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Research paper



Legal and Professional Competence in the Preparation of Agrarians: Autonomy or Synergy?

Vladimir Alekseevich Solopov[1]*, Alexey Aleksandrovich Verkhovtsev[1], Galina Vyacheslavovna Korotkova[1], Nina Ivanovna Rudneva[1], Victoria Aleksandrovna Voropayeva[1], Tatyana Nikolaevna Cnernyaeva[2]

[1]Federal State Educational Institution of Higher Education Michurinsk State Agrarian University, Internatsionalnaya St., 10, Michurinsk, Tambov region, 393760, Russia

[2]Federal State Educational Institution of Higher Education Saratov National Research State University named after NG Chernyshevsky, Astrakhanskaya St., 83, Saratov, Russia, 410012

**Corresponding author E-mail: solopovv.a@mail.ru*

Abstract

Modern Russia, being the agrarian-industrial country, sharply feels the need for highly qualified specialists of the agrarian sector. It is promoted by the new vector of the development directed to full import substitution of agricultural food. In these conditions, the inconsistency of the existing system of vocational education in Russia was revealed to the modern requirements of the domestic labor market. The professional community states the problem of staff shortage on the background of the annual numerous inflows of university graduates to the labor market. This situation has the right to claim that young specialists are often not ready for the independent professional activity according to their qualification.

At the heart of many attempts to identify the primary sources of trouble in terms of staffing of the agricultural sector lies, first of all, the idea of over-theoretically preparing of the future specialists in universities and the substantive content of federal educational standards on which the universities are oriented in the context of the implementation of educational initiatives.

It is assumed that the content of standards, verified and regulated by the ministry, determines the essence of the training of students of different educational levels and different areas of training. However, in the implementation in educational process of GEF of several "generations", the incompatibility of the formed competencies showed the real needs of the professional community. These facts became the primary reason for the annual approval of new requirements for higher education and, finally, focused on professional standards.

The initial assumption is that the agrarian sector specialist should receive a practical-oriented education that forms professional and legal competence as the basis for future professional activity.

Keywords: *Competence-oriented approach; Competence-oriented education; Professional legal competence.*

1. Introduction

Abstracting from the needs of the professional community specifically in the agricultural sector we should state the fact that in modern society there is a tendency of actualization of legal knowledge and high assessment of their practical importance and functionality in the professional activity of specialists of all directions.

In this article, we will try to predict the modernization of agricultural education in terms of the mandatory integration of legal knowledge in the professional preparation of the future specialist. It would be appropriate to focus attention on the global challenge, which in the past decade was addressed by Russian higher education. It is the active integration into the world educational space, namely, the inclusion in the Bologna and Copenhagen processes which requires the provision of training a specialist of a new type - a practitioner who knows how to solve independently the non-standard tasks assigned to him. In this regard, this specialist has practical-oriented competencies, which are fully realized within the legal framework of professional activity determined by the parameters of the legislative framework of specialized activities, legislative protection of the activities of a specialist, the nature of interference by the state providing freedom and legality of the activities of a specialist. The specialist of the new type must be ready for creative transformation of reality, as well as professional self-development and self-improvement.

The article will be organized as follows. First, we will present a review of research on the problem described in the competence-oriented education. Next, we will present an analysis of methodological approaches and our own interpretation of the definition of "professional legal competence". Then we will try to structure the required competence by selecting components with the purpose of the future formation of the required competence.

In conclusion, we will present the conclusions about the essential composition of professional and legal competence and methods of its formation in the educational process of the agrarian institution.

2. Historiography of the Problem of Competence Education in Russia

In this article we will assess the significance of the graduate's professional and legal competence which is a complex socio-psychological phenomenon consisting in the possibility of reflecting many spheres of life and accumulating information about them with the aim of the possibility of social reflection. The

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social reflection is understood as the mechanism of social perception due to which "the person during the time of acquaintance learns himself through self-evaluation of his behavior" [1, pp. 68-70].

In pedagogical science, it is accepted to consider professional competence and legal competence as separate, independent, autonomous from each other competences (except when we are talking about the formation of competences of students of legal fields). So, the research on the formation of these competences often do not overlap, despite the importance and significance of legal knowledge and skills, their application in professional activity, the ability of a specialist to be mobile in the conditions of the legal field, not only within the framework of a certain type of professional activity. Moreover, talking about everyday civil life, scientists who study the problems of the development of different types of competence do not deny the relevance of legally competent relations in a paradigm of person-society-state.

In this case, the role of law as a regulator of social relations is constantly increasing. This is explained by the obvious relationship between economic relations and law. It is based on the law that the country's economy reveals positive development trends. High-quality legal regulation, according to B. A. Voronin, is a guarantor of the stability of the development of economic development of the country in general and of the agrarian sector in particular. Agricultural commodity producers in the conditions of market relations in the agricultural sector are in great need of quality legal support [2, pp. 95-98].

At the end of the XX century in the report of the international commission on education submitted by UNESCO "Education: the hidden treasure "it was reported that the entrepreneurs do not often need the qualifications of the specialists, which, in their opinion, "is too often associated with the ability to carry out certain operations of a material nature. But the competence, which is regarded as a kind of "cocktail" of skills, peculiar to each individual, which combines qualifications in the strict sense of the word ...social behavior, ability to work in a group, initiative and risk-taking" [3].

It is important, in our opinion, to pay attention to the fact that when changing the educational paradigm and the learning goes into the competence approach, the qualification itself does not disappear. It passes into the competence structure as one of the key groups [4, p. 12]. The ability to carry out operations is not denied as an important characteristic of a specialist. However, he must be able to integrate his knowledge and skills in solving not only tasks related directly to his professional activities but also the tasks of a related nature. Therefore, a new type of agrarians requires the formation of a universal professional legal competence as a basic quality of personality, which allows solving not only practical problems, but also tasks of a clearly problematic nature.

The development of the system of professional education nowadays in this connection is characterized by the transition from the qualification model of training specialists to the competence. It is believed that this will improve the adaptability of graduates in conditions of increasing dynamism and uncertainty and this will develop them as active subjects of the new educational paradigm – "education throughout life" [5, p. 29]. The search of the adequate competences as an integrated result of education seems to be the fundamental task of modern education. V. I. Bajdenko believes that the solution of this problem is perhaps one of the all-civilization attempts to "rebel" against the process of desocialisation, to retain the personality in the gravity of its equal responsibility to itself and society, to alleviate frustration injuries. The probability of these injuries increases mainly in the conditions of a rapid (spontaneous) increase in dynamism and uncertainty [6, p. 8].

In this connection, J.N. Ganiev states: one of the main tasks of agrarian universities is the preparation of competitive specialists in the labor market capable of realizing modern technologies of agricultural production [7, pp. 41-42]. The implementation of modern technologies in agriculture, in our opinion, requires knowledge in the field of legal regulation of agricultural activities, labor relations, the skills of their application and their adaptation to specific professional and social conditions. E. L. Minin believes that there is an urgent need to improve the enforcement practices in the field of agriculture. At the same time, the researcher notes that in the agricultural sector there have been tendencies to increase the authority of law and, accordingly, the level of legal education and legal culture. However, the growth rates are still significantly lower than those in the other sectors of the economy [8, p. 8]. In this study, under the legal culture, we will understand not only the knowledge of legal norms, but also respect for law and justice. It is because of one of the spiritual prerequisites for the emergence and existence of law is the individual's comprehension of his individuality, independence, and his own essence [9, p.10].

The specialists engaged in teaching legal disciplines in agrarian universities also claim that knowledge in the field of legal regulation of agricultural activities is necessary and obligatory for any agricultural specialist. They explain this by the fact that there are numerous legislative and other normative acts regulating agrarian relations and it is not easy to understand their actions without special training [2, p. 95, 10, p. 3].

The appeal to the authority of practical scientists, researchers of the problems of the modern labor market and the labor market of the agricultural sector, personal experience of professional and pedagogical activity in an agricultural institution allow to draw a conclusion. We think that the modern tendencies in agricultural production as a priority direction of Russia's economic policy impose increasingly high demands to the professional and legal training of an agrarian specialist.

It seems obvious that in the current conditions of agricultural development the agrarian specialist must be comprehensively educated and has professional and legal competence.

3. To the Question of the Interpretation of the Definition and Structuring of the Professional-Legal Competence

In our study, it is interesting to consider the peculiarities of formation of professional and legal competence of the students of agrarian university. It is important that the concept and essence of professional and legal competence were not the subject of deep study in domestic and foreign pedagogy and psychology. For this, it is necessary to determine the main terminological apparatus and to find out what researchers to put in the notion of professional and legal competence. The content of the concept of professional and legal competence will be formed and integrated from the essence of the concepts of professional competence and legal competence. In one of the conceptual provisions of the study of the essence and specificity of professional and legal competence is the point of view according to which any competence, including professional and legal, is a complex systemic education consisting of structural elements (N.V.Kharitonova, O.V.Katurzhevskaja, Y.S. Makarova, I.E. Baryshnikov). The structural elements are various components, the composition of which is determined by researchers in different ways (N. V. Kuzmina, A. K. Markova, V. G. Pervutinskij). From the point of view of philosophy, the methodology is the structure that determines the form of the internal organization of the system, which is a unity of stable and regular interrelations between its elements.

Thus, the description and consideration of the essence and specificity of professional-legal competence is logical and reasonable. Such analysis will make it possible to specify its components, to identify systemic and specific characteristics of professional and legal competence and to formulate the concept of "professional and legal competence of the student of an agrarian higher educational institution" which will form the basis for the

formation of a model of this competence among students of an agricultural university.

In the course of analyzing the state of the problem of forming competencies, we conclude that modern scientists show a good interest in the problem of classification of professional competence. This interest, from the standpoint of different methodological approaches and different terminological interpretations, seems very diverse in its basic characteristics. One of the reasons for the lack of unity in the understanding of professional competence and its characteristics is related to the fact that the examination is the subject to certain types of professional competence. For example, socio-perceptual competence in the system of professional communication (N.N.Ershova); social and psychological (V.G.Pervutinskij, G.E.Belitskaya, L.I.Berestova); communicative competence (L.A.Petrovskaja, N. V. Kharitonova); autopsychological (I. V.Elshina, A. A. Derkach, A. P. Sitnikov, A. S. Guseva); psycho-akmeological (V. N. Markin, I. N. Drozdov); conflictological (O. I. Denisov); information technology (P. V. Bespalov); scientific, professional - pedagogical and psychological-pedagogical competence (E. V. Bondarevskaja, E. N. Yurina), design competence, informational, prognostic competence, organizational, analytical competence (N. V. Kharitonov).

A.K. Markova attempted to typologize and systematize the notion of "professional competence", the description of its relationship with other concepts of labor psychology. By competence she means "an individual characteristic of the degree of compliance with the requirements of the profession, as a mental state that allows to act independently and responsibly, as the possession of person the ability and the ability to perform certain labor functions" [11, pp. 49-54]. The content of the concept allows the researcher to identify the types of professional competence, which include:

• Special competence – possession of actually professional activity at rather high level, the ability to design one's further professional development;

• Social competence - possession of joint professional activities, cooperation, and the methods of professional communication adopted in this profession; social responsibility for the results of their professional work;

• Personal competence - mastery of personal self-expression and self-development, by means of confronting professional deformities of a person;

• Individual competence - mastery of self-actualization and development of individuality within the profession, readiness for professional growth, ability to individual self-preservation, no susceptibility to professional aging, the ability to rationally organize their work without overloading [11, p.52].

As a result, the concept of "competence" is determined through the availability of the result of the preparation of the future graduate.

Thus, the professional competence is related to the final result of the student's preparation and the competence is a given result, therefore the professional competence is a profound knowledge of the future by the graduate and the essence of his future professional activity, ways and means to achieve the goals, skillful execution of professional tasks [12, p. 129].

In this connection, we share the view of L.E. Soljankina. According to it the labor market is currently in demand not a "theorist", but an expert practitioner who has formed a professional competence, acting, first, in the role of an internal factor of a higher manifestation by a specialist of creative self-realization of the essential forces and abilities in the system of production relations.

Therefore, having considered the interpretation of the phenomenon of professional competence, we concluded that the content of competence depends on the nature of the profession [13].

In this regard, the professional competence of the future specialist in the agricultural sector is the initial level of becoming a professional, representing an integrative and professionally significant quality of personality. The main structural components of personality are knowledge, skills and abilities; communicative attitude of the individual; a creative approach to professional activity, which in a complex provide effective educational activity of students of agrarian specialties.

Despite the fact that at the present stage of the development of pedagogical science the mandatory components and invariants of professional competence are described, all the same, there is a lack of elaboration of the phenomenon of legal competence in the training of an agrarian specialist. The absence of theoretical and applied research in the field of research of legal competence and its relationship with the professional competence of a student of an agricultural university, the elaboration of the model for the development and formation of the professional and legal competence of the agrarian specialist is not developed.

Studying the competencies of students - not lawyers the scientists consider the legal competence by pointing out its relationship with the professional but not considering it as a component of professional competence. For example, a study of the development of legal competence of future specialists of non-legal profile, worked N.W. Alekseev,O. N. Bagrova, E.L. Bolotova, V.N. Burlakov, N.V. Dybovskaja, T.V. Kashanina, E.A. Pevtsova, A.G. Tsipris, D.A. Yagofarov and others. The researchers' attention to legal competence as an important element of professional characteristics of a graduate confirms the opinion of the importance and necessity of the formation of legal competence for the professional activities.

The scientific interest in the problem of legal competence and the conditions of its formation in the process of obtaining higher education also indicates the awareness by teachers-methodologists of the relevance of possession of legal knowledge of the future graduates of the university. It also shows the necessity of their expedient and effective application in the professional activity of a specialist.

Legal competence, in the broad sense of the word, is the quality of the actions and decisions of a person of any profession, which can be effectively used in the professional activities of the legal acts of various legislative levels. It can be professionally operated and implemented within the framework of the current regulatory framework. In the process of developing professional competence, its legal competences are enlarged and integrated with the other competences such as general professional, narrow professional, general cultural, communicative, etc. They acquire as a result of these interactions new qualities and characteristics and represent a spiral of dialectical development [14, p. 24].

It is important, in our opinion, to note that the expert, who has legal competence in a specific professional field, often demonstrates political and legal culture in non-professional activities. Legal culture should be understood as knowledge and understanding of the law and the actions of the subject in accordance with legal norms. It is characterized by the legal education of a person and includes the legal awareness, the ability and skills to exercise the right, the subordination of one's behavior to the requirements of legal norms [15].

Professional and legal competence of a student at an agricultural university did not receive proper attention in scientific research. This is often explained by the complexity of the study of legal competence. This concept is at the intersection of science: the pedagogy of professional education and jurisprudence. Each of these disciplines operates with "refined" scientific terms, often avoiding the study of the syncretic concept of "professional-legal competence".

The essence of the conceptual requirements for professional legal competence is to expand knowledge and skills that are necessary to improve the level of effective professional activity and life in general [16, p. 10].

Professional and legal competence reflects the graduate's availability of a well-formed system of professional competencies, oriented on the professional activities in accordance with their orientations. Some of these activities are formed in the process of obtaining professional education, within the established norms of the law (legal field). Thus, professional and legal competence is a high degree of mastering by the future specialist the professional competencies and the ability to implement them in practice in accordance with the rules of the law.

Professional legal competence is a key competence and has an integrative nature. Thanks to this fact, it is possible to determine the content of the preparation process and the readiness of the specialist for further professional activities. It absorbs a number of skills and knowledge related to different spheres of agrarians' professional activity, carried out within the legal framework.

Understanding of the essence and specificity of the professional activity of a specialist in the agricultural sector makes it possible to determine the professional and legal competence of a student at an agricultural university as a multifactorial phenomenon. It contains a set of conditioned, defined and system qualities (properties) of the individual with a high level of professional and legal preparedness for professional activities and effective interaction with their professional environment in the framework of a professional legal field in accordance with the legal, moral and cultural norms, standards and needs adopted in the society.

Thus, if we can give an accurate interpretation of the requirements of the competence model integrated into the educational process, it will be easy to determine the component composition of the required competency.

4. Component Composition of Professional and Legal Competence

Professional and legal competence of a specialist in the agricultural sector as a multifactorial phenomenon has its own structure, which includes the following components:

• The personal component represents the personal potential of the future specialist-agrarian, accumulated in the process of forming the foundations of professional and legal competence, reflected in the manifestation of legal culture, which, in turn, entering into a functional interaction with the moral, political, social, religious and other spheres of society, includes a future specialist in other activities. It expands his professional and personal horizons, because the legal culture is a "particular social phenomenon that can be perceived as a quality and legal status of the individual and society, structuring the subject for various reasons" [16, p. 152];

• the motivational component, which is a combination of personal and socially conditioned needs, motives, goals and values aimed at consciously motivating the specialist to legal competence;

• The activity component determines the structure of professional and legal competence in the components of the graduate's professional and legal competence, in other words, it is a set of legal skills and experience;

• The cognitive component consists of a collection of legal knowledge of the future specialist of the agricultural sector;

• The emotional-volitional component consists of a set of personal emotional-volitional qualities reflecting the specialist's ability to professional activity within the legal field.

Thus, in our opinion, it is necessary to identify the most important components of professional and legal competence, which, because of the training, must be possessed by a graduate of an agricultural university:

- The axiological component associated with the awareness of the future specialist of the value of activities in the field of agriculture and actually in modern Russian society, as well as harmoniously formed system of professional and personal values, mastering the norms of professional and corporate ethics;

- The Gnostic component is based on the assimilation of a complex of normative-legal, procedural knowledge, applied in the professional activity of the agrarian, awareness of their system and the relationship of a specialist. It is also characterized by the flexibility, developed sense of justice, the ability to realize oneself in professional activity;

- The professional and technological component is an empirical component reflecting the depth of experience in the application of legal instruments, aimed at solving professional problems within the framework of a professional legal field: manifested in the process of obtaining professional knowledge and their application in production practice during the resolution of professional tasks in specific conditions of crisis situations;

- The effective-criterial component includes motivational, cognitive, professional-activity criteria and indicators, which allow determining the level of professional and legal competence of a specialist in the agricultural sector.

5. Conclusion

The study of the educational process and its governing regulatory documents, the analysis of the requirements of the professional community and its own retrospective experience allow us to formulate the conclusion. The professional and legal competence indicates the result of a system of professional and legal training of a specialist. On the other hand, it shows the professionally important and necessary qualities that ensure the effectiveness of the implementation of professionalism within the legal framework of professional activity and social ties. As a result of mastering the higher education program, the unifying result of the target orientation of the educational process "is the establishment of a person, ready for an oriented choice, not only on the basis of existing multifunctional competencies, but also the legal knowledge obtained at the university" [17, p.127].

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