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Section 12. Science of law

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Implementation of innovative methods to improve the justice and legal culture of youths

Nowadays, the Republic of Kazakhstan strives to become a legal state in which people will honor and fulfill the norms of law, and human, citizen and state rights will be of higher importance. Problems of legal consciousness and legal culture of youths have been of high interest to humanity. In the conditions of updates, all aspects of the life of society, the scientific, theoretical and practical needs for studying its legal sphere is reinforced.

In order to be convinced of the importance of this issue, we propose to consider the following statistics of the Committee on Legal Statistics and Special Accounts of the General Prosecutor's Office of the Republic of Kazakhstan:

1. In 2016, 361 689 (386 718) criminal offenses were registered in the ERDR, the drop was by 6.5%. There were 324 185 (346 510, decreased by 6.4%) crimes and 37504 (40208, decrease by 6.7%%) criminal offenses;

2. In turn, this causes an increase in the statistical data on committed crimes by minors by 13.6% (3343 against 2944), in the state of alcohol and narcotic intoxication by 13.1% (20393 against 18027);

3. There was an increase in criminal offenses committed by persons who previously committed crimes (94.1%), intoxicated (13.1%), group of persons (38.6%), minors (13.6%).

4. At the same time, significant criminalization of minors was established in Astana (from 133 to 205), in South Kazakhstan (from 293 to 463) and in Atyrau region (from 53 to 137)¹.

For a more detailed analysis, let us consider the concept of legal awareness and legal culture. Legal awareness is a combination of views, ideas, feelings, attitudes related to the law. It includes the very idea of the right, i. e. Legal understanding, views on the role of law, legal institutions in the life of society and the state, the idea of human rights, its responsibility to other people, the state and society². Professor Ibrayeva A. S. identifies three basic functions of sense of justice. The direction of the impact of this phenomenon on social relations is cognitive, evaluative, and regulative. The cognitive function of the sense of justice consists in the fact that through the perception and comprehension of legal phenomena, there is, in effect, a cognition of life — social or even natural, natural. The evaluation function of the sense of justice is that with the help of the sense of justice, an assessment is made of the specific life circumstances as legally significant. The regulative function of the sense of justice is realized through a system of motives, value orientations, legal attitudes that act as specific regulators of behavior and have special formation mechanisms³.

Legal culture is a qualitative state of the society, which is expressed in the achieved level of perfection of legal acts, law enforcement activity, legal awareness and development of the individual, as well as in the level of freedom of its behavior and mutual responsibility of the state and the individual, positively influencing social development and maintenance of the conditions of society's existence⁴.

Legal awareness and legal culture have a direct impact on the effectiveness of social and economic tasks, the implementation of legal reform, the formation of a rule-of-law state. Knowledge of the values and legal orientations of society, of various social strata and population groups, consideration of the level of legal culture and legal awareness of citizens in the development, adoption and implementation of government decisions are an indispensable condition for the scientific management of social processes and reforms in society. Legal awareness plays an important role in the improvement and development of the legal life of society and is an indispensable factor in the creation of legal norms,

¹ Analytical data of the Committee on Legal Statistics and Special Accounts of the Prosecutor General's Office of the Republic of Kazakhstan [Online resource]. – Accessed: URL: <http://pravstat.prokuror.kz/rus>

² Ibrayeva A. S. Theory of State and Law. Textbook. – Almaty, – 2006.

³ Ibid.

⁴ Ibid.

is an important and necessary condition for the accurate and full implementation of legal norms. The higher the level of legal awareness of citizens of the state, the more accurately the requirements of legal norms are fulfilled¹. Developed sense of justice ensures voluntary implementation of legal requirements, understanding of their correctness and reasonableness. It causes people to feel intolerance towards violations of the rule of law. That means legal awareness is an important factor in the development of legislation, in the stability of law and order, in the reality of citizens' rights and freedoms. A perfect sense of justice also attests to the high general and legal culture of the individual.

It is appropriate to mention that scientific, theoretical and practical significance of the study of legal awareness and legal culture plays an important role in the construction of a legal and democratic state. For effective work to increase legal awareness and legal culture, it is necessary to assess the current level of legal awareness and legal culture in society in a fully and objectively manner. To date, there is no single method for assessing legal awareness and legal culture, mainly using classical sociological surveys, which in turn are quite costly.

Suggestions. We propose the introduction of remote online questioning of youth, in our opinion this is the most innovative and economic method for studying and assessing the level of legal awareness and legal culture of youths. Since young people are the most vulnerable category of society, which will subsequently implement state reforms and the management of society, it needs a comprehensive study. This is especially true of increasing the legal awareness and legal culture of the youth of the Republic of Kazakhstan. At the moment, state bodies are carrying out various activities aimed at increasing the legal awareness of young people. In this regard, in our opinion, it is necessary to carry out constant monitoring and evaluation of the effectiveness of these measures and, depending on the result of the analysis, adjust the work in this direction.

The tasks of this evaluation method will be:

1. Study of the mechanisms for increasing the legal culture and legal awareness of the youths of the Republic of Kazakhstan, comparing with the experience of other countries;
2. Collection and analysis of electronic questionnaires of young people from 14 to 29 years, with the purpose of revealing the level of legal culture and right consciousness of the youth of Kazakhstan;
3. Elaboration of recommendations on improving the measures of state bodies in terms of increasing the legal culture and legal awareness of the youth of the RK, as well as developing their own recommendations.

As part of the implementation of this method of assessment, we are planning to prepare and adapt the usual sociological questionnaires for a certain information resource, after which, with the support of the authorized body in the

¹ Komarov S.A. General theory of state and law: Textbook – 3rd edn, – M.: Youwrite, – 1997.

field of state youth policy, to conduct a large-scale remote online questioning of young people in 3 categories:

1. Citizens from 14 to 18 years (students of schools and institutions of secondary special education);
2. Citizens from 19 to 24 years (students of higher educational institutions, young specialists);
3. Citizens from 25 to 29 years (working youth, young families)¹.

Based on the results of the questionnaire, it was analyzed the collected materials and, with the help of experts, prepare a final conclusion on the level of legal awareness and legal culture of the youth of the Republic of Kazakhstan, and then compare the current experience of state bodies, in terms of increasing legal awareness and legal culture with international experience, to make a number of recommendations and proposals for improving efficiency these mechanisms. The experience of remote online questioning and determine the applicability of this method in the RO and its effectiveness were also analyzed.

We plan to adapt and implement this method of evaluation in stages, with active cooperation with the authorized body in the field of state youth policy.

At the first stage, we plan to prepare questionnaires for respondents, in the second stage, prepare a resource for collecting and processing these questionnaires, after the third stage, inform young people through state bodies, public organizations and funds. At the fourth stage, to collect and analyze the materials received, and complete all the development of conclusions and recommendations on the effectiveness of mechanisms to increase the sense of justice and legal culture used by government agencies in Kazakhstan.

Finally, based on the results of the approbation and implementation of this method, we plan to collect the most “fresh” and reliable information on the level of the legal awareness and legal culture of the youth of the RK, analyze them, compare them with the experience of other states and develop their recommendations and proposals to increase the effectiveness of the measures taken. We also plan to adapt and test the remote online questioning and establish its effectiveness in the RK, to reveal the features and disadvantages of this tool and in addition, plan to establish the objectivity and cost-effectiveness of this analysis tool, and then finalize and invite state bodies to introduce this method for analysis on other issues.

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