



COMPARATIVE PEDAGOGICAL ANALYSIS OF PROFESSIONAL TRAINING OF LAWYERS IN UZBEKISTAN

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Abstract

The prototype of the state educational standard for higher legal education was previously the so-called qualification characteristics. They set out the requirements for a law school graduate: what he should know, be able to do, what requirements of legal activity he should meet. Let us turn to the characteristics of the state standard of higher legal education, which operates in our country. It contains requirements for the minimum content and level of training of a graduate in the specialty "Jurisprudence".

Keywords: business law, commercial law, family law, criminology, criminal enforcement law, law enforcement agencies, prosecutorial supervision, disciplines.

Introduction

Issues of goal formation and goal setting in pedagogy are closely related to the problem of educational standards. Educational standards mean norms, samples, and standards for assessing the object of standardization. They set out the goals of education and training. Generalized formulations of educational goals acquire diagnosable expression. Thanks to educational standards, society, educational institutions, teachers, parents and students themselves have the opportunity to assess the quality of education. Educational standards change as society develops. The first section contains provisions that reveal the goals of legal activity and legal education. It is noted here that the activities of a lawyer are aimed at implementing legal norms and ensuring law and order in various spheres of society. The objects of a lawyer's professional activity are: events and actions of legal significance; legal relations arising in the sphere of functioning of state institutions; legal relations of citizens and organizations. A lawyer must be prepared for professional activities in accordance with fundamental and special training, as well as for postgraduate studies in his specialty. A lawyer can, in accordance with the established procedure, work in educational institutions and



continue studying in master's programs under the conditions determined by the Regulations on Master's programs.

The mandatory minimum content of higher legal education, according to the state standard, includes four compulsory blocks of academic disciplines.

The block of general humanitarian and socio-economic disciplines covers philosophy, Uzbek language, Russian language and speech culture, logic, cultural studies, national history, sociology, political science, economics and physical culture.

The block of general mathematical and natural science disciplines includes computer science and mathematics, concepts of modern natural science.

The block of general professional disciplines consists of the theory of state and law, the history of political and legal doctrines, the history of the domestic state and law, the history of state and the law of foreign countries, constitutional law of Uzbekistan, constitutional law of foreign countries, civil law, civil procedural law, administrative law, labor law, criminal law, criminal procedure, criminology, international law, environmental law, land law, Roman law, private international law, financial law. The block of special disciplines includes municipal law of Uzbekistan, Uzbek business law, commercial law, family law, criminology, criminal enforcement law, law enforcement agencies, prosecutorial supervision. In addition, disciplines of the student's choice can be studied.

Further, the structure of the standard of higher legal education provides for requirements for the level of training of a certified specialist in all of the above academic disciplines. Additional requirements for special training of a lawyer are determined by the higher education institution, taking into account professional specifics. A lawyer must have knowledge, master scientific research methods and practical skills in additional disciplines of specialization.

Since the list of requirements for all academic disciplines of the educational standard is very extensive, we present here only general requirements for the level of graduate training, which largely overlap with the key competencies of a specialist.

A lawyer must: have civic maturity and high social activity, professional ethics, legal and psychological culture, deep respect for the law and careful attitude to the social values of the rule of law, the honor and dignity of a citizen, firm moral convictions, a sense of duty, responsibility for the destinies of people and entrusted business, integrity and independence in ensuring the rights, freedoms and legitimate interests of the individual, its protection and social protection, the



necessary will and perseverance in the implementation of adopted legal decisions, a sense of intolerance towards any violation of the law in one's own professional activities.

Laws of first generation (2021)) contained, of course, a list of key competencies of the personality of a professional lawyer, which in particular should:

know the Constitution of Uzbekistan, ethical and legal norms governing the attitude of man to man and to society, the environment, and be able to take them into account when developing environmental and social projects;

have a holistic understanding of the processes and phenomena occurring in living and inanimate nature, understand the capabilities of modern scientific methods of cognition of nature and master them at the level necessary to solve problems that arise when performing professional functions;

- be able to conduct professional activities in a foreign language environment;
- have scientific knowledge about a healthy lifestyle, possess the skills and abilities of physical self-improvement;
- master the culture of thinking and the art of logical analysis, know its general laws and be able to structure them correctly (logically) in written and oral speech;
- be able to organize his work on a scientific basis, master computer methods of collecting, storing and processing information used in the field of his professional activity;
- be able, in the context of the development of science and changing social policy, to reassess the accumulated experience and analyze their capabilities; be able to acquire new knowledge using modern information educational technologies;
- understand the essence and social significance of his future profession, the main problems of the disciplines that determine the specific area of his activity, see their interrelation in an integral system of knowledge;
- be able in the professional field, based on a systematic approach, to build and use models to describe and predict various phenomena, to carry out their qualitative and quantitative analysis;
- be able to set a goal and formulate tasks related to the implementation of professional functions, be able to use the methods of the studied sciences to solve them;
- be ready to cooperate with colleagues and work in a team, know and be able to use management methods, be able to organize the work of performers, find and make management decisions in the face of conflicting requirements, know the



psychology of people and individual official groups, the basics of pedagogical activity, forms and methods of legal education population;

- be methodologically and psychologically prepared to change the nature of your professional activity and work on interdisciplinary projects.

The educational state standard for master's training in the field of "Jurisprudence" states that the general requirements for the level of training of a master are determined by similar requirements for the level of training of a bachelor and the requirements determined by specialized training. Requirements arising from specialized master's training include:

- possession of the skills of independent research and scientific-pedagogical activities, requiring extensive education in the relevant field;

skills:

- formulate and solve problems that arise in the course of research and teaching activities and require in-depth professional knowledge;

- select the necessary research methods, modify existing ones and develop new methods, based on the objectives of a particular study;

- process the results obtained, analyze them taking into account the available literature data;

- conduct bibliographic work using modern information technologies;

- present the results of the work done in the form of reports, abstracts, articles, designed in accordance with existing requirements;

- understand the methodological foundations and specifics of methods used in jurisprudence;

- master the problems of modern world jurisprudence.

The main types of professional activities of the master are associated with work as a teacher (in secondary and secondary specialized educational institutions, gymnasiums and lyceums, universities), a researcher (in university laboratories, research institutes), a consultant, an expert (in analytical centers, public and government organizations, government bodies), law enforcement officers.

The state standard also states that a university department organizes scientific and pedagogical practice, during which a master's student must be able to determine the goals and objectives of the course being taught (special course, special seminar), outline their content, based on the pedagogical requirements and expectations of the audience. Achieving educational goals in accordance with the state standard for master's training should be facilitated, among others, by such academic disciplines as "Pedagogy of Higher School" and "Methodology of



Teaching Law in Higher School.” Their tasks are to formulate undergraduates’ adequate ideas about pedagogy as an integral scientific system and type of professional activity, to develop basic pedagogical skills and abilities, and to create a pedagogical basis for the subsequent self-development of professional competence of graduates. These tasks are determined by the main goal of higher legal education, which is to promote the formation and development of a democratic, creative, competitive personality of a master of law who is able to independently pose and solve professional problems in the field of scientific and pedagogical activities.

Professional legal activity is complex and multifaceted. In the process of professional training of lawyers, the role of a law school is especially great and responsible, which must develop, as a result of training and education, professionally significant qualities, skills and abilities in the personality of a lawyer that are adequate to the requirements of legal activity. It is not uncommon for graduates of a law school to be ranked in a different rank order based on the success of their professional activities than they were during their studies. This is explained by the fact that success in practical activities is determined not only by the academic assessment of acquired knowledge and learning abilities, but also by a number of professional and personal qualities that, as a rule, are not realized, tested and developed sufficiently in the educational process.

Professionograms of an investigator, prosecutor, judge, lawyer, and representatives of other legal professions can serve as a specific goal and guidelines for legal education. Professionograms cover all aspects of professional legal activity and contain a description of the qualities, knowledge, abilities and skills necessary for this activity. To be a professional, it is necessary, starting from a student’s bench, throughout one’s professional life to form and improve professionally significant qualities in accordance with a specific professionogram. Professionally significant qualities are a constant, established attitude towards one’s profession, work, people, nature, things, a certain system of motives, forms and methods of professional behavior in which these relations are realized. Content-wise professionally significant qualities are correlated with key competencies.

The main distinctive features of legal activity are the following: a wide variety of professional tasks, the solution program for which can be expressed in the most general form, formulated, as a rule, in a legal norm; legal regulation of legal activities, which leaves an imprint on the personality of each lawyer and his



professional behavior; specific features of professional communication between lawyers in the context of legal regulation; the high emotional intensity of the work of lawyers, associated, in particular, with overcoming resistance to their activities on the part of individuals and groups; the exercise of special powers by lawyers, which leads to the development of a professional sense of increased responsibility for the consequences of their actions; organizing your own work and joint work with other persons and law enforcement agencies; the creative nature of the work of lawyers; the conditionality of legal activity by professional morality, the core principle of which is justice.

In the field of search activities, the future lawyer is required to develop observation skills, stability and concentration on professionally significant objects. In the field of communication activities, one should develop sociability, emotional stability, tact, endurance, the ability to clearly express one's thoughts, and defend one's own point of view. Certification activities presuppose the development of written speech, the ability to quickly summarize information, the skills of translating oral speech into written language, and the ability to adequately describe what is seen. The sphere of organizational activity requires organizational skills, dedication, perseverance, and strong will. In the field of constructive and reconstructive activities, one should develop the ability to analyze the information received, formulate a hypothesis, a creative approach to solving professional problems, insight, memory, and foresight. In the field of social activities, a lawyer is expected to demonstrate a desire for truth, justice, humanism, honesty, and integrity.

Legal activity is contraindicated for persons with a so-called negative professional profile, which includes qualities that do not allow the possibility of working in the law enforcement system. Such qualities include the following, in the order of the aspects of legal activity listed above: inattention, negligence; lack of search dominance; rudeness in communicating with people, impulsiveness, excessive shyness, aggressiveness; inability to quickly translate oral speech into written language; lack of organizational skills, lack of concentration, lack of purposefulness, easy suggestibility, passivity; stereotypicality and conservatism in the approach to solving professional problems, low level of development of general intelligence, lack of analytical abilities; unprincipledness, dishonesty, cynicism, adventurism, enjoyment of power over people, vices of worldview and sense of justice.



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