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PHILOSOPHY OF LEGAL EDUCATION AND TRAINING IN THE CONTEXT OF THE INFORMATION AGE

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Abstract: Legal education in the realities of the development of modern information and digital technologies has rediscovered its potential. At the same time, the risks that lead to negative manifestations in the legal environment in general and in its educational and legal clusters, in particular, have become more relevant. A key aspect that requires special attention is human rights. Consequently, the purpose of scientific exploration is to illuminate the interaction of theoretical-methodological (classical legal field) and practical-oriented (information-digital legal format) clusters in the context of the human dimensionality of legal education. The task of the article is to develop an effective educational-legal format using the positive elements of information and communication technologies. Such a model creates the proper prerequisites for the legal environment necessary for the comprehensive assurance of human rights. The synergetic model is seen as the most acceptable methodology capable of creating an effective and relevant format of legal education in the information age. Therefore, soft-skills and digital skills for legal education applicants should be unified with educational-legal hard-skills into a single strategy of legal relations in the socio-cultural space and focus primary attention on the observance of human rights.

Keywords: legal education, information and digital technologies, human rights, digital skills, legal education.

Introduction

It should be noted the need to differentiate the concepts of “legal education” and “legal education”. If education implies the training of professional personnel or the study of basic legal concepts, then education focuses on the formation of

an understanding of the legal system in the mind of an individual or society. The Western community has been working on legal education since elementary school. According to Australian researchers (McDavitt, Tarrant, & Boxall, 2018), any period without legal education is a time of missed opportunities to build children’s idea of

responsibility.

Among the academic community (Cargas, 2019), the view is spreading that the role of human rights education in building human rights strategies should not be completely ignored. Those who neglect the importance of legal education cannot give the full picture of the human rights project. It is legal education that becomes the basis for a common understanding of human rights issues. At the same time, legal education is the first step to legal education (personal, professional, public). Let us note that the process of digitalization, which is inherent in the digital society, most convincingly points to the tendency of legal education to become more relevant.

It is worth considering the caution set forth by Fredman (2021) regarding the weaknesses and inequalities in the human rights system that have become evident in the educational and legal environment following the COVID-19 pandemic. At issue is the inability of the traditional model of education to respond to force majeure. Consequently, there is a rather urgent problem of reorientation from the classical-traditional format of the educational and legal system to the innovative educational-digital model characteristic of the information space.

An important point permeating the legal system as a whole is the processes of globalization of the modern sociocultural space. These trends largely depend on information and communication technologies. At the same time, the digital world has become relevant directly as a result of globalization's impact. Consequently, unification has become a characteristic feature of legal education. Bringing national educational and legal systems to a common denominator takes place in a mode that is mainly provided by digitalization (communication, technology, translation, unification, etc.). Ways in which national education systems can work together, blurring boundaries, to define the meaning and significance of the principles of democracy, human rights, and peace education in comparative ways are being explored. Collaborative research is critical to developing an understanding of rights, democracy, and peace affecting transnationality. Issues such as citizenship, identity, language, conflict, global education policy, and democratic approaches to politics and education are the results of research and policy initiatives from many countries around the world (Chatelier, 2019).

The information environment and means of communication make it possible to obtain and analyze all available achievements in the field of law. The most effective elements that have demonstrated qualitative indicators in a practical dimension are immediately added to educational systems as an educational-methodological arsenal or organizational-technical support. In this way, we get the changes in the educational and legal system practically online. This is demanded by today's dynamic world, which no longer tolerates traditional conservative methods that are unable to respond quickly to the challenges of time.

That is why legal education, using the potential of information and communication technologies, is rapidly progressing and changing, depending on the requirements of the time. At the same time, the fundamental target principles (the rule of law and human rights) are unchangeable and indisputable.

The relevance of the study of the goals of legal education of society and personality is emphasized by Nesterenko and Oleksenko (2020). It is noted that without these components, the functioning of a democratic society and the existence of the rule of law is impossible. Legal education forms the basis for the popularization of legal behaviour. The reflection of the system of legal education and awareness is important. The legal beliefs (legal outlook) of citizens are an integral part of the formation of a state of law. Only the combination of legal awareness of citizens and an effective legal system is the key to the successful functioning of the rule-of-law state. The relevant question is, what is the source of this awareness?

In the conditions of total information influence, it is necessary to develop mechanisms for filtering legal aspects and systematising their presentation for society. Information and legal content should not pose a threat but should be directed toward the observance of humanistic principles and the rule of law. As statistics show, in states where the legal culture is at a high level, the formula of the rule of law is effective. It is not difficult to conclude that states with a high level of development of information and communication technologies have a better chance of effective functioning of educational and legal space through the use of innovative strategies.

Fundamental to legal education in the condi-

tions of modern information and digital space is the provisions from the UN Declaration on Human Rights Education and Training (2011),

which indicates the human right to legal awareness and ways of achieving legal literacy (See Fig. 1).

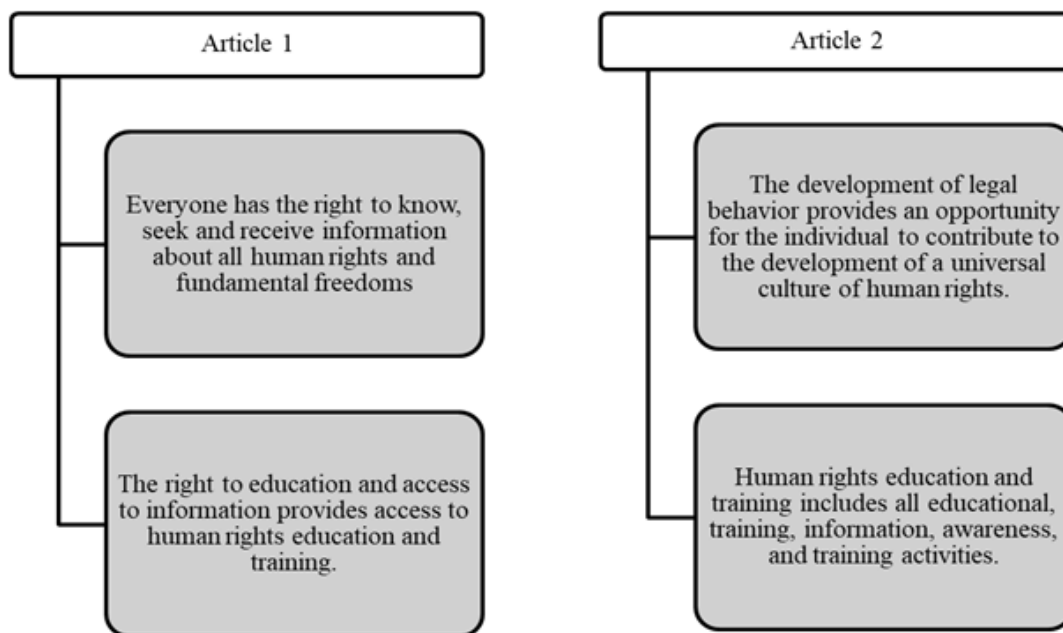


Figure 1. Excerpt from the UN Declaration on Human Rights Education and Training (2011).

Analyzing the key provisions of this declaration, we note that considerable attention is paid not only to the need to respect human rights and freedoms but also to implementing these principles in the modern information age. Information and communication technologies are an example of innovative educational strategies in legal studies.

Methods

The educational-legal space is investigated by general scientific methods. When it comes to the information and communication dimension, a cluster of methods that provide technological and digital components of legal practice is formed. Consequently, the special methods relevant to legal education in the conditions of digitalization are considered:

- statistical,
- cybernetic,
- modelling.

It should be noted that the use of specific methodology is effective only in interaction with general scientific methods of analysis (system

and structural-functional), synthesis, induction, and deduction. Therefore, the effectiveness of the syncretic approach, which is characterized by a combination of various methodologies for solving practical problems and forming strategies for the legal system, should be noted.

The problem of human rights actualizes the methodological potential of humanitarian-scientific discourse. In this context, it is important to reconcile the contradictions between the anti-humanistic principles of information technology and the humanist-oriented ideas of human rights and the rule of law.

Literature Review

In reviewing the literature on legal education in the context of the information and digital space, several points should be highlighted. First, research on legal education focuses on the use of information and communication technologies for the primary purpose of legal education - the rule of law (Stratton, Powell, & Cameron, 2017). Another cluster of research is the problem of the digitalization of the educational and legal envi-

ronment in the context of respect for human rights. Such ideas are covered in Antonopoulos and Madhloom (2021), Cargas (2019), Chatelier (2019), and Fredman (2021). Finally, Petryshyn and Hyliaika (2021) separately identify “digital rights” as an integral part of the legal system and, thus, of legal education.

Results

Legal education is now at a fork in the road (Sherr, Moorhead, & Sommerlad, 2017). Val- lelly (2021) continues the view of the uncertainty of legal space, preferring a pessimistic scenario that envisions a further crisis of the human rights problem. The contradiction, according to the scholar, is embedded in an existential rather than axiological understanding of human rights. A paradoxical situation is currently developing in which the assessment of human rights violations is impeded by the need to respect human rights. In this unity and opposites, there is a field for manipulation. This, in turn, leads to a crisis in the legal environment. There is an urgent need to update the educational and legal system, which must develop new strategies of a legal nature that do not contradict each other.

The failure of the current model of legal education to meet the challenges that lead to the violation of human rights is noted (Stratton, Powell, & Cameron, 2017). The existing format is characterized by conservatism, which leads not to respond to violations but mainly to the observa-

tion and analysis of unlawful actions or processes. Digitalization in this context is intended to improve the recording of offences and public awareness of them. In the educational and legal environment, such trends are also suitably reflected. In particular, we are talking about the use of digital skills and their interaction with the basic and flexible skills of future lawyers.

In our scientific exploration, we will focus on the aspect of the existence of the legal environment in the information-digital space. With the totality of information flow, legal norms have become accessible and open to society. Historically, the legal branch has always had a share of a certain mystery for the overwhelming part of society. In this context, applicants for legal education had the opportunity to join the cohort of those who possessed the necessary legal arsenal and could, in practice, implement their skills. The development of information and communication technologies has led to the removal of the information curtain on the structure and features of the functioning of the judicial system. That is, everyone can actually observe all the intricacies of the legal system online. This information revolution has also had a significant impact on legal education, or, rather, on legal education.

If previously a person who was interested in legal education started it virtually from a blank letter, now the applicant for legal education already has a significant amount of information relating to the legal system. If we consider legal education in the context of two basic clusters of skills, we have the following model, see Fig. 2.

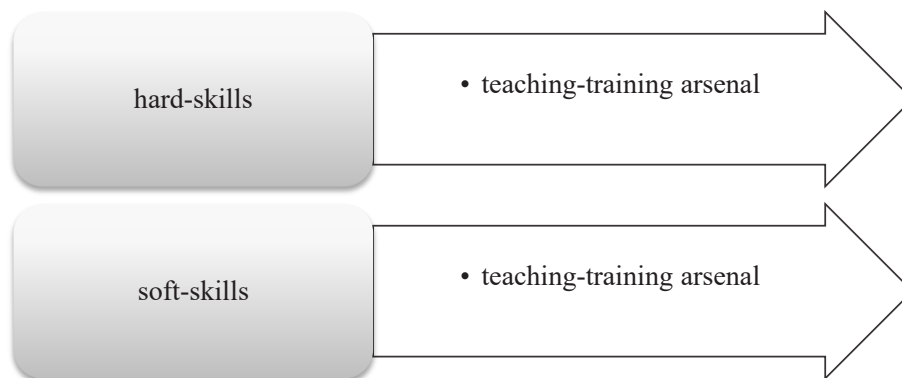


Figure 2. Basic Dimensions of Legal Skills.

In addition, it should be noted that a separate element - digital skills - has recently been added to the above two components. In the system of

legal education, this cluster is still included in flexible skills, but the rapid digitalization of all spheres of public activity, including the judicial

system, will lead to the allocation of digital skills into a separate part of legal education (Fredman, 2021).

As Petryshyn and Hyliaka (2021) point out, the rapid increase in digital technology, the intensive development of science, and active technological advances have become major hallmarks of modern society. This has served to form a new category of human rights – “digital” rights. The era of digital technologies, providing new opportunities, creates new threats to the provision of human rights and freedoms. Digitalization has become a factor in the profound transformation of classical human rights and freedoms. Among the most vulnerable clusters are the following:

- the right to anonymity,
- the right to protection of personal data,
- the right to digital education,
- access to digital knowledge;
- rights related to the protection of genetic information;
- proprietary rights in the digital sphere.

Digital and communication technologies actualize interdisciplinary connections and form a direct influence on people’s lifestyles and social activities. The concept of a “digital society” is taking shape, where digital technologies and communications are rooted in social activity. In the legal aspect, such trends are relevant in characterizing the characteristics of crime, victimization, and justice (Stratton, Powell, & Cameron, 2017; Jones, 2021).

Among the factors that have had the greatest impact on the development of legal education and human rights principles is globalization. The simultaneous globalization and variability of political, economic, cultural, environmental, and security elements have caused certain limitations on human rights. Moreover, legal education has been forced to focus more attention on the current problems of human civilization. At the same time, the observance of human rights has often been of a declarative nature. At present, an attempt is being made to emphasize an understanding of the reciprocal and dynamic influence of educational systems on the various challenges of our time. A project of global civic responsibility based on human rights has been proposed. Human rights, in turn, dictate the principles of education system design, taking into account force majeure situations.

“In many ways, education has always been the mirror and engine of human society: both a reflection and a movement of humanity forward. We are now at a key juncture where education can serve to exacerbate and spread the problems caused by globalization or be used as a tool to help provide an alternative path forward through new progressive structures” (Swindell & Wright, 2022, p. 29).

Ensuring an educational and legal discourse guided by human rights and the rule of law is a complex problem that requires the mobilization of all of humanity’s available innovative potential. The information and digital society are establishing themselves as dominant in the socio-cultural space. Consequently, information and communication technologies are assigned a key role in the development of legal education. We are talking about both educational and methodological, as well as organizational and legal components of the educational process. If we add to these elements of legal education, which spreads thanks to effective digital algorithms, we can potentially get a full-fledged educational and legal system.

“In an increasingly globalized legal profession requiring responses to cross-border challenges, legal education must prepare law students to engage with the world around them, not simply be limited to ‘law in action’ in their own jurisdictions” (Antonopoulos & Madhloom, 2021 p. 109)

In this context, the need for a universal form of an educational-legal system combining human rights as a value with the moral obligations of legal institutions is argued (Madhloom & Antonopoulos, 2022). In such a context, there is a synergy between two key components of the legal field: human rights and social justice.

Discussion

The uniqueness of the educational-legal cluster lies in the relationship between legal education, legal practice, and legal research (scientific cluster). The specified interrelation in the classical understanding was provided by the subjects of the legal-educational environment. However, the total influence of information and communication technologies has significantly changed the roles in the legal space. Legal education in the

modern world has faced the problem of a significant number and constant correlation of laws, regulations, and governance structures. In addition, legal education in the twenty-first century has become more accountable to a wider range of actors than it has been so far (Bartl & Leone, 2021). Resolving these difficulties using only human resources is virtually unrealistic. The volume of legal information currently in use has reached such a scale that it is impossible even to store it in a familiar format, let alone systematize and analyze it. Therefore, information and digital resources have become important tools in streamlining the information cluster of the legal-educational space. However, the question of the reliability of such tools and their ability to store information in a proper condition immediately arose.

Attention should be paid to the social and humanistic values most in-demand in the legal education cluster:

- respect,
- dignity,
- justice,
- equality (Zarif & Urooj, 2017).

In a different manifestation, the global educational and legal problems of the modern information age are also highlighted. Among them: are exclusion, inclusion, and marginalization. The Maylor (2021) studies make a rather critical analysis of the potential of universalism as a basic methodology of legal education. Therefore, let us consider in more detail - how information and digital technologies can ensure the observance of these humanistic principles in the system of legal education. Equality - the concept according to which the legal system acts for the benefit of the individual and society, regardless of his status or beliefs. To ensure equality in the context of the functioning of the legal field, this cluster must be equally accessible to everyone (Maylor, 2021). Access to legal information is most effectively provided by information and communication technologies.

In general, the problem of inequality quite often attracts the attention of progressive researchers on human rights. A human rights project with explicit formulations of the concept of justice has been promoted (Perera, 2021). This project has significant obstacles (Madhloom & Antonopoulos, 2021). One of them is the concentration of the educational and legal system on legal prac-

tice, leaving human rights in the background. A paradoxical situation is created, where human rights are more concerned with social organizations and activists, while legal cluster specialists focus on the rule of law.

The development of digitalization is designed to halt this imbalance. Informational and communicative elements in the legal environment form in the public consciousness an idea of the potential ability to cover all aspects of legal activity. Consequently, the information and communication arsenal becomes one of the fundamental clusters of the system of legal education.

The next concept of legal education is respect. In this case, we are talking about the need to be tolerant of the rights and freedoms of all people. So far, digitalization allows a variety of ideas about the different manifestations of human self-affirmation and self-identification. Consequently, the digital space becomes a platform for information and communication. The tasks of the educational-legal cluster are seen in two directions of ensuring the concept of respect in the public consciousness:

- preventive, which provides for measures of an educational nature aimed at the formation of a social consciousness based on mutual respect;
- practically legal, which forms specific legal norms and defines responsibility for violations of human rights and freedoms.

Justice in the context of legal education implies clarity and an uncompromising legal field. In such circumstances, information and communication technologies are designed to be effective tools directly in the legal process. The collection and confirmation of facts are practically oriented elements, which are provided by digital means much faster and of higher quality compared to traditional forms.

In this context, an understanding of the concept of "global justice" is relevant (Jones, 2021). It is argued that human rights, being only a part of the concept of global justice, are an effective factor in limiting socioeconomic inequalities. As an example, the author points out that the human right to democracy is a prerequisite for the negation of material inequalities, which, in turn, prevents uncontrolled power. Modern digital space does not allow hiding the anti-human actions of power in any manifestation. Digitalization acts as a tool to ensure the conditions for the observance of human rights, not at the declarative level, but

in the practical implementation of these ideas.

These universal basic principles are a reflection of human rights, so these aspects are unified for legal education, regardless of national, religious, or any other traditions. The recognition of human rights should be the goal of every state. However, the question here is how to ensure these rights.

The information and digital society affirming in the modern sociocultural space have formed peculiar algorithms to ensure the principles of its existence. The legal system has been built up over the centuries while leaving its purpose unchanged. At the same time, the methods of achieving these goals varied depending on the specifics of social development. Starting from customary law to global international legal organizations. The present legal system is characterized by trends of globalization and intensification.

When we talk about the globalization of the legal field, it means its unification. This approach is relevant to the global community, but it should be understood that its implementation is possible only with the use of information and digital tech-

nologies. Huge amounts of information, statistical data, and modelling systems are achieved through digitalization. Consequently, the introduction of soft skills and digital skills is no longer an advantage of individual educational institutions but a traditional format for the provision of educational and legal services.

An important element that combines these components of the educational cluster is the synergy between them in the modern information age. Thus, there is a process of integration of information and communication technologies into all levels of the legal system (see Fig. 2).

Consequently, we get an effective scheme of the educational-legal system in which:

- hard-skills focus on acquiring the fundamental legal knowledge and skills necessary to ensure the key legal principle of the rule of law;
- soft skills provide specific elements of legal education, which aim to concretize legal subtleties, primarily ensuring human rights;
- digital-skills facilitate the involvement and use of innovative achievements of information and digital potential in the legal field.

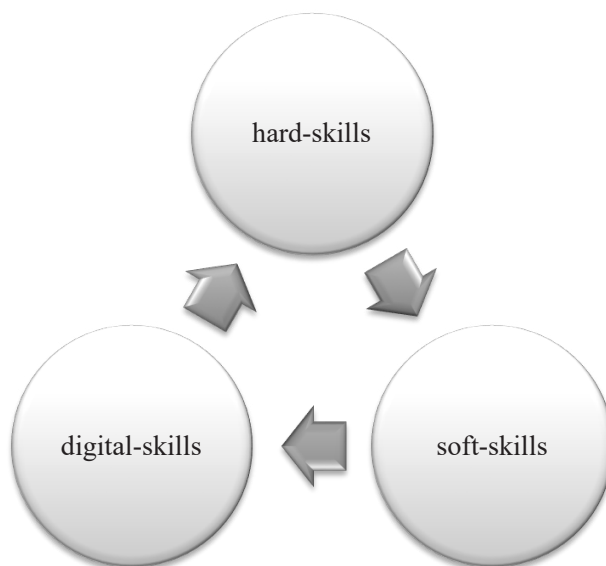


Figure 3. Synergetic Interaction of Legal Knowledge and Skills.

Conclusion

Consequently, legal education has been quite significantly influenced by information and communication technologies. Digital society is char-

acterized by peculiar principles of development of all spheres of its activity. These principles dictate the characteristics of soft skills which are acquired by a candidate for legal education. In addition, digital skills are added to the education-

al-legal system, which is an autonomous set of abilities and skills unified for all scientific knowledge and spheres of human activity. Acquisition of digital skills in the context of mastering the legal space involves awareness of the importance and practical use of the achievements of scientific and technological progress in legal practice and socio-legal clusters.

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