

Legal Education as Forming Factor of Legal Culture in Kazakhstan Modern Society

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Abstract—Forming a legal culture among citizens is a complicated and lengthy process, influencing all spheres of social life. It includes promoting justice, learning rights and duties, the introduction of juridical norms and knowledge, and also a process of developing a system of legal acts and constitutional norms. Currently, the evaluative and emotional influence of attempts to establish a legal culture among the citizens of Kazakhstan is limited by real legal practice. As a result, the values essential to a sound civil society are absent from the consciousness of the Kazakh people who are thus, in turn, not able to develop respect for these values. One of the disadvantages of the modern Kazakh educational system is a tendency to underrate the actual forces shaping the worldview of Kazakh youths. The mass-media, which are going through a personnel crisis, cannot provide society with the legal and political information necessary to form the sort of legal culture required for a true civil society.

Keywords—Kazakhstan society, Legal education, legal culture.

I. INTRODUCTION

THE modern universal practice proves that the level of legal consciousness and legal culture is reflection of social and economical prosperity and political stability of the society. Kazakhstan, having declared its independency, has set a strategic goal to build civil society and a rule-of-law state. For the years of independency the Kazakhstan society has changed cardinally and these changes have involved all sides of public life. Changes in spiritual life were not as unambiguous as the ones in economical and political spheres. A person reacting on occurring changes considers not only general social alterations but also changes of personal individual consciousness, own fate and personal evaluation of changes that taken place. The changes in legal area involved almost all sides of legal culture.

Development of legal personality with well-formed legal conscience demands large investments in moral and legal education and training. The only right way goes through the conscience of people to their own security and freedom within continuous creating on new forms of social life. It is known

that legal education is an important complex component of the mechanism of legal socialization of an individual (i.e. the process of acquisition, acceptance and implementation of public legal values, ideas, feelings and emotions, legal estimations, norms and behavioral models by individuals). Legal education and impact of legal practice to an individual are singled out in legal socialization. The legal education is a real mechanism of an individual's legal socialization as the process of acquisition, acceptance and implementation of public legal values, ideas, feelings and emotions, legal estimations, norms and behavioral models by individuals. The legal socialization is a process of acknowledgement, internalization and assimilation of legal values, awareness and knowledge on rights of society for reproducing the legal subject [1].

Legal socialization targets the development of the legal conscience of an individual and the legal culture of the society in general; it promotes such behavior that is coordinated with the needs and values of a rule-of-law state. The essence of legal socialization is development of attitudes that coordinate private expectations and aims with interests and expectations of the society. It is important that the needs of an individual should not conflict with the needs of the society and its values. The content of legal socialization is constituted by familiarization of people with the knowledge on the state and the laws, legality, the rights and freedoms of an individual, the essence of legal sciences, and doctrines and with the development of settled orientation towards law-abiding behavior. Of course, some legal values, which are derived from and based on moral norms, are acquired by an individual in the course of various social practices. But the aim of legal socialization is "building special tools for carrying the legal values to minds and feelings of people [2].

Complication of legal culture of society should be accompanied by legal education and informing of population on the existing legal directions. It is very important to introduce the samples and ideals, the legal experience and traditions of those countries which level of legal security of an individual, and, consequently, the level of legal culture is higher than in our country, to population. Even more important to teach the future professional lawyers in this regard so that the main aim of their activity is presented for them as the protection of freedom and rights of an individual from the lawlessness of the society or the state, i.e. the protection of the weak from the strong which is one of the postulates of universal human morals and culture in general.

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II. URGENCY

Legal education is one of the urgent problems of modern Kazakhstani society since without legal culture and knowledge is it impossible to implement the potential of the Constitution, and the civil society's institutions cannot exist without developed legal conscience of citizens.

In this regard improving of civil and legal culture of an individual become more important because if the skills and desire to participate actively in the life of society are absent, if the responsibility for own country is not developed and if the political competence is low all intended changes will be only discussed in theory and no democratic changes occur. Educational impact for improving the level of legal culture leads to positive results only if an individual's rightful behavior is effective and resultant.

Young people who are about to enter the real world should have developed outlook based on the respect towards the law, understanding the issue of human rights and ability to find possible ways to solve this issue.

The level of legal conscience and legal culture could be evaluated by analysis of statistics' data on the number of registered crimes and legal offences. According to the data of Statistics Agency of Kazakhstan there were 206 006 crimes registered in 1993 and 118 485 crimes registered in 2003. For 9 months (from January to September) of 2011 the level of crimes increased by 38.3% in comparison with the same period of the previous year and there were 137 789 criminal cases [3]. Thus, it could be seen that for the first years of independency of Kazakhstan there is the peak of growth of crimes and offences. The possible reasons of this are general social and economical problems. The decrease of crime level could be observed from the end of 90ths to the beginning of 2000ths which could be also explained by the economic stability, decreasing level of unemployment, forming the new system of values and moral sets and fragmentary adaptation of individuals to the market environment. But, in spite of all changes of our society, the crimes statistics has increased in 2010-2012. The reason of this could be the overestimation of own possibilities regarding the prosperity of the society. The desire to achieve the social success and prestige and to demonstrate own possibilities to get "here and now" are turning to be dominating values in comparison with moral imperatives. For the present moment, when a person has not managed to understand and to learn the conditions of rapidly changing situations, we have to admit the right is a minimum of morals which is imposed on an individual by the law. Unfortunately, today the valuable and emotional impact of legal education is limited significantly by actual legal practice since it is impossible to teach a person to respect those values which are absent in the conscience and deeds of people of this society, and the experience of other countries is not always possible to use for Kazakhstan. Empty declarations and demagogic claims (the political leaders to the population and the teachers to their students as well) influence badly the developing of legal culture of the society. Not everyone can handle the role of a teacher. In terms of society only remarkable personality could be a teacher, the one who "open"

the eyes of people and shows the true situation with the legal culture of the society [4].

Thus, the society is interested in the developing of legal culture and conscience which are the factors of social and political stability of the society.

The conception of legal polity and rightful propaganda of Kazakhstan targets the development of legal regulations of social processes. Appearing of the various forms of relations between the state's institutions and an individual makes the society use effective mechanisms of legal education. So, "the important element of legal socialization mechanism is various methods of legal education such as the methods and ways of explaining the political and legal ideas in order to influence the conscience and behavior of an individual for the interests of law and order"[2]. They include different methods of emotional and pedagogical impact for the students such as persuasion, warning, encouragement and compulsion.

The system of measures of legal education includes the special legal courses, schools, and seminars which are held by state and public authorities and financed by state's budget or on the commercial basis. The target of legal education is to introduce the samples and ideals, the legal experience and traditions of those countries which level of legal security of an individual, and, consequently, the level of legal culture is higher than in our country, to population.

The major role in legal socialization of an individual is played by media which should promote respect to the law and rightful behavior and develop legal conscience, etc. The forms of educational work by means of media include the political conversations, discussions on actual political and legal topics, special TV programs and commenting new legislative by specialists, etc. Nevertheless, due to the changes of public conscience and the reorientation of human values, which took place in our country during the last decades, their total rate is reduced. This form of work is not popular in the society and is held only during elections of other events promoted by the Constitution.

III. CONCLUSION

On the present moment, journalists are also involved in the development of legal culture of the society. But the majority of journalists' publications and films' scenarios are not so deep and all-sided for the concern of teaching the respect of rights and freedoms of people and do not explain new legal types of peoples' socialization. The rules of genres which are typical for media are more aimed for sensationalism when choosing materials. "This results in the certain change of the focus for the event described by the journalists; they highlight "bloody conflicts" more, describe in details the personality of a criminal and exaggerate the cruelty and refinement of a crime" [5]. There is nothing in common with legal culture in the situation when papers and magazines are full of criminal events and the television shows robberies and murders on the background of full and happy life of rich people.

The serious shortcoming of the present legal education is not sufficient estimation of organizational forms aimed for young learners such as school's legal contests and discussions

on legal and moral topics. On the new stage developing the state arrangement it is important to preserve this experience of work with young people and stimulate its development on the new political and legal basis.

Legal culture presupposes the ability to speak correctly and to ground ideas legally. The understanding of legal terms and the language of legal acts, understanding and explaining the meaning of the laws are the essential part of legal education of the society. At the same time, the legal specialists should be able to speak correctly, to compose legal texts professionally and to use ethically correct words in their speech. They are not allowed to use the language of political journalism which sometimes implements the elements of so called “jargonistic language” to the conscience of people. This leads to moral and legal destruction of a personality and cultural degradation of an individual.

All information given above proves that legal education is regarded as one of the most important means of developing and increasing of the legal culture, and, consequently, increasing of the legal conscience to the absolutely new level and to give them the status of paramount and the most important task of the state. Today the most important value of state’s policy is to be an individual, and his or her rights and freedoms. The state, its bodies and public entities, in other words all social institutions should be subordinate and responsible for an individual.

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