

Issues of Legal Enlightenment in the Activities of the Municipalities Councils of the Russian Federation

G.R. Khabibullina and A.G. Ibragimov
Kazan (Volga Region) Federal University, Kremlevskaya Str., 18, 420008 Kazan, Russia

Abstract: Factors causing the importance of legal education in the activities of the councils of municipalities were discovered; the main features of the concept of “legal education” (purposeful activity in formation of legal consciousness and legal culture of the population; opposition to legal nihilism; ensuring the process of spiritual formation of the individual) and the functions of the system of legal education were highlighted. Legal education right implied an integral part of the constitutional right to education. The goals, main directions and peculiarities of legal education were discovered as an aspect of the activities of the Council of Municipal formations of the Russian Federation.

Key words: Municipal Councils, the subject of the Russian Federation, legal education, the main features of legal education

INTRODUCTION

Legal enlightenment of the population in the activities of the Municipalities Councils of the Russian Federation in modern conditions acquires particular relevance for several reasons. Firstly, this is linked with extremely low level of legal culture of the population for the part of which legal nihilism is characterized (Dolinina and Shakirov, 2013). Secondly, it is important to emphasize that despite the low level of legal culture there is an increasing awareness of the growing role of legal knowledge and legal behavior in the life of every individual and society as a whole. Third, it should be noted that despite the increasing importance of law in public life, municipal councils of the Russian Federation do not pay adequate attention to issues of legal education of the population in its activities. This research is often limited to formal action which do not reach the individual citizen. The fourth reason, actualizing the problem, lies in the lack of attention of researchers to the disclosure of the content and scope of the concept of “legal enlightenment”.

What is meant by the “legal enlightenment” term? The preamble of the legal enlightenment concept for the period up to 2020 gives the following definition of this concept: “legal enlightenment should be understood as a deliberate and systematic activity of the state and society to build and improve legal awareness and legal culture in order to counteract the legal nihilism and ensure the process of spiritual formation of personality without which cannot be avoided by implementing the idea of building a Russian Law.

Appropriate level of legal awareness and legal culture presupposes legal training and belief systems that uphold the law, understanding the need to follow its orders, possession skills and abilities of the law implementation. Obtained in the course of legal enlightenment knowledge should become a personal belief in a strong unit to follow the legal requirements strictly and then to the internal needs and habits to follow the legal law to exercise legal and political activity (Berezutskiy, 2015). According to this definition, we can distinguish the essential features of the analyzed concepts.

The first feature: “deliberate and systematic activities of the state and society” says that legal enlightenment is an activity of all structures of the state and society which has a specific purpose and is carried out systematically that is constantly and consistently.

The second feature of this concept reflects the content of this activity “the formation and improvement of legal awareness and legal culture”. We draw attention to a few points. Firstly, the content of legal enlightenment is a legal consciousness and legal culture. Secondly, it’s not just about the formation but also to raise legal awareness and legal culture. This means that the activity involves consideration of the ever-changing conditions of human life and society and the relevant legal framework.

The third feature of the concept of “legal enlightenment” its purpose which consists in the fact that legal education should: to counteract the legal nihilism and) ensure that the process of spiritual formation of personality. This statement of purpose is specified in the

second half of the definition which includes such goals of legal enlightenment such as: the transformation of legal knowledge in personal belief, strong domestic demand and the installation and the habit of “respect for the legal law to exercise legal and political activity”. In other words, the formation of legal knowledge is considered as the goal of legal enlightenment in unity with personal conviction to follow the rules of law.

In contrast to legal education, implemented by formal structures, legal enlightenment as a subject of activity has authorized bodies and officials as well as private and public education; object of legal enlightenment is not stable and a certain group of people (pupils, students, trainees) and a large audience of the population of the municipal, interregional, regional and other levels of public education. The process of legal enlightenment usually comes to raising awareness about a particular experience. With regard to the development of this experience by population, formal control procedures for the successful development of the reported data are not assumed.

The system of legal enlightenment in the structure of the educational complex of the country performs specific social functions which differ in content. There are six functions of legal enlightenment including: educational (extension, addition and deepening the knowledge obtained in educational institutions and other training centers); informational (expansion awareness of citizens in legal matters, increasing access of citizens to obtain information about possible legal protection guaranteed by the state of human rights and freedom); explanatory (to provide adequate understanding of reported information); ideological (promotion of the ideas and concepts that reflect the specific interests of social communities and groups); advisory (distribution of functional knowledge of the common understanding of human rights, citizens needed in daily life); advocacy (dissemination of information about the activities of various educational institutions in order to attract new members) (Berezutskiy, 2015).

The right to legal enlightenment is an integral part of the constitutional law to education and is understood as a set of established and protected by the state and its organs legal regulations to ensure citizens access to all sorts of information affecting or likely to affect their vital interests in the legal sphere as well as the opportunity to examine achievements in the field of law and free to use them. Called law is exercised through the purposeful activity of institutions and organizations that are part of the enlightenment system.

In order to streamline and coordinate activities in this area the “Principles of State Policy of the Russian Federation in the field of legal literacy and legal awareness of citizens” were approved by the President of the Russian Federation in 2011. This document defines the main goals and directions of state policy in the sphere of legal literacy and legal awareness of citizens. In particular, among the six core areas there are three identified as directly related to the problem of legal enlightenment of local authorities: legal enlightenment and legal awareness of citizens; improvement of state and municipal authorities, law enforcement agencies, aimed at ensuring law and order and improving the legal awareness of employees of state and municipal authorities; improving activities in the field of qualified legal assistance including the establishment of an effective system of free legal aid.

State organs of all levels and local government organizations are safeguards to ensure the realization of citizens’ right to legal enlightenment in their territory. Article 48 of these through direct stresses that “the public authorities, local governments and officials are obliged to provide access to their decisions and other materials relating to his/her rights, freedom and legitimate interests, unless otherwise is provided by law”. And further: “legal enlightenment is one of the aspects of the officers and non-state entities” (Russian Government Official Letter, 2015). Here is important to emphasize the second part of this provision which states that legal enlightenment is one of the aspects of the non-state entities.

Council of Municipality entities of the Russian Federation (CME) is a form of non-state entities. Such councils were created in the subjects of the Russian Federation in accordance with Article 66 of the Federal Law of 10.06.2013, No. 131-FL “On general principles of local self-government in the Russian Federation”, paragraph 1, states that “in each subject of the Russian Federation, the Council municipalities of the Russian Federation (Russian Government Official Letter, 2015). Organization and activities of the Council of Municipality entities carried out in accordance with the requirements of the Federal Law of 12.-1. 1996 No. 7-FL “On Nonprofit Organizations” applicable to associations.

One of the aspects of the CME should be legal enlightenment of the population and therefore this aspect of the research should be reflected in the statute of the CME as the main local regulations governing its activities. However, the study of existing CME’s practice in the subjects of the Russian Federation shows that this requirement is not always fulfilled. For example, the statute of the Republic of Tatarstan CME states that the purpose of CME is to promote citizen participation in the implementation of local government in the territory of the

Republic of Tatarstan. While formulating the rights of Council's members, stating that they have the right "to receive consulting, methodological, legal and other assistance from the Council". This means that CME provides consulting, legal assistance only to its members and not every citizen who asks for advice. In addition such a thing as legal enlightenment is not registered in the Statute and therefore not directly secured that in our opinion is a certain gap.

In this regard, it should be noted that the statute of the Russian public organization "All-Russian Council of Local Self-Government" is different from the analyzed statute in its clear statement that one of the main goals of the organization is "to provide legal assistance to citizens and non-profit organizations, public legal enlightenment activities to protect the rights and freedom of a man and a citizen (Federal Law of Russian Federation, 2012).

CONCLUSION

In conclusion, the activities particularity of the Council of Municipality entities of the Russian Federation is its close interaction with the local population, the efficiency of the organization which depends on the goals of the statute of the Council of municipality entities.

Therefore, the inclusion of legal enlightenment of the population in the statutory aims of the Russian Federation CME is objectively demanded that will strengthen and help focusing their efforts to improve the legal culture.

REFERENCES

- Berezutskiy, Y.N., 2015. The concept of legal enlightenment for the period up to 2020. Website of Human Rights Ombudsman in Habarovsk region, <http://www.pravo.khv.ru/concept>.
- Dolinina, I.G. and E.A. Shakirov, 2013. Legal enlightenment: Conceptual bases. Higher Educ. Today, 3: 49-52.
- Federal Law of Russian Federation, 2012. On general principles of local self-government in the Russian Federation. Federal Law of 06.10.2003, No. 131-FL, the statute of the Russian public organization All-Russian Council of Local Self-Government.
- Russian Government Official Letter, 2015. Principles of State Policy of the Russian Federation in the field of legal literacy and legal awareness of citizen. Rossiyskaya Gazeta magazine, <http://www.rg.ru/2011/07/14/pravosoznanie-dok.html>.