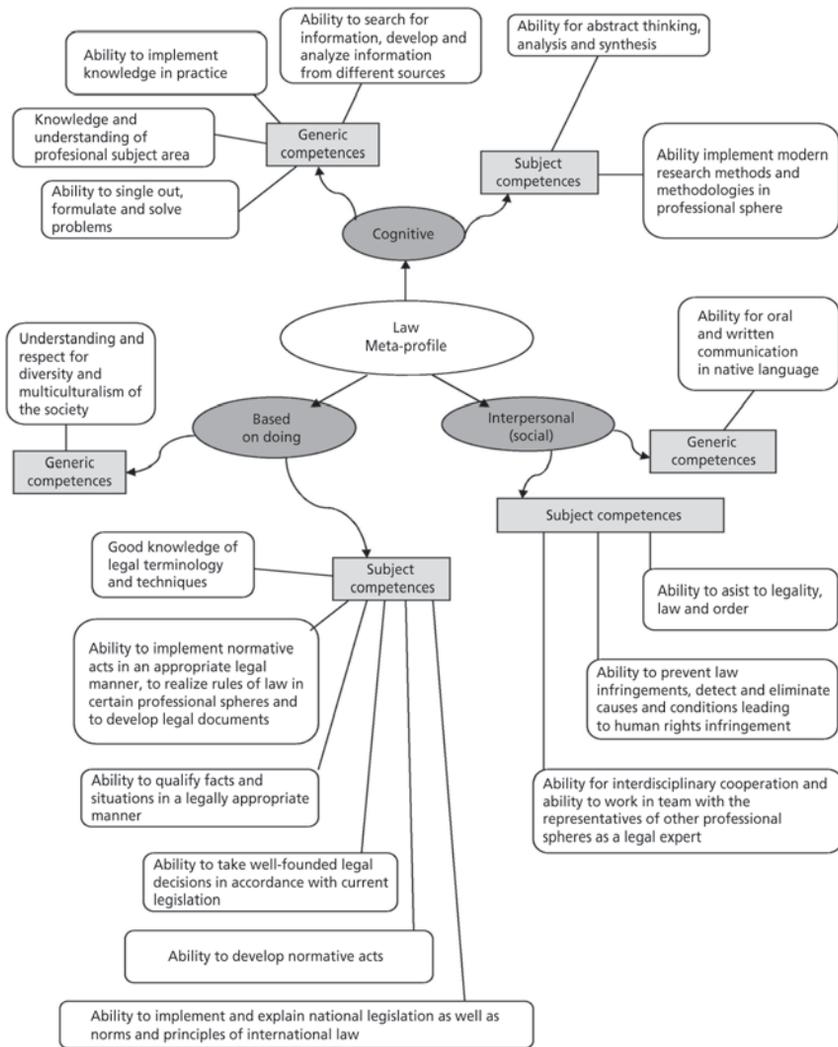
**Table 6** Levels of mastery for competence SC4 Ability to qualify facts and situations in a legally appropriate manner

Levels of mastery	Indicators	Descriptors				
		1	2	3	4	5
Ability to define real facts and situations	Detection of sources of information	Not able to detect sources of information	Tries to detect sources of information	Detects certain sources of information	Detects the full list of necessary sources of information	Detects the full list of necessary sources of information and critically assesses them
	Detection of legally important factual data	Not able to detect legally important factual data	Tries to detect legally important factual data	Detects legally important factual data by intuition	Detects legally important factual data with the help of sources of law	Professionally, without help of normative acts detects legally important factual data
	Understanding of the significance of the facts	Understands the facts but not their significance	Able to understand the significance of certain facts	Understands only facts and circumstances that are significant directly for solution of the task	Able to differentiate facts that are directly and indirectly significant for solution of the task	Fully understands all the facts and circumstances and their significance for solution of the task
	Classification of detected facts	Does not understand the necessity to classify detected facts and circumstances	Understands the necessity to classify detected facts and circumstances, but not able to classify them individually	Able to classify certain facts and circumstances	Classifies detected facts and circumstances at an average level	Provides scientific classification of detected facts and circumstances
	Comparison of facts and circumstances	Not able to compare facts and circumstances	Makes efforts to compare facts and circumstances	Compares certain facts and circumstances	Compares all the facts and circumstances	Able to compare all the facts and circumstances as well as analyse them in the aspect of sufficiency

		Descriptors				
		1	2	3	4	5
Levels of mastery	Indicators	Detection of legal norms to be implemented to solve the task	Understanding of a legal norm	Ability to compare legal norms with a concrete situation	Overcoming of legal blanks	Able to give legal assessment to detected facts and circumstances
		Not able to detect legal norms to be implemented to solve the task	Does not understand a legal norm	Not able to compare legal norms with a concrete situation	Not able to see legal blanks	Not able to give legal assessment to detected facts and circumstances
		Detects certain legal norms to be implemented to solve the task	Makes mistakes within understanding of a legal norm	Checks how a legal norm is implemented in the situation by one of criterion	Understands the phenomenon of legal blanks	Makes efforts to give legal assessment to detected facts and circumstances
		Detects an approximate list of legal norms to be implemented to solve the task	Understands a legal norm at an average level	Checks how a legal norm is implemented by several criterion	Makes efforts to overcome a legal blank	Gives legal assessment to detected facts and circumstances at an average level
		Able to detect concrete circle of legal norms to be implemented to solve the task	Gives qualified explanation of a legal norm	Checks implementation of a legal norm in the situation by all criterion	Able to overcome a legal blank with the help of analogy in legislation	Able to use additional information to qualify detected data
	Detects the circle of legal norms to be implemented to solve the task and finds the corresponding law enforcement practice	Uses additional sources to prove explanation of a legal norm	Possesses enough skills for settlement of legal collisions	Able to overcome a legal blank with the help of analogy in law	Gives complete legal assessment to detected data	

Levels of mastery	Descriptors					
	Indicators	1	2	3	4	5
Ability to give legal qualification to the situation in general	Detection of the aims of synthesis of the data	Does not understand the necessity to detect the aims of the data synthesis	Understands the necessity to detect the aims of the data synthesis, however, not able to detect them individually	Formulate unclear aims of synthesis	Possesses enough skills to work out the synthesis aims	Clearly formulates the synthesis aims and later reaches them
	The data synthesis	Does not understand the necessity for the data synthesis	Understands the importance of synthesis but does not have enough skills to perform it	Performs the data synthesis at an average level	Performs the data synthesis in accordance with the previously developed aim	The data synthesis at a professional level
	Detection of additional data, if needed	Does not understand the necessity to detect additional data in order to qualify the situation	Understands the necessity to detect additional data in order to qualify the situation but can't detect its sources	Able to detect certain additional data	Detects additional data individually	Detects additional data by professional methods
	Able to give legal assessment to the situation in general	Not able to give legal assessment	Not able to perform synthesis of certain facts qualification individually	Assesses the situation at an average level	Gives legal assessment to the situation	Gives complete legal assessment to the situation
	Formulation of conclusions	Does not understand the necessity to formulate conclusions	Understands the necessity to formulate conclusions but not able to formulate them individually	Formulates conclusions at an average level	Formulates conclusions professionally	Formulates conclusions professionally and provides argumentation

### 5.2.4.2. Meta-profile diagram





# 6

## Level descriptors and learning outcomes

In the education system based on the principle of cycles (in Russia – levels of higher professional education), each cycle (level) corresponds to a set of certain learning outcomes exposing the relevant list of graduates' competences formulated for this subject area. As it is mentioned above, learning outcomes are formulated for the whole program as well as for separate course units and modules. Results of mastering separate elements of a program should enable to form general learning outcomes within this program. Within the development stage it is decided what structural units of the program will be aimed at certain general learning outcomes and formation of certain competences mentioned as the programs' aims.

Study process organization based on the principle of cycles (levels) inevitably implies the use of the notion "educational level". For each level certain indicators (descriptors) can be used. Within the Bologna Process the Joint Quality Initiative experts worked out a set of general descriptions (descriptors) for each cycle, also known as Dublin Descriptors. These descriptors were approved by European ministers of education in the report: "Qualification Frame for the Common European Higher Education Space". Approaches of the Tuning Project and the Joint Quality Initiative are well-coordinated and complete each other.

The participants of the project worked out the descriptors of Bachelor and Master levels for all subject areas. Here are the generalized learning outcomes for all educational levels in this subject area.

## 6.1. First cycle

### *Graduates (Bachelors) should*

*Know/understand:*

- system and types of standard real situations in professional sphere;
- specificity of the chosen profession; ethic norms of lawyers' behavior;
- basic principles of solution of tasks in professional sphere;
- basic ethno-cultural and religious peculiarities of a region;
- basic norms of speech culture, grammar and lexical structures of native and foreign languages;
- causes, laws of development and methods of solution of legal problems (conflicts);
- basic philosophic categories, methods of analysis and synthesis, the essence of abstract thinking;
- basic methods and means of collecting, keeping and processing of information;
- methods of collecting of legal information;
- basic legal terms and categories;
- system, structure and types of legal norms, types of sources of law, notion and stages of law-making, stages of law implementation;
- notion and types of legal facts;
- notion and ways of legal norm realization, mechanism of legal regulation;
- notion and basic principles of legality;
- notion and types of law enforcement bodies;
- procedural norms realized to provide legality, law and order;
- notion, signs and types of law infringements; notion and types of legal responsibility;
- legal status of a person;
- basic principles of team work;
- basic notions and categories of human sciences; their connection with law (Law);
- aims and tasks of legal education;
- Russian Legislation System, basic branches of Russian Law;
- special features of legal relations in different branches of material and procedural law;
- ways and types of explanation of a legal norm.

*Be able to:*

- synthesize theoretical knowledge in order to settle real situations;
- implement professional norms and rules in practice;
- detect, assess and assist to the suppression of corrupt practices;
- implement standard technologies of professional tasks settlement;
- use linguistic means in accordance with aims and conditions of communication;
- use official and scientific manner of communication;
- develop tactics of problems' (conflicts') settlement according to interests of the parties and taking in account immediate and further results;
- implement in practice ways and methods of abstract thinking;
- use library electronic systems and database as well as basic legal information systems;
- use correctly legal terminology and techniques in oral and written speech;
- assess objectively various social events;
- be tolerant towards social and cultural differences;
- show race, national, religious tolerance;
- perform legal expertise of normative acts;
- create projects of law enforcement acts;
- detect legally important factual data and circumstances;
- give legal qualification to detected facts and circumstances;
- detect factual circumstances of a legal case to be settled;
- choose legal norms to be implemented to make a legally-founded decision;
- detect cases of law and legality infringements;
- implement norms of procedural law to assist legality and order;
- work out events on prevention of law infringements in regard of various qualities of offender's personality;
- carry out activities on prevention of law infringements;
- fulfil a certain function in a team, participate in the development of common solution based on the principles of legality;
- provide a comprehensive legal assistance to the team members;
- use research methods of other sciences in the development of legislative norms in order to reflect human values and social justice;
- choose optimal methods of legal education;
- make and design legal documents correctly;
- explain legal norms at the level of professional explanation.

The same material in the table reflecting the correspondence between competences and learning outcomes:

Competences	Generalized learning outcomes
<p>GC 6 Ability to implement knowledge in practice</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• system and types of standard real situations in professional sphere.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• synthesize theoretical knowledge in order to settle real situations.</li> </ul>
<p>GC 26 Knowledge and understanding of subject area and professional sphere</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• specificity of the chosen profession; ethic norms of lawyers' behavior.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• implement professional norms and rules in practice;</li> <li>• detect, assess and assist to the suppression of corrupt practices.</li> </ul>
<p>GC14 Understanding and respect for the diversity and multiculturalism of the society</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• basic ethno-cultural and religious.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• assess objectively various social events;</li> <li>• be tolerant towards social and cultural differences;</li> <li>• show race, national, religious tolerance.</li> </ul>
<p>GC 10 Ability for oral and written communication in native and foreign languages</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• basic norms of speech culture, grammar and lexical structures of native and foreign languages.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• use linguistic means in accordance with aims and conditions of communication in native and foreign languages;</li> <li>• use official and scientific manner of communication in native and foreign languages.</li> </ul>
<p>GC 4 Ability to detect, formulate and solve problems</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• causes, laws of development and methods of solution of legal problems (conflicts).</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• develop tactics of problems' (conflicts') settlement according to interests of the parties and taking in account immediate and further results.</li> </ul>

Competences	Generalized learning outcomes
<p>GC 1 Ability for abstract thinking, analysis and synthesis</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• basic philosophic categories, methods of analysis and synthesis, the essence of abstract thinking.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• implement in practice ways and methods of abstract thinking.</li> </ul>
<p>GC 22 Ability to search, process and analyze information from different sources</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• basic methods and means of collecting, keeping and processing of information;</li> <li>• methods of collecting of legal.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• use library electronic systems and database as well as basic legal information systems</li> </ul>
<p>SC 1 Good knowledge of legal terminology and techniques</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• basic legal terms and categories.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• use correctly legal terminology and techniques in oral and written speech.</li> </ul>
<p>SC3 Ability to implement normative acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• system, structure and types of legal norms, types of sources of law, notion and stages of lawmaking, stages of law implementation.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• perform legal expertise of normative acts;</li> <li>• create projects of law enforcement acts.</li> </ul>
<p>SC 4 Ability to qualify facts and situations in a legally appropriate manner</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• notion and types of legal facts.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• detect legally important factual data;</li> <li>• give legal qualification to detected.</li> </ul>

Competences	Generalized learning outcomes
<p>SC 6 Ability to take well-founded legal decisions in accordance with current legislation</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• notion and ways of legal norm realization, mechanism of legal regulation.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• detect factual circumstances of a legal case to be settled;</li> <li>• choose legal norms to be implemented to make a legally-founded decision.</li> </ul>
<p>SC5 Ability to assist to legality, law and order</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• notion and basic principles of legality;</li> <li>• notion and types of law enforcement bodies;</li> <li>• procedural norms realized to provide legality, law and order.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• detect cases of law and legality infringements;</li> <li>• implement norms of procedural law to assist legality and order.</li> </ul>
<p>SC 7 Ability to prevent law infringements, detect and eliminate causes and conditions leading to human rights infringement</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• notion, signs and types of law infringements; notion and types of legal responsibility;</li> <li>• legal status of a person.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• work out events on prevention of law infringements in regard of various qualities of offender's personality;</li> <li>• carry out activities on prevention of law infringements.</li> </ul>
<p>SC 10 Ability for interdisciplinary cooperation and ability to work in team with the representatives of other professional spheres as a legal expert</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• basic principles of team work.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• fulfill a certain function in a team, participate in the development of common solution based on the principles of legality;</li> <li>• provide a comprehensive legal assistance to the team members.</li> </ul>

Competences	Generalized learning outcomes
<p>SC 11 Ability to implement modern research methods and methodologies in professional sphere</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• basic notions and categories of human sciences; their connection with law (Law).</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• use research methods of other sciences in the development of legislative norms in order to reflect human values and social justice.</li> </ul>
<p>SC2 Ability to develop normative acts</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• Russian Legislation System, basic branches of Russian Law.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• make and design legal documents correctly.</li> </ul>
<p>SC 8 Ability to implement and explain national legislation as well as norms and principles of international law</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• special features of legal relations in different branches of material and procedural law;</li> <li>• ways and types of explanation of a legal norm.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• explain legal norms at the level of professional explanation.</li> </ul>

## 6.2. Second cycle

*Graduates (Masters) should*

*Know/understand*

- perspectives and main tendencies of Law development in Russia and abroad;
- basic methodological principles to solve practical tasks using Russian and foreign experience;
- basic ethno-cultural, ethno-confessional and ethno-psychological parameters defining the mentality of population;
- basic rules and principles of scientific professional texts making;
- urgent problems of modern Law;

- laws of scientific cognition;
- specificity of various program sets and information systems in professional sphere;
- history and tendencies of development of basic legal categories and notions, their place in modern legal systems;
- tendencies of development and functioning of Russian Legislation System, main ways of its improvement;
- concrete ways to eliminate legislation blanks;
- tendencies of development of Russian modern legislation;
- achievements of Russian and foreign Law in assistance to law and legality;
- causes and conditions of law infringements, ways and means to prevent them;
- Russian and foreign modern mechanism of human rights defence;
- basic principles of HRM;
- principles, methods and forms of legal consulting;
- basic philosophic-legal categories and laws;
- notions and principles of legal methodology;
- modern ideas of scientific cognition;
- novelties in legal techniques development;
- problems of connection and cooperation between international and state law.

### *Be able to*

- implement various technologies to solve professional tasks;
- forecast positive and negative consequences of taken decisions;
- self-perfection in the chosen subject area and profession;
- take responsibility for taken decisions;
- use skills of working with information systems while making decisions;
- written and oral communication at a high level of techniques, logic and correctness of speech;
- formulate an urgent scientific task individually and suggest scientific ways to solve it;
- implement basic methods of scientific cognition in professional sphere;
- formulate new legal definitions;
- systematize and organize the storage of legal information received from various sources;
- work in multinational and multicultural team, show tolerance towards cross-cultural and cross-religious differences;
- use foreign legal information resources;

- assess correctness of the use of legal terminology and show good knowledge of legal techniques;
- create projects of normative and law enforcement acts with regard to the rules of legal techniques and new tendencies in Russian and foreign law-making;
- give legal qualification in non-standard situations;
- overcome legal blanks;
- give legal assessment to factual circumstances of the case, that is to possess legal qualification;
- documentary design of the decision on the legal case;
- give legal assessment to the current legislation and law enforcement practice from the side of principles of legality;
- define the duties of governmental bodies in realization of human rights and freedoms;
- work and carry out a set of measures to prevent law infringement;
- create a work group (team) to realize the project, define the functions of every team member, make suitable conditions to work out a common decision (of project realization);
- implement interdisciplinary approaches to solve the team legal task; provide legal normative assistance of organization of interdisciplinary team's work;
- individual scientific research on an urgent legal subject matter using modern research methods;
- analyze the current legislation from the aspect of the necessity of its improvement;
- define further changes in the legal normative base connected with the adoption of a new normative act;
- give professional explanation of a legal norm in comparative connection between state and international law.

*The same material in the table reflecting the correspondence between competences and learning outcomes*

Competences	Generalized learning outcomes
GC 6 Ability to implement knowledge in practice	Know/understand: <ul style="list-style-type: none"> <li>• various approaches and methods to solve professional tasks;</li> </ul> Be able to: <ul style="list-style-type: none"> <li>• implement various technologies to solve professional tasks;</li> <li>• forecast positive and negative consequences of taken decisions.</li> </ul>

Competences	Generalized learning outcomes
<p>GC 26 Knowledge and understanding of subject area and profession</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• perspectives and main tendencies of Law development in Russia and abroad.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• self-perfection in the chosen subject area and profession.</li> </ul>
<p>GC 14 Understanding and respect for the diversity and multiculturalism of the society</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• basic ethnocultural, ethnoconfessional and ethnopsychological parameters defining the mentality of population.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• take responsibility for taken decisions;</li> <li>• work in multinational and multicultural team, show tolerance towards cross-cultural and cross-religious differences.</li> </ul>
<p>GC 10 Ability for oral and written communication in native and foreign languages</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• basic rules and principles of scientific professional texts making.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• written and oral communication at a high level of techniques, logic and correctness of speech in native and foreign languages.</li> </ul>
<p>SC 4 Ability to qualify facts and situations in a legally appropriate manner</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• urgent problems of modern Law.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• formulate an urgent scientific task individually and suggest scientific ways to solve it.</li> </ul>
<p>GC 1 Ability for abstract thinking, analysis and synthesis</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• laws of scientific cognition.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• implement basic methods of scientific cognition in professional sphere;</li> <li>• formulate new legal definitions.</li> </ul>
<p>GC 22 Ability to search, process and analyze information from different sources</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• specificity of various program sets and information systems in professional sphere.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• systematize and organize the storage of legal information received from various sources;</li> <li>• use foreign legal information resources.</li> </ul>

Competences	Generalized learning outcomes
<p>SC 1 Good knowledge of legal terminology and techniques</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• history and tendencies of development of basic legal categories and notions, their place in modern legal systems.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• assess correctness of the use of legal terminology and show good knowledge of legal techniques.</li> </ul>
<p>SC 3 Ability to implement normative acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• tendencies of development and functioning of Russian Legislation System, main ways of its improvement</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• create projects of normative and law enforcement acts with regard to the rules of legal techniques and new tendencies in Russian and foreign law-making.</li> </ul>
<p>SC 4 Ability to qualify facts and situations in a legally appropriate manner</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• concrete ways to eliminate legislation blanks.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• give legal qualification in non-standard situations;</li> <li>• overcome legal blanks.</li> </ul>
<p>SC 6 Ability to take well-founded legal decisions in accordance with current legislation</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• tendencies of development of Russian modern legislation.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• give legal assessment to factual circumstances of the case, that is to possess legal qualification.</li> <li>• documentary design of the decision on the legal case.</li> </ul>
<p>SC5 Ability to assist to legality, law and order</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• achievements of Russian and foreign Law in assistance to law and legality.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• give legal assessment to the current legislation and law enforcement practice from the side of principles of legality.</li> </ul>

Competences	Generalized learning outcomes
<p>SC 7 Ability to prevent law infringements, detect and eliminate causes and conditions leading to human rights infringement</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• causes and conditions of law infringements, ways and means to prevent them;</li> <li>• Russian and foreign modern mechanism of human rights defence.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• define the duties of governmental bodies in realization of human rights and freedoms;</li> <li>• work and carry out a set of measures to prevent law infringement.</li> </ul>
<p>SC 10 Ability for interdisciplinary cooperation and ability to work in team with the representatives of other professional spheres as a legal expert</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• basic principles of HRM;</li> <li>• principles, methods and forms of legal consulting.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• create a work group (team) to realize the project, define the functions of every team member, make suitable conditions to work out a common decision (of project realization);</li> <li>• implement interdisciplinary approaches to solve the team legal task; provide legal normative assistance of organization of interdisciplinary team's work.</li> </ul>
<p>SC 11 Ability to implement modern research methods and methodologies in professional sphere</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• basic philosophic-legal categories and laws;</li> <li>• notions and principles of legal methodology;</li> <li>• modern ideas of scientific cognition.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• individual scientific research on an urgent legal subject matter using modern research methods.</li> </ul>
<p>SC2 Ability to develop normative acts</p>	<p>Know/understand:</p> <ul style="list-style-type: none"> <li>• novelties in legal techniques development.</li> </ul> <p>Be able to:</p> <ul style="list-style-type: none"> <li>• analyse the current legislation from the aspect of the necessity of its improvement;</li> <li>• define further changes in the legal normative base connected with the adoption of a new normative act.</li> </ul>

Competences	Generalized learning outcomes
SC 8 Ability to implement and explain national legislation as well as norms and principles of international law	Know/understand: <ul style="list-style-type: none"> <li>problems of connection and cooperation between international and state law.</li> </ul> Be able to: <ul style="list-style-type: none"> <li>give professional explanation of a legal norm in comparative connection between state and international law.</li> </ul>

*Members of the Subject Group also suggested define various levels of achievement of learning outcomes for Bachelors and Masters:*

**Table7**  
Levels Bachelor – Master in Law

N	Competences	Bachelor	Master
1	Generic competences		
1.1.	GC 6 Ability to implement knowledge in practice	basic	advanced
1.2.	GC 10 Ability for written and oral communication in native language	x	x
1.3.	GC 26 Knowledge and understanding of subject area and profession	basic	advanced
1.4.	GC 12 Ability to take well-grounded decisions	basic	advanced
1.5.	GC 4 Ability to formulate and solve problems	basic	advanced
1.6.	GC 1 Ability for abstract thinking, synthesis and analysis	basic	advanced
1.7.	GC 22 Ability to search, process and analyze information from different sources	basic	advanced
2	Subject competences		
2.1.	SC 3 Ability to implement normative acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents	basic	advanced

N	Competences	Bachelor	Master
2.2.	<b>SC 4</b> Ability to qualify facts and situations in a legally appropriate manner	x	x
2.3.	SC 1 Good knowledge of legal terminology and techniques	x	x
2.4.	SC 6 Ability to take well-founded legal decisions in accordance with current legislation	basic	advanced
2.5.	SC 8 Ability to implement and explain national legislation as well as norms and principles of international law	basic	advanced
2.6.	SC5 ability to fulfill administrative duties to assist to legality, law and order	x	x
2.7.	SC 7 Ability to prevent law infringements, detect and eliminate causes and conditions leading to human rights infringement	x	x
2.8.	<b>SC 10</b> Ability for interdisciplinary cooperation and ability to work in team with the representatives of other professional spheres as a legal expert	basic	advanced
2.9.	SC 11 Ability to implement modern research methods and methodologies in professional sphere	basic	advanced
2.10.	SC12 Ability to teach legal subjects	basic	advanced

# 7

## Teaching, learning and assessment

The formation of competences in the subject area “Law” demands from students mastering innovative, designing, communicative and other kinds of activity. We consider that teaching should be based on a combination of the classic academic training and simultaneously the active introduction of innovative educational technologies, including business and organizational-action games (including a technique of carrying out “modelling” (of – educational - courts), case-study, discussions, trainings, etc. An obligatory component of the educational process should consist of master classes by leading experts in the subject area of practice-oriented subject matters. The following types of practice are obligatory: educational (including information-legal; educational introductory practice at enterprises, establishments and organizations; educational research) and industrial (including practice on the basis of legal clinic). The point-rating system and technology of the portfolio are recommended for the assessment of educational and non-study achievements of students. Much time is devoted to the formation of students’ design skills.

### 7.1. Examples of positive experience

#### 7.1.1. *A case-study class is developed in subject “Russian Constitutional Law”*

Experience of working and carrying out classes in case-study technology.

“Adoption of federal laws in the Russian Federation” (example of the federal law “On political parties in Russia”<sup>33</sup>), subject “Russian Constitutional Law”.

It is known that adoption of a federal law starts with the bill’s introduction into the State Duma and ends with the promulgation of the President’s Law. Between the above-mentioned stages the legally regulated sequence of actions of the law-making process participants there exists: subjects of law-making initiative of the State Duma of the Federal Assembly of the Russian Federation, the Council of Federation of the RF Federal Assembly, the President – the sequence that can be developed in different ways. This very variability was at the basis of development of a concrete legal situation possible while adoption of any federal law.

The main principle of the examination of concrete situations implies that students are initiated to analyse the situation individually, the formation of their own view of the problem and their solutions, working out the ability to discuss the legal situation with their colleagues and tutors. That is why it is necessary to suggest to students a certain algorithm of work that would create suitable conditions for the task performance and would not turn the class into a spontaneous discussion. A practical legal situation offered to students can be settled only by implementation of normative acts. That’s why extracts from the RF Constitution, the State Duma Regulations and the Regulations of the Council of Federation in the part regulating the procedure of federal law adoption were prepared beforehand.

It is important to understand that those students who have had no practice in participating in such classes most often are not ready to join the team work on the creation, discussion and presentation of the product. That’s why a small preliminary task to be performed in a small group (groups were formed by the students, according to their wish, that’s why the number of members in each group varied from 4 to 7) was suggested before the analysis of the main material.

Students are given suggested situations with different variations.

This class was approved in student groups of both full-time and part-time education. This made it possible to draw some conclusions and generalizations.

A tutor conducting a similar class, in comparison with a traditional lesson, plays an unusual role – the role of an organizer of a study class that must be coordinated. The coordination consists in an object-oriented, systematic

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<sup>33</sup> Access mode: <http://base.consultant.ru/cons/cgi/online.cgi?req=doc;base=LAW;n=144419>

influence on each student and also the students' team as a whole in order to achieve specified learning outcomes and not to suppress their activity and expressions, but to point them at the task performance and creating suitable conditions for it. It becomes evident that the creation of an effective educational class in active forms and the coordination of such a class comprise the components of a real managing process. A tutor must be ready to formulate the diagnostic aims of education taking into consideration the initial grounding of students; to get constant feedback in order to correct the course of the lesson.

Difficulties in the coordination of such a class are connected with time management as well as with the management of work and students' communication. The table represents possible difficulties and a tutor's possible actions to solve them.

	<b>Problem</b>	<b>Tutor's actions</b>
Time management	Time depends on the grounding of the students' team as a whole, the less is the grounding – the more time a class may take	Time reserve is necessary, in our case we had 1-2 academic hours in reserve
	Small groups need different amount of time to perform the task	A tutor should have additional tasks and questions to offer to leading groups
Communication management	When participants of the discussion have opposite opinions, there is a possibility of arguments within the groups that can cause conflicts and aggression	The task of a tutor is to prevent such situations and settle conflicts, drawing students' attention to the legislation documents where they have to find the right answer and thus sort out the conflict
Work management	It is not always possible to provide the groups with timely help and assistance	For effective work and timely assistance there should be not more than 4 groups of 5-6 people
	Frequent need of students' to hear from tutor the right answer	The task of a tutor is not to assess students' answers within the work but to help them, to make them search for the right answer in the materials. In other words a tutor should not give the right answers to students' questions but do everything to make students find them individually, using the recommended normative acts.

	<b>Problem</b>	<b>Tutor's actions</b>
Motivation management	Excessive self-confidence of high achievers used to retell learnt by heart material and rejecting to work in a new form whereas knowledge facing a concrete situation often turns to be superficial and leads to false results	Such students are not fast to understand the necessity to turn to the documents that's why a tutor has to ask leading questions and together with the students define direction of the material analysis.
	Incertitude of some students whether they are able to solve the task and as result – rejection to work	Timely assistance to such students, informal communication with students

It is important to understand that apart from difficulties in coordination of an active class much time is spent on its preparation. Preparation of the handed-out material for this class is very precise work that demands much time, because the documentary material must be narrowed for students to work on during the class. Besides, it is important not to omit the required volume of the legal normative base used to perform the task.

As was mentioned earlier, it is necessary not only to choose substantial legal normative material for the class but also to think over the course of the lesson and organize step-by-step student activity, design the expected results.

Thus, a tutor preparing a case-study class should:

- prepare a written example of a situation from legal practice;
- think over how individual study and case discussion will be organized;
- make ready the necessary giving-out normative material;
- think over the presentation of the work with students and prepare questions for discussion.

There are also difficulties with material assistance of such classes: in our case the handed-out material for one small group made 40 pages of typed text, besides, the necessary things for presentations are – large sheets, felt pens, magnets.

However, in comparison with lectures or seminars the advantages of such an activity are beyond doubt.

The first and the most significant result is the achievement of learning aims at a higher level: the material is not just learned by heart through a tutor's lecture but mastered as a result of the work with normative documents. The detailed analysis of the procedure of federal law adoption leads to discoveries: for example, the students of one group arrived at the conclusion that not all possible, real situations are regulated by the current legislation. Thus, it is written in the RF Constitution that the President is obliged to sign a law that was re-adopted by the State Duma and the Council of Federation by the qualified majority of votes (2/3). But the RF Constitution does not give a well-defined answer what will happen when the President does not sign this law in the given period.

Teamwork provides the conditions for constant communication between and with students. It is important that communication is realized within professional questions and in professional language. Students are not afraid of wrong answers, are not afraid to ask the tutor for help, are not afraid to study.

Within the work all the learners begin to experience cognitive interest: both the students that are not sure of their strengths and the students that took this form of work as a useless game do not leave the class room during the break. Lets point out that underestimation of the difficulty of this task led to a serious mistake by one group of "strong students", as a result it became necessary to introduce a new task: to formulate the differences between the procedures of adoption of federal and federal constitutional laws. A lack of ambition and the incertitude of the weak students made them examine normative documents more thoroughly and thus enabled a better result. Cognitive interest also reflects in students' demands from related themes: thus, one group asked a question about the requirements of the bills introduced into the State Duma, that led to the necessity of examining the whole text of the RF State Duma Regulation, as the article "the regulation requirements" was not included in the handed-out material. It contained only the link to this article. A tutor also cannot answer some questions on the spot, thus, it becomes necessary to examine additional literature.

The students' behaviour during the presentation of their work differs from their behaviour at seminars. The answer at a seminar is always

oriented towards the tutor, and the student waits for the answer to be assessed. A presentation looks like a defence and is oriented towards all the students and the tutor. In this case, both the students and the tutor can ask questions. This enables students to give their own assessment of the work done. During such a lesson, a tutor turns to an equal partner and communication with him is based on cooperation and mutual assistance.

At the stage of development of the class it was not evident for us that this activity will assist in the formation of professional and cultural competences. That is why we compared the achieved educational, developmental and educative aims of the class with the professional and cultural competences for Bachelor students in Law and chose those of them that are aimed at their formation. The results are represented in the following table.

Class's aims	
Professional competences	After the class a student should:
ability to implement normative acts to solve practical questions, realize the norms of material and procedural law in professional activity, be able to manage students' individual work	<p><b>know:</b></p> <ul style="list-style-type: none"> <li>• in what normative documents the order of examination and adoption of a federal law is fixed;</li> <li>• who has the right for legal initiative in the Russian Federation;</li> <li>• rights and obligations of the subjects of the right for legislation initiative;</li> <li>• examination terms of a bill at different stages;</li> <li>• the sequence of examination and adoption of a federal law in concrete cases;</li> <li>• full procedure of examination and adoption of a federal law</li> </ul> <p><b>be able to:</b></p> <ul style="list-style-type: none"> <li>• perform context analysis of documents;</li> <li>• organize individual activity and team work in order to get the result;</li> </ul>

Class's aims	
Cultural competences	After the class a student should:
<p>knowledge of principles of thinking, ability for generalization, analysis, understanding of information, choosing an aim and the ways to achieve it, ability for logic, clear and well-argued written and oral speech, culture of behavior, readiness for cooperation with colleagues and team work</p>	<p><b>be able to:</b></p> <ul style="list-style-type: none"> <li>• express and stand for his opinion;</li> <li>• present the work results;</li> <li>• assess the work results;</li> </ul> <p><b>understand:</b></p> <ul style="list-style-type: none"> <li>• how the government assists to the observance of rights and interests of citizens;</li> <li>• how the effectiveness of the team work depends on the contribution of each group member.</li> </ul>

## Summing-up

The case-study classes change the whole system of relations within the study process: "tutor-student", "student-learning material", "student-other students". A student is oriented towards a constructive dialogue with the tutor and other students, ability to express and stand for his opinion, self-diagnostics and self-rating, openness to new information, comprehensive analysis and understanding of information, detection of peculiarities that stay inaccessible within superficial perception of information. Such approach, of course, improves the education effectiveness in whole and brings it closer to professional activity in future.

Here are the most frequent of students' written opinions on the above-mentioned activity:

- considered it to be a serious work;
- very interesting;
- did not notice how quickly the time passed;
- the large number of discovered details that you do not pay attention to while learning the material by heart, surprises;
- it turned out that we are able to settle difficult practical situations ourselves.

We think that the case-study classes should become a necessary addition to lectures that are essential elements of the classical, university system of education.

## **Appendix**

The class is planned to last for 4 hours.

### *Aims:*

After the class students should:

### *know:*

- in what normative documents the order of examination and adoption of a federal law is fixed;
- who has the right for legal initiative in the Russian Federation;
- rights and obligations of the subjects of the right for legislation initiative;
- examination terms of a bill at different stages;
- the sequence of examination and adoption of a federal law in concrete cases;
- full procedure of examination and adoption of a federal law.

### *be able to:*

- perform context analysis of documents;
- organize individual activity and team work in order to get the result;
- express and stand for own opinion;
- present the work results;
- give assessment of the work results.

### *understand:*

- how the government assists to the observance of rights and interests of citizens;
- how the effectiveness of the team work depends on the contribution of each group member.

The full description of the class course is given in Alma Mater magazine, Vestnik of the High School<sup>34</sup>.

### 7.1.2. Legal clinics

Legal clinics are one of the special educational forms typical of legal education. A *legal clinic* can be defined as industrial practice organized on the basis of the study-scientific complex. Scientific, study and practical directions are synthesized and realized in joint activity of tutors and students creating new relations between the latter.

**Legal clinics** – are a form in many aspects taken from legal education experience of the USA and some European countries.

In literature creation of the first legal clinic in the USA in the end of the 20<sup>th</sup> century is described. Development and implementation of legal clinics within legal schools in this country are dated 20-30 years of the 20<sup>th</sup> century.

Also one German source is mentioned – “Deutsche Juristen-Zeitung” magazine, where in 1901 professor Frommhold stood for creation of clinics at legal HEIs that would legally assist to the persons interested. Apart from clinicians the clinics could be visited by other students – those who just listened to the explanations of professors and clinicians but did not participate in the class activities.

If we speak of Russian sources, we should mention the article of professor A.Liublinskiy “About legal clinics” published in 1901 in “Magazine of the Ministry of Justice”.

The author marks the drawbacks of home, purely theoretical tradition of legal education and praises the ideas of professor Frommhold about creation of legal clinics.

A legal clinic is oriented at conscious and systematic development of practical skills within a special educational program and solves a complex of tasks, such as:

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<sup>34</sup> This positive experience was published in Alma Mater magazine, Vestnik of the High School. – 2012. - N.º 8. – P 54-58. Gorylev A., Grudzinskaya E. Organizational and managing activity of a tutor within the study-case classes in Law.

- a) individual professional specialization of a future lawyer;
- b) adaptation of a student to conditions and requirements of a lawyer's profession;
- c) development of conscious implementation of ethic professional norms within the occurrence of dilemmas of various types of conflicts of interests;
- d) assistance to a better professional "start" (in comparison with those who hope that an employer or senior colleagues will teach them to work).

The quality of legal help is additionally assisted by a special system of training, control from the part of an individual curator as well as by the sequence of students' attestation according to the results of clinic practice.

For the HEIs performing both educational and research work this practice forms a unique empiric base as it detects previously latent types of infringement of rights of the citizens from socially vulnerable communities.

Legal clinics comprise three directions of a HEI's activity: scientific, educational and organization of students' practice.

1. Scientific direction — collection and processing of materials of law enforcement practice for students to prepare scientific reports, course and final works.
2. Educational direction implies that a clinic has its own program in developing practical skills for professional activity in addition to general subjects taught in a HEI.
3. Practice is organized by the tutors that are experienced in practical activity as wells as practicing lawyers. Education is carried out both in the clinic and common lecture halls by the same tutors. This enables essential connection of the subjects taught as well as balance of study workload in general subjects and clinic legal education; a student is not legally allowed to represent a client in the court, or the clinic's regulations do not enable this option, or the case may be difficult, so work with practicing lawyers assists to the timely transfer of the case from a clinician to a qualified lawyer.

Thus, we think that this form of education is irreplaceable for the achievement of such competences as: **SC 3** Ability to implement normative

acts in an appropriate legal manner, to realize rules of law in certain professional spheres and to develop legal documents; **SC 4** Ability to qualify facts and situations in a legally appropriate manner; **SC 8** Ability to implement and explain national legislation as well as norms and principles of international law; **SC 6** Ability to take well-founded legal decisions in accordance with current legislation.

### *7.1.3. Methodology of moot courts in legal education*

**A moot court** or a game trial method enables students to perform an a-trial procedure for learning purpose. Today **trial modelling** is very popular among HEIs.

The main educational aims of the implementation of **moot courts** are:

1. to get a clear understanding of trial rules;
2. to form the understanding of the fundamental bases of legal mechanism that is used in society to settle the majority of conflicts;
3. to develop basic skills of critical thinking such as the ability to sort out problems, to create and choose an appropriate solution, the ability to formulate and ask questions, the ability to listen and speak;
4. to develop the skills of working in team;
5. understanding of a role of each participant of a trial, their contribution to the common cause of successful settlement of legal conflicts;
6. learning of the fundamental legal principles, conceptions, values, such as justice, equality of rights, power and other significant legal categories;
7. combination of legal education with public resources, involvement of practitioners in educational process;
8. to overcome the barrier between theoretical education and practice in the field of Law;
9. to form preparedness to use legal procedures in order to solve own problems, to fulfill civil duties that consist in citizens' participation in trials as jurymen, witnesses, experts.

**A moot court** can be based on fictional cases or real cases reproducing well-known historical trials or modern headline-making judicial precedents. Either all students or only those students that are selected for this purpose may participate in such a trial (the rest may comment on the process).

There is a great variety of **moot courts** from the aspect of organization. It is worth starting to master this form of modeling with the method of “triad” or **a moot court** with the minimum of participants:

- a judge who will listen to the both parties and take the final decision,
- representatives of the parties (defence and accusation, plaintiff and defendant) who will create and exchange arguments in order to influence the opinion of the judge.

Methodological guidelines on the organization of the “triad” method:

### *1. Prior preparation of a tutor*

A tutor chooses a case to study, prepares additional legal information necessary to settle the case and plans the lesson.

### *2. Lesson*

The tutor familiarizes the students with the case to be settled at the lesson, helps them to understand the legal problem of the case and organizes its discussion.

Then the tutor divides the students into three groups: one group – judges, two other groups – representatives of the parties. Each group gets the task, the parties form positions and work out the most forcible arguments, the judges study the case and formulate questions. Having done the task the students form “triads” (groups of three people where one person is a judge and two other – representatives of the parties).

Then the tutor informs the students about the simplified procedure of the trial as well as its rules:

- a judge and one representative from each part are participants of the process,
- the judge carries on the trial and monitors the time,
- the trial is started by the plaintiff party (plaintiff) stating its position, then the same is done by the defendant party (defendant),

- the judge has the right to ask the parties after their speeches,
- the judge takes the decision, announces and explains it to the parties.

The tutor declares the trial to be opened. The students begin the work in 'triads'.

### 3. *Summing up*

After the announcement and explanation of the decision taken the discussion of the case and its settlement begins. Together the students sum up the trial and the lesson.

**A moot court** can stage various types of trials, for example, criminal procedure (including trials with jurymen) or civil procedure.

General guidelines on the organization of moot courts within a lesson:

#### 1. *Tutor's spadework*

The tutor sets objectives and defines the theme of the lesson where a *moot court* will be implemented, sorts out the main problem and, according to this problem, chooses a case, defines the trial type and its place in the lesson.

#### 2. *Involvement of specialists*

Lessons or moot courts become more effective when specialists having a real experience of trials or legal procedures participate in them. These can be judges, lawyers, prosecutors etc.

#### 3. *Reference activity*

The tutor familiarizes the students with the case, helps them to understand the facts and formulate the case's legal problem, explains them the course of the legal procedure and its rules.

#### 4. *Distribution of roles and role tasks*

The tutor assists to the distribution of roles among the students. The number of roles depends on the trial type and the variant of the moot court performed. Within any moot court three main groups of roles are singled out: the group of the plaintiff, the group of the defendant, the group of the decision-making (judges) and one additional group consisting of observers, however, according to the wish of the tutor and students other roles can be created.

#### 5. *Students' preparation for the moot court*

Students carry out role tasks, groups of the parties' representatives think over positions of the case and prepare arguments in their favour. The judges examine the case, think over questions to the parties and work out the legal procedure.

#### 6. *Court session*

Court session is carried out in accordance with the rules and procedures of the trial form chosen for imitation.

#### 7. *Summing up of the trial*

The tutor and the students jointly discuss the trial results in line with the objectives of the lesson.

Variants of moot courts are possible only for certain stages of the legal procedure. For example, for the formation and mastering the skill of interrogation (questioning) of the defendant, witnesses, victims, the plaintiff and other participants a role-play exactly for this stage of the legal procedure may be worked out.

#### **7.1.4. *The development of students' academic mobility***

Academic mobility within a HEI is understood as *formation and realization of individual educational trajectories of a student in the range of all basic educational programmes of higher professional education provided by a HEI*. Today higher school should turn to an individual, "piece" specialists

training for the concrete demands of the labour market. We think that the development of the mechanisms of education individualization will let solve not only the task to improve graduates' competitiveness at the labour market by obtaining additional competences or by deepening already obtained skills, but also another task – to develop students' diligence and personal responsibility for quality mastering of the basic educational programme.

The first step to realize the project of academic mobility within HEIs was the decision taken by Tula State Pedagogical University in March 2009 on **the contest inside HEIs**. The contest was aimed at **selection of study courses in the choice of general human and social-economic subjects**, planned to be realized in 2009-2010 for third year students. According to the contest documentation, each university tutor could suggest his own optional course the presentation of which was placed within a HEI's local net. After the placement of the materials the second year students had a month to choose the courses they liked and enrol in them. A year later the system was improved – a course's presentation was placed at the university site and students could enrol in the course through "Student's personal cabinet". Thus, instead of three-four optional courses offered at a faculty for the realization of this project, each student got an opportunity to choose any number of subjects from dozens offered (for example, in 2012 students were offered 55 courses of the specified section, approximately 30 courses were chosen).

It is worth saying that according to the results of students' enrolment in courses, it was planned to realize only those subjects that gained not less than 25 students. Less demanded courses were not included in the study workload for the next year. Enrolment in the optional courses was carried out regardless of students' belonging to one or another faculty or training direction. That is why for realization of the project the curriculum for all the third year students was compiled in the following way: the 3<sup>rd</sup> and the 4<sup>th</sup> lessons one day a week were given to those subjects that were taught in mixed groups of students studying at different faculties. Study process control in these groups was also excluded from the management of related faculties and transferred to the specialist of methodological management who checked students' attendance and progress and prepared the necessary documentation.

Students' and tutors' interest, good results of the students' inquiry held summarizing the outcomes of the course broadened the frames of the university experiment and increased the number of courses offered within the choice of the complex of human and social-economic subjects. In 2011-2012 among the most popular courses of this subject complex were: "Human Resources", "Information Ethics", "The Problems of Life,

Death and Dying in Bioethics”, “Electoral Process and Electoral Rights of Citizens”, “Skill of Sounding Speech” etc.

Similar organization of the study process in a HEI enabled, within “The project of internationalization of higher professional education at Tula State Pedagogical University”, simultaneous **realization of subjects (optional courses) taught in a foreign language**. There were formed interfaculty groups of students (up to 15 people) who wanted to master a complex of human and social-economic subjects in English. Thus, in 2011/2012 study year at Tula State Pedagogical University the following programs were realized: “Society and Religion”, “English Literature and Culture of XIX Century”, “Organizational Behavior”, “Plato’s Philosophic Heritage” etc. Thus, due to realization of this project, a foreign language becomes one of the means of future professional activity of university students, and mastering a foreign language turns to a competence related to the practical use of a foreign language in professional activity.

Analysis of preliminary results let the university administration speak of the project’s success and the necessity of its introduction into optional courses within **natural (all-science) and all-professional sections**. In the coming 2012-2013 study year the second year students of all training directions enrolled in such optional courses as “Cryptography History, “The Bases of Molecular Genetics and Genetic Engineering”, “Chemistry for Social and Professional Work” etc.

On the basis of the experience gained, in February 2012 the university started to realize the project of students’ selection of **elective module sections of optional subjects (courses) on the choice of students of profound training (36 credits)**, that is represented in the following way: in each basic educational programme of higher professional education 12 subjects are singled out. These subjects are successively taught from the 3<sup>rd</sup> to the 8<sup>th</sup> semester, 3 credits each. These subjects are united in the so-called elective module section of optional subjects (courses). It is thought that mastering all the offered subjects will enable the students of Tula State Pedagogical University to obtain additional special competences that are in demand at the modern labour market.

Departments of the university’s faculties worked out and suggested elective module sections in an initiative order, using the staff and material-technical capacity. This work was based on the labour market demands and the requirements of potential employers in accordance with “The sequence of the selection of elective module section of subjects for 2012/2013 study year”

(approved by the order of the Rector of Tula State Pedagogical University, 14.11.2011). Designing the elective modules of subjects was based on the inquiry of students, graduates and employers that let detect the corresponding professional demands and needs of additional knowledge and skills.

Thus, the university's departments formulated the aims and tasks that will be realized within the study of a concrete elective module section as well as defined the list of additional special competences that will be obtained by students. The tutors of the related departments made up the lists of the subjects included in each elective module section and developed the logic of study of the mentioned subjects as well as study programs, prepared presentations of the elective module sections for students.

Thus, the students of Tula State Pedagogical University were offered about 40 various elective module sections (such as "Business Mathematics", "Foreign Language in the Sphere of Professional Communication", "Ecological Assessment", "Practical Psychology", "Design of Information Systems", "Economic Information System" etc.).

As an example we can speak of the elective module section "Legal Regulation and Information Assistance of Professional Activity" worked out at Tula State Pedagogical University. The content of this section is approved by the government of Tula region as its realization is aimed at training of managers' reserve. It is planned that the part of practical classes will be carried out at the basis of the executive bodies of Tula region. This elective module section of profound training subjects is aimed at formation of the following additional special competences (ASC):

- knowledge of the basic notions and categories of legal theory, ability to provide legal force and correspondence of various types of normative acts, understanding of their place in legal regulation of professional activity (ASC-1);
- understanding of the peculiarities of state functioning, ability to use knowledge of the work of governmental and municipal authorities to solve professional tasks (ASC-2);
- understanding of the essence of the management process, knowledge of technologies of information and documentation assistance in management (ASC-3);
- ability to solve legal tasks in professional sphere (ASC-4);
- knowledge of the main analysis methods and ways to explain normative acts (ASC-5);

- ability to search and process information in the sphere of normative regulation of professional work, also with the use of global computer nets (ASC-6).

This section comprises:

N.º	Subject	Semester	Department that worked out the subject
1	The bases of legal regulation of professional work	3	Department of legal subjects
2	Information systems	3	Department of information science and methods of information studies
3	Legal and administrative bases of public management	4	Department of legal subjects
4	Regulation and municipal law of Tula region	4	Department of legal subjects
5	The Bases of government and municipal service	5	Department of legal subjects
6	Documentation assistance of management	5	Department of documentation science and Russian stylistics
7	Budget law	6	Department of legal subjects
8	Technical means of management	6	Department of information science and methods of information studies
9	Law of obligation	7	Department of legal subjects
10	Public relations	7	Department of documentation science and Russian stylistics
11	Procedural order of conflict settlement	8	Department of legal subjects
12	E-government	8	Department of documentation science and Russian stylistics

It is planned to organize the study process in the following way: for all the second year students one day a week will be devoted to a subject of an elective module section.

# 8

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