

The Formation of Civic Legal Consciousness and Legal Culture of Youth as a Factor in Ensuring the Stable Development of the Region

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Abstract: The article analyzes the problems of the formation of civic legal consciousness and legal culture of youth as a factor in ensuring the stable development of the region. The process of forming legal consciousness involves the transformation of legal knowledge into a system of personal legal beliefs, which will be further implemented in the legal behavior of an individual. The problem of legal consciousness formation of the younger generation was dealt with by such authors as I.F. Gabidullin, K.K. Kolin, Yu.V. Kuznetsov, I.A. Petrulevich, O. Yu. Mikhailova and others. The formation of legal consciousness and legal culture of modern youth should become one of the main objectives of the national security strategy implementation of the Russian Federation. In order to implement the objective, it is necessary not only to improve the legislative framework, but also to make efforts to activate all social institutions involved in the process of legal socialization of the individual. The study of the features of the components of the legal consciousness of modern student youth shows that the level of assimilation of legal knowledge among young people is quite high, they are well guided in elementary legal realities, however, in situations of legal choice, the odds are not always in lawful behavior favor. It is proposed to intensify work on the restoration of the system of moral, labor education in educational institutions of all levels. In addition, in our opinion, it is necessary to create conditions for attracting socially active youth in the process of transferring knowledge and experience to the younger generation. Based on the studies' results, anti-corruption legislation improving proposals were made.


1 INTRODUCTION

The National Security Strategy of the Russian Federation, approved by Decree of the President of the Russian Federation No. 683 on December 31, 2015, defines the main threats to the security of the state and strategic national priorities, including "... the development of democratic institutions, improvement of interaction mechanisms between the state and civil society." Thus, in the strategy it is possible to trace the relationship between the security of the state and the development of civil society quite clearly. The development of civil society cannot be separated from the development and socialization of a particular citizen. Therefore, it is no coincidence that the following is indicated among the necessary conditions for the implementation of the national security strategy: "...it is necessary to increase the

role of schools in educating young people as responsible citizens of Russia on the basis of traditional Russian spiritual, moral and cultural and historical values, as well as in the prevention of extremism and radical ideology." (ConsultantPlus, 2015).

The process of a modern young person legal socialization is an integral part of an individual socialization process and according to the objective laws of individual development, is carried out as a purposeful, that is, under the influence of social institutions, family, school, educational organization and spontaneously, through the participation of a young person in various legal situations (Dai, 2018).

The purpose and at the same time the result of legal socialization is the legal consciousness and legal culture of the individual, which, in turn, are determined by the degree of lawful behavior and legal

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activity of the citizen. The process of the legal consciousness formation presupposes the transformation of legal knowledge into a system of personal legal convictions, which will be further implemented in the legal behavior of an individual. (Kuznetsov and Salmina, 2010).

2 METHODS

Analyzing the process of legal consciousness and legal culture formation, we can talk about the allocation of these categories in relation to an individual, a group and society as a whole. The formation of a legal culture is carried out through two processes, namely, legal education and legal training. The developed legal culture of the individual determines the social and legal activity of the individual and the degree of legitimacy of his behavior. Individual legal consciousness and legal culture in general form legal consciousness and legal culture of society and, accordingly, contribute to the development of all institutions of civil society, which in turn contributes to maintaining the national security of the state.

Legal consciousness is one of the forms of social consciousness. Various authors studying the problem of legal consciousness represent the structure of legal consciousness in different ways, but the majority single out the following structural elements: legal knowledge, legal values, attitudes and relationships. With regard to the problem of ensuring national security and the development of civil society in modern Russia, it is necessary to consider not only legal consciousness as a whole, but also civil legal consciousness. According to I.F. Gabidullina, civic legal consciousness reflects not only the connection between personality and law, but namely the assessment of the relationship between a particular citizen and the state, from the point of view of legal categories. The author includes such principles as the mutual responsibility of the citizen and the state, patriotism in the content of civic legal consciousness. Thus, in the light of the development of the state security system, it is necessary to form purposefully the elements of modern youth civic legal consciousness (Gabidullin, 2014).

3 RESULTS

At present, in terms of the implementation of targeted measures for the legal socialization of youth,

attention to the formation of a value attitude among the younger generation towards state power, law, respect for individual freedoms and the implementation of each citizen's duties should be paid. Now, the transformation of the experience of using various children and youth organizations in the process of civil-legal socialization of the younger generation has begun. The youth army, the all-Russian children's and youth military-patriotic social movement, created in 2016, have been particularly active in using this experience. However, in this case, the priority is patriotic, not legal education.

At the same time, in the context of young people civic legal consciousness formation as a factor in ensuring national security, the patriotic component of this type of activity cannot be excluded, because an active citizen is, first of all, a patriot of the state. In 2015, the State Program "Patriotic education of citizens of the Russian Federation for 2016 - 2020" was approved by the Resolution of the Government of the Russian Federation of December 30, 2015 N 1493. Among the purposes and objectives of the program, special attention is paid to the formation of increased civic responsibility in the younger generation, an active life position, and a respectful attitude to social values and history (GARANT.RU, 2015).

The realization and implementation of the program is carried out in all constituent entities of the Russian Federation; annual monitoring of the activities of constituent entities of the Russian Federation in civil-patriotic and spiritual-moral education of children and youth is provided. As the experience of foreign countries has shown, national identity and national unity are the result of patriotic education.

As the researchers note, modern youth have a relatively low level of civic identity, belonging to the society of a particular state. This phenomenon is explained by the fact that in older generations, civic identity was formed on the basis of life experience, ideological upbringing. Modern youth have no experience, and there has been no ideological upbringing in general.

The national unity of the country, as the basis of national security, is formed on the basis of the civic identity of each member of society, therefore, the low level of civic identity of young people can be considered as a threat of deformation of legal consciousness and degradation of Russian civil society (Vologdina et al., 2020).

The tendencies of racism, terrorism and extremism ideas propaganda among the youth, the spread of the criminal subculture, which have spread

in recent years, give rise to concerns. The lack of purposeful legal education of adolescents leads to the fact that legal knowledge and legal values are deformed, which inevitably leads to deformation of legal consciousness and, as a result, as a consequence, criminal, illegal behavior.

The de-ideologization of society can also be considered as a negatively influencing factor, the essence of this process is to replace the value orientations of young people. The domination of material values over spiritual values in the legal consciousness of young people, a decrease in the level of education, a deformation of legal culture can be considered as the result of this process. (Starinov and Tseveleva, 2017).

If we analyze the current situation with the dissemination of information through communication channels and television, we can state the fact of a negative impact on the forming process of children and adolescents legal consciousness. Despite a number of legal protection measures taken, in reality, there is no barrier between a child and a computer (TV) access to inadmissible information. Analyzing the situation with the spread of negative information through modern communication channels, Professor K.K. Kolin proposes to pass the Law on Information and Psychological Safety of Children, Adolescents and Youth and the Law on Protection of Public Morality (Kolin, 2011).

The class structure of modern Russian society can also be considered as a factor that has a negative impact on the younger generation. Legal situations, when some legal entities have legally unconditional advantages over others, are perceived quite acutely, especially by young people, which further leads to deformations of various components of right-consciousness and can result in delinquent and deviant behavior.

All of the above negative factors of influence on the legal consciousness formation process lead to its deformations. The problem of legal consciousness deformation is interdisciplinary in nature and is considered by psychologists, sociologists and criminologists. In essence, the deformation of legal consciousness is a distortion in the consciousness of both a particular individual and society of legal knowledge and attitudes.

At the same time, all the elements of the legal consciousness structure are subject to deformation: knowledge, attitudes, principles, emotional-sensory and evaluative components.

Researchers of legal consciousness deformations distinguish such forms as legal infantilism and legal nihilism. Legal infantilism is the most widespread

form of legal consciousness deformation, expressed in a low level of legal knowledge, unformed legal attitudes and legal principles of the individual.

Legal nihilism is a conscious rejection of the law requirements, a lack of faith in law and a desire to carry out one's life guided by one's own needs and desires, without precluding criminal behavior. The phenomenon of legal nihilism is quite common among modern youth. According to such authors as Petrulovich I.A., Mikhailova O.Yu., Romanko O.A., Tselikovskiy S.B. legal nihilism should be differentiated from criminal, delinquent behavior, which should be considered as independent forms of legal consciousness deformation. The above authors note such a phenomenon of modern legal knowledge as inversion, which is understood as a change in the regulatory functions of legal consciousness in various legal situations, as well as in assessing the legal capabilities of various kinds of offence subjects. When making decisions in any legally significant situation, the majority of people who have an inversion of legal consciousness evaluate their opponent and, in accordance with this, choose the method of their legal behavior, guided not by the norms of law, but by social status and social (power) capabilities and the powers of the subject (Petrulovich et al., 2013).

In this case, it is appropriate to define the concept of anti-corruption legal consciousness. According to M.V. Shedi it has such signs as an internal conviction in the need to counteract corruption actions, a socially active position in the implementation and formation of the state's anti-corruption policy, the presence of specific anti-corruption knowledge and legal assessments of people's behavior. The author considers the main function of anti-corruption legal consciousness to assess the behavior of various subjects of law in situations related to corruption, as well as in the use of legal methods for resolving problems arising in the economic, administrative and other spheres of society. The formation of anti-corruption consciousness among the majority of legal entities will ultimately lead to a solution to the problem of corruption in society (Shedi, 2014).

In order to study some of the peculiarities of the legal consciousness of modern youth, a survey was conducted among the student youth aged 17 to 20 years. Its results allow us to state the presence of certain deformations in the perceptions of the younger generation, which in general can be regarded as an alarming fact that requires the intervention of social institutions.

To the question: "Are you a patriot of your country?" – 98 % of respondents answered positively.

At the same time, the next question raised doubts about such patriotism, namely, 28 % of the same respondents answered that they would like to leave the country for a permanent place of residence. This fact testifies to the substitution of the concept of patriotism in the minds of the younger generation and the need to implement measures of patriotic education not only with children and adolescents, but also with student youth.

It is interesting that 100 % of the male respondents recognize the obligation to do military service in the Russian Army as just, while only 56 % intend to do it. When asked if you had the opportunity to evade service in the Army and not bear legal responsibility, 63 % of the respondents would have used this opportunity.

The implementation of criminal and illegal behavior is unacceptable for the majority of respondents, however, when answering the question whether they had any minor offenses in the past, 29 % answered positively. At the same time, such offenses as jaywalking, untimely payment of taxes and fines, in the opinion of the majority (68 %), are permissible in everyday life and cannot be considered illegal. It also calls into questions that 28 % of respondents are ready to commit an illegal act if it is not associated with violence and subsequently will not be criminally punishable. At the same time, 98 % have a negative attitude to corrupt behavior, consider it to be one of the reasons for the economic crisis in the state and insist on tougher criminal liability for corrupt officials.

The attitude of young people to the problem of drugs is quite interesting, the majority, 79 % have a negative attitude to the problem of drugs spread among young people, do not use them themselves and condemn the use. However, to the question "Will you report to the law enforcement agencies about persons you know who sell drugs or cases of sale?", Only 38 % answered positively.

An analysis of the respondents' answers to the questions about criminal behavior indicates the existence of double standards. It is arguable that the level of legal knowledge assimilation among young people is quite high, they are not bad at orienting themselves in elementary legal realities, however, in situations of legal choice, the preponderance does not always add up to lawful behavior.

M.I. Enikeev distinguishes three levels of lawful behavior:

- law-abiding - the highest level, when the needs, motives of the individual, as well as the goals and means of achieving them coincide with the requirements of the rule of law;

- law-executive behavior is characterized by the following: goals and means of achieving them coincide with the requirements of the law, at the same time this happens not because this is an internal conviction of the individual, but because a person does not want to stand out from the general mass and acts under the pressure of the group, society;
- law-enforcement behavior differs from previous levels in that a person acts in accordance with legal norms because of fear of punishment, true needs, motives, interests do not coincide with the requirements of the law (Enikeev, 2010).

Students were asked to attribute themselves to a certain level of lawful behavior, as well as to characterize the level of behavior characteristic of the peers. The obtained results showed that 72 % of the respondents attributed themselves to the executive level, 6% consider themselves law-abiding, and 14 % are law executing. At the same time, when characterizing the behavior of their peers, 66 % named the lowest level - law-enforcement behavior.

These results allow us to assert that disagreeing assessments of oneself and one's generation allow a low level of self-criticism. At the same time, one cannot help but think that the observance of laws by the majority of young people is based on a desire to avoid responsibility, and does not coincide with personal life principles and priorities.

Civic legal consciousness formation of modern Russian youth is possible only on condition that every young person knows and observes the rights and freedoms of man and citizen, which are enshrined in the Constitution of the Russian Federation, in real life. Only after reaching a balance of rights and interests of the individual, society and the state, we can talk about the formation of civic legal consciousness.

4 DISCUSSION

To summarize the above, it can be argued that the formation of legal consciousness and legal culture of modern youth should become one of the main objectives of the Russian Federation national security strategy implementation. In order to implement this objective, it is necessary not only to improve the legislative framework, but also to make efforts to activate all social institutions involved in the process of legal socialization of the individual. It is proposed to intensify work to restore the system of moral, labor education in educational institutions of all levels. In

addition, in our opinion, it is necessary to create conditions for attracting socially active youth in the process of transferring knowledge and experience to the younger generation. Another necessary measure to prevent deformations of the legal consciousness and legal culture of young people is to work on limiting negative informational influences on the psyche of children and adolescents, in particular, preventing the effects of the criminal sub-culture. All of the above measures will contribute to the civic legal consciousness formation and a socially active civic position of a young person, which will ultimately lead to the formation of national identity and cohesion, which in turn will help reduce negative risks to the national security of the state.

5 CONCLUSIONS

The formation of the civic legal consciousness of young people presupposes the further improvement of anti-corruption legislation associated with the complex application of sanctions in various branches of law - from criminal to administrative-tort legal relations. (Xiaoli, 2014)

The urgency of this problem, which poses a threat to the national security of Russia, is indicated in the Decree of the President of the Russian Federation of June 29, 2018 No. 378 "On the National Anti-Corruption Plan for 2018-2020", on the basis of which the National Anti-Corruption Plan for 2018-2020 (Garant.Ru, 2018).

We are confident that the application of the norms of administrative tort law in relation to persons who have committed an offense with corruption signs, with compulsory dismissal from the state or civil service, will allow implementing preventive measures that create a barrier to corruption crime.

We propose to include the norms of the Code of Administrative Offenses of the Russian Federation in the list:

1) bribery of voters, referendum participants, or the implementation of charitable activities during the election campaign, referendum campaign in violation of the legislation on elections and referendums (Article 5.16 of the Administrative Code of the Russian Federation);

2) failure to submit or not publish a report, information on the crime and spending of funds allocated for electoral purposes, referendum or other elective office (Article 5.17 of the Code of Administrative Offenses of the Russian Federation);

3) illegal financing of the election and referendum campaign, prohibited by law provision of material

support related to the conduct of elections, referendum, performance of work, provision of services, goods for free of charge or at unreasonably low (overestimated) prices (Article 5.20 of the Administrative Code of the Russian Federation);

4) untimely transfer of funds to election campaigns, referendum commissions, candidates, electoral associations, initiative groups for holding a referendum, and other groups of referendum participants (Article 5.21 of the Administrative Code of the Russian Federation);

5) inappropriate use of budgetary funds and off-budget funds of the state (Article 15.14 of the Administrative Code of the Russian Federation);

6) failure to meet the time limit for submitting a tax return (calculation of insurance premiums) (Article 15.5 of the Administrative Code of the Russian Federation);

7) illegal recruitment to work or to the performance of work or the provision of services of a state or municipal employee, or a former state or municipal employee (Article 19.29 of the Code of Administrative Offenses of the Russian Federation)

8) illegal remuneration on behalf of a legal entity (Article 19.28 of the Administrative Code of the Russian Federation) (Consultant Plus, 2020).

In order to further counteract the influence of the criminal sub-culture among minors, we propose to include article 20.3.1 in the Code of Administrative Offenses of the Russian Federation, calling it "Propagation of the criminal subculture ideology and criminal lifestyle among minors".

The formation of the criminal subculture ideology negative perception among minors would be:

1) one of the mechanisms for the implementation of Federal Law No. 436-FZ of December 29, 2010 "On the protection of children from information that is harmful to their health and development." In particular, paragraph 5 of Article 5 takes into account the types of information harmful to the health and (or) development of children, on the basis of justifying illegal behavior (GSPI, 2019);

2) the form of the Constitutional principles of child protection legal consolidation, proposed for national discussion by the President of the Russian Federation, Art. 67 "Children are the most important priority of Russian state policy. The state creates conditions conducive to the all-round spiritual, moral, intellectual and physical development of children, fostering patriotism, citizenship and respect for elders in them" (State Duma, 2020);

3) legal consolidation of instructions of the President of the Russian Federation in subsequent regulatory legal acts, expressed in the Address to the

Federal Assembly on January 15, 2020 “The fate of Russia, its historical perspective depends on how many of us there will be, depends on how many children will be born in Russian families, what they will grow up to be, what they will become, what they will do for the development of the country and what values will support them in life” (President of Russia, 2020).

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