



The State of Legal Consciousness Formation of Russian Students

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The article aims at determining the specifics of legal consciousness of Russian youth, as well as to determining the ways and possibilities of developing mechanisms for its development. For this purpose, two surveys were conducted: first — among 30 experts in the field of human rights and freedoms and second — among 800 respondents aged from 14 to 25 years from 15 regions of the Russian Federation. Characteristic features of legal consciousness of modern students as a subjective factor of reflection and construction of social and legal reality are allocated and described. The levels of formation of the rights consciousness of University students were revealed; the specificity of the legal consciousness of young people depending on the spheres of life (household, business, civil) was revealed; the mechanisms for the correction of legal consciousness in terms of higher education are presented. The results showed that the majority of respondents have an adequate understanding of human rights and freedoms, but a significant proportion of respondents do not have a solid legal knowledge and even refer to the Constitution such rights and freedoms that are not only not provided for in it, but are contrary to the norms of a democratic state.

Keywords: legal consciousness, formation, theory, basics, students, pedagogics

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INTRODUCTION

Currently, in the context of dynamic socio-economic and socio-political changes, the level of consciousness of the citizens of Russian society and its important component — the legal consciousness — are undergoing a number of transformations. Therefore, the study of the legal consciousness of students is relevant. The study of the level of legal consciousness of University students has undoubted practical importance as the result of understanding the data allows to develop a set of measures of legal education of students (Ruiz, 2016). The formation of legal consciousness and legal culture of young people is one of the most important problems in the education of a legally competent, competitive member of society with an active civic stand (Ben-Menahem, 2009; Miroshnichenko, 2014).

The Concept of Legal Consciousness

Legal consciousness refers to what people do as well as say about law. It is understood to be part of a reciprocal process in which the meanings given by individuals to their world become patterned, stabilized, and objectified (Silbey, 2005). Legal consciousness evaluates the existing law and also bears in mind an image of the desired or ideal law (Kaugia, 1996).

It should be mentioned that legal or civil consciousness have nothing to do with *political consciousness*. Friedmann (1971) in his work “The awakening of political consciousness”, speaking about the transition from skeptical, silent generation to the period of radical political thought and action, gives examples of negative consequences (student revolt, frustrations of the young, ethic and generation conflicts) of developing political consciousness in society. The aspect of negative connection between legal consciousness and political is discussed by Rogers (2012).

Legal consciousness has some common features with *patriotic consciousness*. Both include personal attitude to the Motherland (diagnosed by the content of patriotic and spiritual, and moral judgments of students); knowledge of national history, culture, art, traditional spiritual and moral foundations and values of the people of the country (diagnosed by academic achievement in the subjects of the humanitarian cycle and the quality of answers to questions specially designed questionnaires) (Nuridin, 2017); voluntary participation in activities focused on preservation and enrichment of spiritual and material achievements of the people (diagnosed by quantitative indicators of students' participation in educational activities) (Alieva, Bilalov, Gadzhiev, Radzhabova & Salmanova, 2018); self-identification (diagnosed by analyzing the results of questionnaires and creative works of students) (Teelucksingh, 2017).

Legal consciousness may be regarded *as a subjective factor* because it not only reflects the modern legal reality but also is directly related to morality and compliance with social and legal norms (Geng & Caiyun, 2012; Moka-Mubelo, 2017; Watson, 2016). In many ways, the level of development of the legal consciousness of the subject depends on its perception and evaluation of social reality, as well as readiness to overcome the difficulties (Riley, 1996; Teelucksingh, 2017; Winant, 1998). Therefore, legal consciousness research should be imagined on a continuum ranging from individualistic

conceptualizations of thought and action to interactive, co-constitutive approaches (Chua & Engel, 2019).

An opposite thought is expressed by Susan Silbey (2005) that sees legal consciousness not as something individual or merely ideational, but *as social practice* in the sense that it both reflects and forms social structures, is contested in ideological struggles or subsumed in hegemonic practices.

METHOD

Research Design

This is an exploratory research. The study was conducted in two stages. Such data collection method as survey was used. After completion of the survey, all the response forms were digitized; all respondents' answers were recorded in the MS Excel software. The received answers were analyzed and consolidated; the similar and coincident answers of the respondents were grouped together. Groups of answers were ordered and presented in descending order of the number of respondents who gave this certain answer. Respondents were not offered any answers; respondents formulated their response based on their subjective opinions and experience.

Participants

- 1) *At the first stage* of the study the survey included experts in the field of human rights and freedoms: lawyers, state officials, law enforcement officials, representatives of the media, public organizations and clergy, school teachers, secondary specialized educational institutions and universities (a total of 30 experts).
- 2) *At the second stage* the study surveyed young people aged 14 to 25 years from 15 regions of the Russian Federation, the total sample size of 800 respondents. This article discusses the main results of the research project “Development of mechanisms for the development of legal consciousness of youth in Russia”.

Objectives of the Study

At the first stage of the study

- 1) to study the opinions of experts in the field of human rights and freedoms on the level of legal awareness of Russian youth;
- 2) to formulate basic terms and concepts,
- 3) to construct modelling situations.

At the second stage of the study

- 1) to conduct a quantitative survey of Russian youth;
- 2) to study the level of legal awareness of Russian youth and peculiarities of attitude to law;
- 3) to develop recommendations on measures necessary to increase the level of legal awareness of young people.

FINDINGS

Knowledge of the Fundamental Rights of a Russian Citizen

Most respondents of our research were generally quite aware of the basic rights of citizens enshrined in the Constitution of the Russian Federation (knowledge without a hint). A significant proportion of respondents are aware of the right to education (49.9%), freedom of thought and speech (38.6%), to life (31.6%), to work (29.0%), to health care and health care (18.0%), to housing (17.7%) and others (Table 1).

Table 1

Distribution of Answers to the Question "What Rights of a Citizen of the Russian Federation Do You Know?", in % of All Respondents (N=800).

Answer choice	%
Right to education	49.9
Freedom of thought and speech	38.6
Right to life	31.6
Right to work	29.0
Right to health and medical care	18.0
Right to housing	17.7
Right to vote and to be elected	16.3
Private property right	12.4
Right to liberty and security of person	11.9
The right to freedom of movement, choice of residence and domicile	9.7
Freedom of religion	8.7
Judicial protection of rights and freedoms	6.0
Privacy	5.7
Right to rest	5.6
Guarantee of social security by age, in case of illness	4.7
Guarantee of consumer protection	3.7
Create a family, have children	2.9
Inviolability	1.7
Right to legal counsel	1.6
Named duties	1.6
Gender, nationality and race equality	1.1
Freedom of assembly	1.0
All are equal before the law and the court	0.9
No one is obliged to testify against himself, his	0.6
Another	7.7
Difficult to answer	2.4

*The amount of answers exceeds 100%, because the question involved several answers.

As the survey results show, the majority of respondents know and can name a number of fundamental rights of citizens. Only 2.4% of respondents had difficulty answering.

Knowledge of the Basic Constitutional Duties of a Russian Citizen

A number of basic constitutional duties of a citizen are known to few respondents (knowledge without a hint). Knowledge of such duties as protection of the Motherland, payment of taxes, general education does not exceed 30% (Table 2).

Table 2

Distribution of Answers to the Question "What Duties of a Citizen of the Russian Federation Do You Know?", in % of All Respondents (N=800). Open Question.

Answer choice	%
Comply with the laws of the state, not to violate the rights of others ("the Exercise of the rights and freedoms of man and citizen shall not violate the rights and freedoms of others", article 17)	54.1
The defense of the Motherland, military service (article 59)	28.5
The payment of the established taxes and fees (article 57)	23.1
General education (article 43)	15.2
To be kind, to behave well, not to hurt the younger	9.6
To work to provide for themselves	8.4
Caring for parents, helping parents (article 38)	4.4
Preservation of nature and the environment, respect for natural resources (article 58)	3.7
Taking care of children, their upbringing (article 38)	2.5
Participation in elections (voting)	1.9
Care for the preservation of historical and cultural heritage, preserve historical and cultural monuments (article 44)	0.8
Another	3.9
Difficult to answer	2.9

*The amount of answers exceeds 100%, because the question involved several answers.

The four leading answers of respondents included the duties of citizen of the Russian Federation, which are provided for by the current legislation of the country. Such duties of citizens as military service, the obligation to pay taxes and fees, receiving primary and secondary general education are known to most respondents. Each of these responsibilities was mentioned by more than 15% of respondents. This is explained by the fact that the duty to serve in the ranks of the Russian Army is something that almost every young man who has reached military age faces. The postponement from military service is given to young men who study full-time in higher education organizations in areas of training and specialties having state accreditation (bachelor, master, postgraduate, residency, adjunct, etc.).

While defense of the Motherland is the responsibility of only the male part of the population, the duty of payment of the established taxes and fees is the duty of every citizen, regardless of gender or age. However, this duty was mentioned only by 23.1% of respondents.

The last of these four leading answers concerns the duty of general education. According to Part 5 of Art. 66 of Federal Law No. 273-FZ, primary general, basic general and secondary general education are mandatory. This obligation was named by 15.2% of respondents. Moreover, in order to master the program of general secondary education, it is necessary to pre-master the programs of primary general, and then basic general education. At the same time, the requirement of compulsory secondary education remains in force until the age of 18 years old, while the requirement of obtaining primary general and basic general education is not limited to reaching the specified age.

Among the respondents' answers there are rights and obligations that are not in the Constitution. In this regard, the researchers consider it expedient to find out and analyze the opinion of the population about which legal documents contain information about the fundamental rights and duties of citizens. The survey results are presented in Table 3.

Knowledge about Legal Documents on the Fundamental Human Rights and Duties

Table 3

Distribution of Answers to the Question "Which Documents Do You Think Contain Information on Basic Human Rights?", in % of All Respondents (N=800).

Answer choice	%
In the Constitution	77.6
In civil code	52.6
In international instruments (conventions, declarations)	17.6
In the administrative code	14.3
Another	1.3
Difficult to answer	2.4

*The amount of answers exceeds 100%, because the question involved several answers.

It is important to note that the vast majority of respondents (77.6%) believe that fundamental human rights are enshrined in the Constitution. Other respondents indicated incorrect answers (Civil code, Administrative code, etc.). Many obviously incorrect answers have not caused doubts among many of the respondents (Table 4).

Knowledge about Rights, Freedoms and Legal Norms Provided by the Constitution of the Russian Federation

Table 4

Distribution of Answers to a Question "Which of the Listed below Rights, Freedoms and Legal Norms Do You Think Provides the Constitution of the Russian Federation?", in % of All Respondents (N=800).

Answer choice	%
1) Right to education	79.3
2) Freedom of thought and speech	76.3
3) Equality of all before the law and the courts	75.3
4) Right to housing	73.1
5) Equal rights, freedoms and opportunities for men and women	61.0
6) Prohibition of the death penalty	38.0
7) Arrest, detention and detention are permitted only by judicial decision	34.5
8) Ideological diversity	22.9
9) Equal rights of the Church and the state	19.0
10) Submission of courts to the President of Russia	17.3
11) Priority rights of Russians in relation to other Nations and nationalities	10.5
12) Difficult to answer	2.0
Another	1.8

*The amount of answers exceeds 100%, because the question involved several answers.

Researchers proved that a significant part of the population does not know the composition of the fundamental rights and freedoms provided for by the Constitution of the Russian Federation. As a result, many respondents refer to the Constitution such rights and freedoms (6, 8, 9, 10, 11) that are not only not provided for in it, but are contrary to the norms of a democratic state. However, despite this, as the results of the survey show, the majority of respondents named such human rights and freedoms that are indeed present in the Constitution of the Russian Federation. For example:

- 1) 79.3% of respondents named the right to education. It is provided for in paragraph 1 of Article 43 of Chapter 2 of the Constitution of the Russian Federation.
- 2) Each citizen of the Russian Federation is guaranteed freedom of thought and speech in accordance with paragraph 1 of article 29 of chapter 2 of the Constitution of the Russian Federation. 76.3% of respondents remember this right and mentioned it when answering the researchers' questions.
- 3) Paragraph 1 of Article 19 of Chapter 2 of the Constitution of the Russian Federation provides for the equality of all before the law and the court, which 75.3% of respondents are aware of.
- 4) The right to housing of every citizen of the Russian Federation is provided for by paragraph 1, article 40, chapter 2 of the Constitution of the Russian Federation. 73.1% of respondents are aware of this.
- 5) In accordance with paragraph 2 of Article 19 of Chapter 2 of the Constitution of the Russian Federation, the state guarantees equality of rights and freedoms of a person and a citizen, regardless of gender, race, nationality, language, origin, property and official status, place of residence, attitude to religion, belief, membership in public associations, as well as other circumstances. This article prohibits any form of restriction of the rights of citizens on the basis of social, racial, national, linguistic or religious affiliation. However, despite this, 10.5% of respondents mistakenly believe that Russians have priority rights in relation to representatives of other nations and ethnic groups.
- 6) According to the survey, 38.0% of respondents mistakenly believe that the death penalty is prohibited in Russia. However, in accordance with paragraph 2 of Article 20 of Chapter 2 of the Constitution of the Russian Federation, until its abolition, the death penalty may be established by federal law as an exceptional measure of punishment for especially grave crimes against life if the accused person has the right to a jury trial.
- 7) 34.5% of respondents know that arrest, imprisonment and detention are allowed only by a court decision (paragraph 2, article 22, chapter 2 of the Constitution of the Russian Federation).
- 9) 19.0% of respondents mentioned the equality of rights of the Church and the state, however, in the Constitution of the Russian Federation the word "Church" is never

found, moreover, paragraph 1 of article 14 of chapter 1 states that the Russian Federation is a secular state. No religion can be established as state or mandatory.†

Knowledge about Authorities and Organizations that Provide Human Rights

The researchers decided to find out whether respondents know which bodies and organizations they can turn to for help in protecting their rights and freedoms. For this, the respondents were asked an open question. (Table 5).

Table 5

Distribution of Answers to a Question "Which Authorities and Organizations Do You Think Should Be Contacted to Protect Your Rights?", in % of All Respondents (N=800).

Answer choice	%
Court	73.4
Police, prosecutors	63.5
Human rights organizations	38.6
Commissioner for human rights	23.2
Difficult to answer	2.7
Another	3.5

*The amount of answers exceeds 100%, because the question involved several answers.

Thus, to protect the personal rights and freedoms of citizens, as well as economic rights, the majority assumes to apply to law enforcement agencies (police, prosecutors) (63.5%) or to the court (73.4%). At the same time, to protect personal rights, a significant percentage of respondents expect to apply to human rights organizations (38.6%) and the Commissioner for human rights (23.2%). In order to protect political rights and freedoms, the courts, the Commissioner for human rights and human rights organizations are most in demand.

DISCUSSION

Younger respondents are more likely to trust sources such as the Internet and relatives. Older respondents are more oriented towards legal professionals. Based on this, the youth of younger ages can be considered as one of the priority audiences, which should be sent information and educational impact in order to improve legal literacy.

Mechanisms for the Correction of Legal Consciousness in Terms of Higher Education

The formation of the student's legal consciousness is a complex and long process that requires creativity of the entire University staff, readiness, desire and ability of each and every one to fight for the strengthening of public discipline and law and order in the University and society, for the eradication of negative phenomena in the life of the University and our democratizing Russian society (Bentley, 2010; Firsov, 2010).

Systemic improvements in the higher education organizations

One of the most urgent directions of improving the legal literacy of young people is to increase knowledge of the constitutional duties of citizens of the Russian Federation, as

well as the foundations of a democratic state structure. Considering that, according to the study, young people aged 14-16 and young people with a low level of education are the least aware of legal issues, special attention should be paid to these categories in the implementation of measures to improve legal literacy and promote the growth of law-abiding behavior (Babacan & Babacan, 2017).

Legal education represents a consistent and systematic educational impact on young people with a view to forming and developing their legal culture (Ruiz, 2016; Seider, Tamerat, Clark & Soutter, 2017; Voss, 2016). To effectively manage the process of legal consciousness of students, it is necessary to create a system of civil law education of students at the University during the entire period of their training (Rogers, 2012; Zhang & Liu, 2012).

OST programs usage

Murray and Milner (2015) suggest out-of-school time programs usage to develop instructional practices that build students' knowledge and understandings of injustices in their communities and work to change them.

Participation in the international programs

International education gives students an opportunity to compare the legal norms of Motherland and other countries on their own experience (Morozova, & Nikitin, 2016; Runchman, 2014).

Interaction with other elements of socialization

Elena Fedorenko (2019) states that education system should provide students with the possibility of expanding personal perspectives in accordance with democratic and pluralistic tendencies of society. But it is limited by material, organizational, cultural, technological, ideological and other social factors. To overcome this limitation is possible only through the establishment of interaction with other elements of socialization: family, community, church, media production organizations.

A positive attitude to the legal reality allows a person to be confident and effectively solve problems. All that goes from family is connected with most valuable. Understanding the unity and likeliness of country's and personality's needs is of great importance in the development of legal consciousness. Tessa Hicks Peterson (2018) introduced a number of activities for critical self-reflection for imprisoned youth. The author stated: "We explore justice and injustice, identity and positionality, and well-being and transformation with individuals across a range of intersectional identities and experiences". Silvia Kaugia (1996) stated in this relationship: "A critical look at social norms may also bring about counteraction, a failure to fulfil or violation of those norms... Special attention should be paid to whether the violation of the norm is an isolated incident or a mass occurrence... Individual legal consciousness is the feelings, attitude and impressions of one individual concerning existing and desired law."

We consider it urgent to comprehend the processes taking place in the consciousness of young people, on the basis of which it is possible to predict trends and find solutions for

the correction of various types of deformations of legal consciousness currently dominating in Russian society: legal idealism (Lisdiyono, 2018), legal infantilism, rebirth of legal consciousness, legal nihilism (Provost, 2015; Runchman, 2014).

CONCLUSION

Young population of Russian Federation is mainly familiar with its basic rights and obligations. Among the respondents' answers there are rights and obligations that are enshrined in the Constitution of the Russian Federation, but there are also those that are not in the Constitution. The majority of respondents have an adequate understanding of which bodies and organizations should be approached to protect different rights. The level of knowledge of constitutional rights is generally higher among respondents with incomplete higher education (students).

A significant proportion of respondents do not have a solid knowledge of what rights and freedoms are enshrined in the Constitution of the Russian Federation and chose obvious wrong answers that contradict the norms of a democratic state. Thus, many agreed that the Constitution of the Russian Federation stipulates equality of Church and state, prohibition of the death penalty, submission of courts to the President of the Russian Federation, priority rights of Russian citizens in relation to other nations and nationalities. Many respondents refer to the Constitution such rights and freedoms that are not only not provided for in it, but are contrary to the norms of a democratic state.

In general, the results of the study clearly demonstrate the level of legal literacy of the Russian population. Due to the fact that not all respondents have a legal education, many respondents made mistakes in their response and often expressed an opinion that did not comply with current legislation (in particular, the Constitution of the Russian Federation). This is also explained by the fact that not everyone has studied the fundamentals of jurisprudence at school (this discipline was included relatively recently in the school curriculum).

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