

## LEGAL EDUCATION IN MODERN RUSSIAN UNIVERSITIES

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The transition of Russia to a new stage of social and economic development caused substantial changes in Russian University legal education. Faculties of Law and Law Schools have become the most popular among the university students, and the profession of a lawyer has gained the image of the most prestigious one. Over the past 20 years the number of Law Schools and Law Faculties in Russia have grown about 50 times. Now there are 468 Law Schools and Universities with the Faculties of Law in Russia. A great number of them have from one to 20 branches in some other regions of Russia. There are also special legal training institutions belonging to the Ministry of Justice, the Ministry of the Interior, the Ministry of Civil Defense, Emergencies and Elimination of Consequences of Natural Disaster Situations. This fact causes concerns in the society of the so called "oversupply of lawyers". This attitude is spread among the Russian educators, politicians and civil servants.

Along with the growth of the number of the Law Schools, a mechanism constraining this process has been developed. This mechanism is connected with the public and state accreditation of legal educational institutions and the standardization of legal education by the state. The development of the professional legal associations played the positive role too. State standards for the legal training were approved by the Ministry of Education in 1995. The XXI century State standards turned the process of legal education in the framework of the Bologna process, completely transforming it by the applying the paradigm of multi-level system of higher education and by using the resources for academic mobility as its basic feature.

Now it is typical for the Law Schools students to use the possibilities of different specializations while pursuing the studies in the field of Law. All students have the choice of the elective courses of 5-7 areas: Criminal Law, Criminal Justice, Civil Law, International Law, Constitutional Law, Theory of Law and etc. Another relevant issue is that Bologna process revealed the importance of internationalization of legal education which became obvious to the Presidents of Russian Universities, to the educators and the scholars. But it is very difficult to follow this tendency in Russia due to the peculiarities of the national legal system and the specifics of Russian legislation. However, the internationalization of the content of legal education is growing. The new fields are developing very quickly: Comparative Law, Criminology, Deviantology, Human Rights Studies, Gender Studies, Multicultural Studies and etc. Modern Russian University legal education emphasizes moral and value aspects, the problems of legal socialization and the development of legal culture of Russian citizens and their civic virtues: obedience to Law, tolerance, loyalty, civility, patriotism, multiculturalism. This is the factor of the including of Russian legal studies into the world intellectual discourse on the role of Law in the development of the civil society and the Global Civil Society.

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The current state of university legal education in Russia is stipulated by the history of its development as well as by the modern models of European legal education.

The development of Russian legal education was determined by the needs of the state, and by the fact that it began to develop as an independent educational sphere in the XVIII century. The first educational institution specializing in law was set up in Moscow in 1687; its purpose was

training young men for the state service and the church. Originally this institution was named Hellenic-Greek Academy, the students studied there the foundations of church and civil law, and the teachers were invited from Padua University. In 1701 Moscow Hellenic-Greek

Academy was renamed to Slavonic-Latin Academy, and the number of students grew from 100 to 600, and since 1775 this HEI got a new name – Slavonic-Greek-Latin Academy, and the attention was drawn to teaching Russian law. M.V. Lomonosov was the student of this Academy in 1731-1735.

The state needed educated officials for reforming the power and management entities which enacted the reform of central state entities, replacing them by the new ones headed by the Senate. A powerful impulse for legal education was given by Russian Emperor Peter I. In 1722 the Table of Ranks was introduced and it acknowledged by law the system of ranks and state posts in the Russian Empire. The reform of state entities in Russia was followed in 1720 by a Board of Cadets which operated till 1763 and played an important role for training officials who studied law during their service supervised by their bosses.

In XVIII the codification of legal acts was started in Russia which needed a significant number of officials who were lawyers. In January 1724 Peter I informed the Senate about his plan to set up an Academy of Science in Russia, it was planned that the Academy should have a university and a school (Gymnasium). In 1725, after his death, an academic university was founded with three faculties, including Law, Philosophy and medical faculties. In the beginning, there were 8 German students in this institution; some of them were future lawyers. Since 1748, there were already 30 students in the academic university taught by 6 professors.

In 1731 the higher military education was started, and a Land Shliakhta Cadet Corps was founded in which Theoretical Law, both Russian and foreign, was taught besides military sciences, languages and general education courses. In 1752 Marine Cadet Corps was founded where military naval law was taught. The military law was taught also in Artillery and Engineering Nobility School (1758). In 1759 a Page Corps was founded in the Russian Empire, it was designed for aristocracy which consequently took the key state positions.

The economic and social-political development of the Russian Empire in the middle of XVIII century demanded a significant number of educated people, including lawyers. The available educational institutions did not satisfy the demand to the full extent. I.I. Shuvalov, the favourite of Empress Elizaveta Petrovna (the daughter of Peter I), had an idea of founding Moscow University. The idea originally belonged to his friend, the great scholar Mikhail Lomonosov. The University was opened in 1755, and it had a Law Faculty. In the of the 50s through beginning of 60s, several students of Moscow University were sent to Glasgow to continue their education, after returning to Russia, they played a big role in the development of law education.

At the first stage of its evolution, the legal education in Russia experienced a big foreign impact through visiting foreign professors, and Russian teachers who had had their study visits abroad. However, since the second half of the XVIII century, the Russian system of legal education began gradually to gain freedom from foreign influence. In the beginning of XIX century Derpt, Kazan and Kharkov Universities, Yaroslavl College of Higher Sciences, and Petersburg Main Pedagogical Institute, which was transformed into university in 1819, joined the university fraternity. The content of education provided at faculties of law was related with a big amount of knowledge that was not always supposed to have practical application. The theoretical bias was encouraged by the first Russian professors. The rooted in the XVIII century tradition of legal education which was had a general and philosophical character was continued in the XIX century. The studies of the Russian law

had the least priority. However, the real state needs were connected with practical legal studies that is why teaching law in the practice was continued. In principle, the prestige of the profession of a lawyer was not high; the flow of nobility into this sphere was not big, which restrained the development of legal awareness of the Russian elite. The opportunities of law as the regulator of social relations was still underestimated.

During the time of Emperor Alexander I (1801-1825) legal education got new impulses. A lot of departmental educational institutions were set up, including lyceums (Tzarskoselski-Alexander), an auditing college, Legal Studies College, etc. In 1830 (the reign of Emperor Nikolai I), the Complete Collection of Laws of the Russian Empire was published, in 1833 a 15-volume Code of Laws of the Russian Empire was prepared. The legal education got a firm foundation in terms of a system of norms of positive law which allowed developing the required legal technical practical skills. Emperor Nikolai I (1825-1855) turned the state policy from the international and inter-confessional to the nationalist and Orthodox policy. He wanted to isolate the university from the penetration of liberal western ideas, and since 1847-1848, teaching of European state laws and philosophies was stopped, and it was forbidden to send the graduates abroad. This reflected on the content of university legal education: legal education got a practical utilitarian bias, departmental disciplines started to prevail (70%), the curriculum was based on the system of the Code of Law of the Russian Empire which had 15 volumes. The Law Faculties introduced studies of the current legislation aiming to train lawyers-officials. The Russian law became a subject of learning and teaching. This, in its turn, led to raising the prestige of the profession of the lawyer.

In the second half of XIX century the transition from traditional to modern (capitalist) society started in Russia, and the modernization of the legal structure took place targeted at the formation of rational legal institutes. In the course of the court reform of 1864, the separation of judicial power from the administrative power was accomplished, the law ultimately became an independent sphere of social practice, and the activities of lawyers became a kind of special activity. There was a need in a big number of lawyers for new legal institutions and services. There was not just a need in a big number of lawyers, but in those who knew the renewed legislation. There emerged nongovernmental higher educational institutions and female higher education also emerged and developed (Higher Female Courses, Bestujev Courses in Saint Petersburg, and Professor Gerrier Courses in Moscow). The number of lawyers grows. By 1889, the amount of students of law is 41.1% of the total number of Russian students. In the beginning of the XX century, there were about 850 students in the educational institutions of law.

The utilitarian education was replaced by fundamental legal education. In terms of content, the Russian legal higher school followed the continental tradition of teaching law, the focus of which is on legal theory, scientific law. The legal education was characterized by interdisciplinarity and was based on the deductive method. The content of skills taught resulted in the graduates' being theoretician lawyers or lawyers-judges. A similar type of lawyers was trained in Germany. In many respects, law was borrowed. The lecture system was for decades the main form of classes. A transition to the Western-European political legal system was taking place. This system required specialists in the field of law with fairly developed legal techniques. As far as Russia lacked a system of training such specialists, and the available traditional model could not reach such objectives, the experience of leading Western European states, first of all, German was actively borrowed in the process of founding HEIs and designing content of law studies. The fundamentality of legal education was predetermined by the domination of the features of Roman-German legal family.

During the reign of Alexander III, there were counter-reforms (1881-1894), the HEIs autonomy was restrained, a practical orientation tended to prevail in legal education. Since the end of XIX century, the professional community began to show interest to the content and technology of

training lawyers. At the same time, there emerged special educational institutions training lawyers – Law College, Demidov Law Lyceum, Military Legal Academy. The period of 1884 through 1917 maybe called a period of moderate utilitarianism in university law education.

By 1917, there were 65 state and 59 non-governmental higher schools in Russia. During 1898-1916, free school, for example, trained about 1000 lawyers. After the Revolution of 1917 and the setting up of the Soviet social order, the university legal education became gradually to be removed, and a tendency became evident for limiting the access to legal education. In 1919 many law faculties in universities were closed. For example, in the region of Siberia and Far East, there remained none of HEIs having a law faculty.

During the Soviet period, the system of higher professional education, including legal education, was modernized: the constraints set before for enrolling to HEIs candidates with certain social backgrounds were lifted, and an extramural form of studies was introduced. Before 1930s, higher legal education was offered mainly by universities' law faculties, although there was a big network of HEIs – pedagogical, technical, medical, agricultural institutes. In 1931 a reorganisation of higher legal education was started. It was taken away from universities, and became a prerogative of independent educational institutions. It was only in 1950s that the law faculties were reconstructed and opened. That was caused by reforms in the sphere of economy, by the need in expanding external economic relations and the emerging processes of modernizing the country.

A network of educational institutions for training lawyers was formed in the Soviet Union only by 1980s. According to statistical data, there were 24 legal faculties at universities 2 specialised institutes in the Russian Federation of the USSR. The USSR had about twice as many institutions of the kind – 45 university faculties and 4 institutes. In 1986, there were 68 universities, and 45 of them opened law faculties. Besides civilian institutions, lawyers were trained in departmental educational institutions which were part of the system of the Ministry of Interior, Defense Ministry, Committee of State Security. However, although the network of law HEIs was expanded, the Soviet educational system had specific features – a technocratic approach and underestimation of the relevance of social and humanities knowledge. As a result, in the USSR there were 4 times more graduates in the field of engineering than in the USA, and about 1.5 times more than in Germany. The USSR trained 15 times more specialists in agriculture than France, and 7.5 times the USA. At the same time, the USSR trained 10 times fewer graduates in Arts than in France, and 5 times fewer that in the USA. And even in the group of Arts graduates, lawyers were in minority: in the end of 1970s about 15% of the total number humanities students.

In the USSR the main form of training lawyers was through law faculties at universities with 5 years of training, and law institutes with 4 years of training. The process of studies implied training lawyers with a wide profile able to take any post requiring legal education, at the same, with profound knowledge in a particular sphere of legal activities.

By the beginning of the 90s, the issue of reforming higher education was raised, Starting with the 1990s, especially after the collapse of the Soviet system, the number of educational institutions training lawyers grew dramatically. The boom was caused not only by the demand, but also by the need to overcome those constraints which were artificially imposed during the Soviet period. This process also reveals the desire of Russia to participate actively in the global world economic processes which is in line with its strategic and tactical interests. Till 1995 the higher legal education was not strictly standardized, and universities were allowed to experiment both in terms of the content of legal training, and in terms of its forms and duration. However, in 1995 the state educational standard (SES) of the first generation was introduced which set the norms for training

specialists in law. In 2000 the state standard of the second generation was introduced, and soon there emerged standards for training bachelors and masters.

There appeared a tendency in the sphere of legal education to widely borrow foreign models of higher education. First of all it is reflected in the transition of legal education to the tertiary system which is typical for Western European system of education. In 2010 a new educational standard was introduced for training bachelors of law, and in 2011 a standard for training masters was introduced. These standards are described as standards of the third generation. The linear legal education oriented for training lawyers is coming to its end; it stays in the past, although it still exists, along with the tertiary level training of lawyers. A lot of attention is paid to elective courses; interdisciplinary of legal training is emphasized, as well as fundamentality of training. In training masters, HEIs are to a big extent free to design and implement master's degree programmes, although the requirements to quality education are being raised. First of all, these requirements concern qualification of the teaching staff, relevance of students' field experience both in the legal sphere and in science.

At present, the processes of convergence of European educational systems is evident in terms making these systems similar for creating a common European labour market of professionally trained employees. And the Bologna process reflects this process of unification and standardization. In this field, there are a lot of complicated issues for Russian legal education related with the language barrier, traditions in legal education, economic opportunities for academic mobility as a principle the Bologna process. However, it is impossible to stop the process of modernization of legal education started in the conditions of the new Russia. All the experience, all the stereotypes and traditions, all the changes in the system of legal education cannot fail to have an impact on its content which is more and more oriented to reflecting the challenges of the new society and to adequately correspond to the modernization policy of modern Russia.