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MODERN TENDENCIES OF DEVELOPMENT OF LEGAL SCIENCE AND LAW EDUCATION IN THE REPUBLIC OF KAZAKHSTAN

Abstract. The authors consider modern trends in the development of education in the Republic of Kazakhstan in the context of the reform of legal science.

The goal of Europeanization of national education is analyzed from different points of view, in particular, educational globalization, which causes the integration of educational systems and the unification of educational standards of Kazakhstan with European ones. The article presents some features of the implementation of the Bologna process. The main goal of legal education is the formation of a humanistically oriented person with a sense of self-worth, aware of the significance and value of democracy, freedom, civil and law-abiding, respectful of human rights and codes of rights and able to protect these rights, possessing the legal knowledge necessary the world.

Keywords: trends, jurisprudence, science, education, Bologna process.

INTRODUCTION

Higher and postgraduate education in Kazakhstan is implemented in accordance with the Bologna process on the credit technology of education. Higher and postgraduate education is built on a three-level system: undergraduate, graduate and doctoral studies. Other required elements of the Bologna process are named. The author of the article notes problematic issues in modern training of lawyers and makes suggestions for their resolution. Attention is paid to the activities of the Republican educational and methodical section on the group of specialties "Law" of the Ministry of Education and Science of the Republic of Kazakhstan.

In modern conditions, the nature of relations between the state and the individual is changing. Citizens received real democratic freedoms, the opportunity to express themselves in the economic and political fields, to realize themselves as individuals. The development of market relations as a condition of success in life determines the priority of such personality traits as businesslikeness, enterprise, ability to correctly navigate social relations, act in accordance with their interests, without violating the law. The negative aspects of life include crime, drug addiction, the presence of corruption in government bodies at all levels.

MAINPART

These factors determine the special significance of the system of legal education as a condition for the formation of a legal culture in society, which in turn consists of the following components:

1. Formation of a system of knowledge about the law, legal framework, legal measures to regulate social relations.

2. Fostering a sense of rejection of violations of the rule of law, setting a model of law-abiding behavior, focused on the social value of the law, fostering a sense of responsibility for influences.

3. Socially useful behavior of the individual, manifested in the conscious lawful behavior, the skillful realization of their rights and freedoms, the responsible attitude to the duties of the citizen, the willingness to act legally competently.

The training of legal personnel is closely related to organizational and legal measures. Kazakhstan is in dire need of specialists with a legal education of a new formation who could, on the basis of the adopted legal acts, effectively defend the rights, freedoms and interests of our citizens - skillfully and competently. Such an approach should be the basis for the training of legal personnel in Kazakhstan. As for the content of legal education, according to E.E. Usanova, "... legal education is a purposeful process of obtaining fundamental (deep, scientific, systematized, complex) legal knowledge by a person, corresponding to the modern level of development of legal theory and practice" [4, p. 12].

Today, changes in the socio-economic and legal areas of development of our state require increased attention to the formation of the personality of a modern lawyer-professional. The main task of higher legal education is that students can not only acquire knowledge in the field of jurisprudence, but also become specialists with a high general and professional culture, a high level of moral and business skills, can think critically and make decisions independently and bear responsibility for their actions.

When analyzing the personal qualities of future lawyers, it is necessary to solve the problem of identifying the professionally significant personal qualities of a specialist lawyer. There are two main components of the graduate model:

1) the professional competence of the future lawyer;

2) personal qualities of the future specialist, which in the aggregate are for a graduate of a higher educational institution an integral part of his general professional competence.

In the preparation of legal personnel issues of legal education are key, and they are closely related to the activities of the organizational and legal nature. The society and the state need legal cadres of a conceptually new formation, which are brought up and oriented exclusively towards the protection of the rights and freedoms of the person and citizen, the interests of society and the state. We can safely say that it is this approach that should underlie the system of legal education in our state.

There is a need to modernize legal education, the improvement of the main areas of which should be aimed at creating new educational technologies. This implies a reorientation of legal education from a predominantly informative type of education to learning, allowing to identify and develop the cognitive and creative abilities of students, nurture their volitional and professional personality traits, ensuring effective professional activity of lawyers.

Everyone knows that the content of professional legal education is formed not only in the traditional educational process. Educational and professional training, work on the development of various professional activities, the inclusion of real legal practice should become permanent components of education.

In order to ensure modern orientation and intensification of the educational process based on information technologies, it is necessary to provide for the inclusion of training courses using interactive and expert-training systems, decision support systems, etc.

Legal education is the basis of legal education and legal culture of all citizens. It is a condition for maintaining the efficiency of the system of law and order in our state.

Modern legal education is an integral part of the national education system and is a relatively independent field of education that has a strong influence on the foundations of the legal system of the whole country. The training of highly qualified professional lawyers and the quality of their activities influence the most diverse aspects of the development of Kazakhstan's society, including politics, economics, the social sphere, culture, that is, it shows the degree of high significance of the state of legal education in relation to the efficiency of the entire legal education system. Of course, this means that the perfection of the laws, the degree of their implementation and the dynamics of the evolution of the development of our national legal system and the effectiveness of its reform depend on the legal knowledge of legal specialists and all citizens of our state.

If we consider the traditional approach to legal education to learning, here we observe the process of acquiring a body of knowledge of a certain level through their direct transfer and assimilation by students. In modern conditions, the education system is implemented, when the student is given the right to independently choose the methods and options for gaining the level of competence in his chosen field of future profession. This gives the student the right to choose the trajectory of study due to his abilities and personal interest in the chosen specialty.

Today, the system of higher legal education is focused on the competence approach. This means that almost any university prepares and graduates a specialist who has the competences necessary for practical work in various areas of jurisprudence: rule-making, law enforcement, law enforcement, or research and teaching. Modern educational programs (especially in the legal professions) need to be developed and coordinated with future employers, for whom, ultimately, the university prepares students, i.e. The employer must directly take an active part in the formation of the catalog of elective disciplines in accordance with the need to acquire the skills of students for their further implementation.

Of course, one of the most important moments in improving the quality of training future lawyers is the widespread introduction of elective disciplines (training courses for the choice of students), which should have a high degree of relevance and compliance with educational standards. The development and preparation of these elective disciplines should be based on the results of the personal research of the faculty of the university (the quality and degree of relevance of the content of the disciplines are important). The annual update of the catalog of elective disciplines is a prerequisite for the work of teachers and will motivate them to constant scientific research, skills of classification and presentation of the results of their research. As a result, all this work expands the scientific erudition of the faculty, raises their professional level and makes it possible to give the basics of fundamental knowledge in various disciplines, making them interesting and informative for students. In order to create such courses or improve existing ones, teachers must engage in research in the field of topical legal problems, the results of which will ultimately be transferred and learned by students. The practical experience of universities shows that academic teachers who create a set of new knowledge, develop new pedagogical technologies, use new equipment. They are able to teach students and give them high-level knowledge, which ultimately shows the general level of national education and its compliance with international standards.

Thus, we can conclude that today a modern university graduate needs not only to have legal knowledge, but also be ready to put them into practice in the relevant field. In other words, when assessing the work of a university, the main indicators are the graduate himself, the degree of his demand in the labor market, the level of his residual knowledge, the degree of adaptation to modern market conditions, and readiness for further improvement of the completed education.

The system of higher legal education performs the functions of accumulation and preservation of its historical achievements and is a mechanism for improving legal knowledge and transferring it to subsequent generations of professional lawyers, as it is a direct source of professional legal awareness in the system of legal culture of society. In this aspect, higher legal education acts as one of the main forms of reproduction of the legal culture of society and shows the level of quality of education in the state.

Attention should be paid to the point of view of G.N.Serikov, who believes that “for the development of legal education it is important to determine the level of culture of university graduates. To determine the level of education of the identified triad of qualities, the following criteria are distinguished: awareness, consciousness, effectiveness and skill. At the same time, they serve as internal criteria for measuring and assessing the quality of one of the results of education - the formation of professionally significant personal qualities of a university graduate — a future lawyer”[3, 233].

Indeed, one can agree with the opinion of G.N. Serikov, indicating that “indicators of awareness and conscientiousness regarding future professionally significant personal qualities of future lawyers are the accuracy and completeness of knowledge and ideas about conscience, justice and responsibility as legal and ethical categories, as qualities required a lawyer in his professional activities; conviction in the correctness of their own interpretations of learned knowledge and ideas. An indicator of effectiveness is the activity of students in the manifestation of a sustainable positive attitude to conscience, justice, responsibility in the individual interpretation of the performance of professional competencies, and skill - reliance on the trinity of conscience, justice, responsibility in making professional decisions in situations of moral choice. The education of professionally significant personal qualities of future lawyers is carried out as part of the educational process at the university. The educational process aimed at fostering the professionally significant personal qualities of future lawyers is intended to achieve a kind of community, expressed in a coordinated pedagogical partnership, in a humane teaching and pedagogical interaction. The purpose of this interaction is to promote the change of certain properties of the participants in the education and the achievement by them of a certain level of education; promote self-realization of students

in socially acceptable manifestations; and also to give students a vector direction in the development of their spirituality as a prerequisite for further self-education) [3; 236].

The concept of the legal policy of the Republic of Kazakhstan for the period from 2010 to 2020. (hereinafter referred to as the Concept), approved by the decree of the President of Kazakhstan N.Nazarbayev dated August 24, 2009, aims to modernize legislation, strengthen the state, democratize the political system, implement the norms of ratified acts of international law. The document combines orientation towards the development of legislation and public administration with the continuity of legal policy, consistent implementation of the potential of the norms of the Constitution and legislation, provision of legal means to protect the rights and freedoms of citizens, national interests of the country, sustainable development of society [1; 86].

The new stage of development of the Kazakhstan legal system, associated with the approval of the Legal Policy Concept, was prepared and predetermined by both objective internal processes and the influence of external factors, including the impact on the legal mechanisms of Kazakhstan's society on new phenomena and trends that have emerged and acquired a fundamental character in more developed legal systems of the modern world, especially the Romano-Germanic legal family.

Taking into account the outlined features of law servicing of modern needs, development and modification of state functions in a continuously developing legal system, three groups of global branches (complexes) of a new generation law could be distinguished:

- established, universally recognized branches of law (environmental, information law, human rights law (humanitarian law in a broad sense), etc.);
- intensively emerging branches of law (law of peace, law of security, immigration law, law of sustainable development, etc.);
- outlining the general outlines of their development and causing further universalization of the branch of law (for example, economic law, social law) [12; 22].

CONCLUSION

Thus, it should be noted that the Kazakhstan legal system is an independent, unique, mononuclear national legal phenomenon, which is defined by the Legal Policy Concept of the Republic of Kazakhstan, based on current trends in the development of the national legal system, accumulated domestic and international experience, scientifically based ideas about the prospects development of the Kazakhstan state and law. But at the same time, the legal system of Kazakhstan must exist and develop as an integral, sustainable, harmonious phenomenon. This affects the realization of the objectives of the law, in the whole legal system; is a condition for solving many legal, social, economic, political and other problems of the state. Optimistic forecasts of the development of the legal system in the future can only be built in the event that evolutionary changes affect all elements of the system, and it itself will respond adequately and timely to the challenges of the external environment.

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ҚАЗАҚСТАН РЕСПУБЛИКАСЫНДАҒЫ ЗАҢДЫҚ ҒЫЛЫМ ЖӘНЕ ЗАҢНАМАЛЫҚ БІЛІМ БЕРУ САЛАСЫНЫҢ ДАМУЫНЫҢ ЗАМАНАУШЫ ТЕНДЕНЦИЯЛАРЫ

Аннотация. Авторлар заңғылымын реформалау контексінде Қазақстан Республикасында білім беруді дамытудың қазіргі заманғы үрдістерін қарастырады. Ұлттық білім беруді европандандырудың мақсаты әр түрлі көзқарастардан, атап айтқанда, білім беру жүйесін интеграциялауға және Қазақстанның білім беру стандарттары неуропалық деңгейге біріктіретін білім беру жаһандануынан талданады. Мақалада Болон процесін жүзеге асырудың кейбір ерекшеліктері келтірілген. Құқықтық білім берудің басты мақсаты адамгершілікке бағдарланған тұлғаны демократияның маңыздылығы мен құндылығын, еркіндікті, азаматтық және заңдылықты сақтауды, адам құқықтарын құрметтеуді және құқықтарды қорғау кодексін білуді, қажетті құқық білімдерін иеленуді білетін өзіндік сезіммен қалыптастыру болып табылады. әлем.

Түйінді сөздер: трендтер, юриспруденция, ғылым, білім, Болон процесі

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СОВРЕМЕННЫЕ ТЕНДЕНЦИИ РАЗВИТИЯ ЮРИДИЧЕСКОЙ НАУКИ И ЮРИДИЧЕСКОГО ОБРАЗОВАНИЯ В РЕСПУБЛИКЕ КАЗАХСТАН

Аннотация. Авторами рассматриваются современные тенденции развития образования в РК контексте реформирования юридической науки.

Цель европеизации отечественного образования анализируется с разных точек зрения, в частности, образовательной глобализации, вызывающей интеграцию образовательных систем и унификации образовательных стандартов РК с европейскими. В статье представлены некоторые особенности реализации Болонского процесса. Главная цель юридического образования — становление гуманистически ориентированной личности, обладающей чувством собственного достоинства, осознающей значимость и ценность демократии, свободы, граждански активной и законопослушной, уважающей права и свободы человека и умеющей защищать эти права, обладающий юридическими знаниями, необходимые для нахождения своего места в окружающем мире.

Ключевые слова: тенденции, юриспруденция, наука, образование, Болонский процесс.

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