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## Анализ преподавания и тенденции развития китайского языка в Казахстане

Статья посвящена анализу основных проблем в преподавании китайского языка и путям их преодоления. Актуальность заключается в том, что проверка и оценка знаний преподавания китайского языка является одной из важных и трудных задач, стоящих перед иностранным преподавателем. Отмечается, что языковая компетенция преподавателей и адекватность учебного материала влияют на уровень освоения иностранного языка. Возникает потребность в специалистах, в достаточной степени владеющих не только навыками перевода, но и разбирающихся в культуре, истории и традициях Китая. Автор прослеживает тенденции изучения китайского языка как иностранного в Казахстане.

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## Legal education in the history of pedagogical thought

The paper discusses the views of philosophers, scientists and educators on law and legal education of the individual in different historical periods. The authors reveal that the system of legal education is determined by the character and policy of the state and that the right in a democratic society is treated as an important element of the citizen education. The emergence of the issue of law education and the variations of its solution is associated with the extensive process of social development. Accordingly, legal education in the history of educational thought is often seen as part of civic education. These areas of education have much in common, but legal education focuses to a great extent on the conscious discernment of legal laws, regulations and responsibilities.

*Key words:* citizen, society, law, human rights, legal education, civic education, sense of justice, pedagogical views, pedagogical research, history of pedagogy.

History shows that all states undertake special actions for the dissemination of views on law, legal education, and law order. Law serves to align the interests of an individual and society. In fact, the idea of using law for the sake of full growth and harmonious development of a man dates back to the ancient world and appeared as a consequence of the emergence of a democratic form of government in the Greek city-states and the Roman Empire.

Antique democracy, under which citizens actively participated in public and political life of the state, established specific approaches to education, giving preference to the education of civic virtues. The period of public education covered the interval from 7 to 30 years of age and distinguished between the rights and obligations of each age separately. The period of life from 21 to 30 years of age — military service — was perceived as transitional time for the full acquisition of rights as a member of the Spartan state community, given that only a thirty-year-old Spartan was becoming a full citizen. In Athens, from 18 to 20 years of age, young men moved into Ephebos, or the school of riders, where they continued their military and political education. This period coincided with the age of the civic majority and was associated with taking the oath of

allegiance to the state service. This turned a young man into a civil capacity person which in turn endowed him with the right to inheritance, custody (among other things, of his mother), the right to property and the right to be a member of the People's Assembly.

The emergence of the first educational system of the aristocracy in Magna Graecia was associated with the name of Pythagoras (VI century BC), who created the Pythagorean union, a kind of a higher school of Hellas where students studied the latest achievements of science and conducted independent research. Pythagoras left a set of rules of moral behavior. Rule «respect the law» meant respect for one's parents, restraint, and laconism.

The first to address the question of how to educate a person in order to cultivate his interest in the affairs of civil society is believed to have been Socrates. He contended that to educate a person means to help him become a good citizen. Moreover, he attributed men's natural abilities to the right to education [1].

When justifying the idea of civic education, Plato, a disciple of Socrates, noted the positive impact of the laws on the person. He offered an extensive program of education and successfully implemented it in the Academy, the school which he established and which lasted over a thousand years. The basis of his concept of civic education lies in the idea of harmony, which was regarded as a set of virtues of a man-citizen. In his treatise «The Laws», Plato outlined his pedagogical views, especially highlighting the social function of education «to make a perfect citizen, capable justly and rightfully to command and obey» [1; 67]. Thus, conceptually the idea of a full and harmonious development of a man-citizen was formed.

Aristotle, developing the teaching of Plato further, introduced the concept of «law-abidance», based on the need of integral connection between law and education. In his work, he wrote that «... to get the right guidance to virtue from an early age (on the way) is difficult, unless being raised under the relevant laws...». Thus, by emphasizing the role of law in the education of virtue, Plato substantiated the importance of legal education as a factor of social stability of the state system.

In the ancient period there emerged acute public recognition of the importance of regulation of social relations by means of just laws. Consequently, legal education becomes a prerequisite for educating a citizen, who can fully exercise his rights and participate in managing state affairs.

The notion of civic virtue, formed in the ancient culture of Socrates, Plato, and Aristotle, continues to evolve by Roman thinkers Cicero and Quintilian. In ancient Rome, in the period of high development of the law, the ideas of the value of the rule of law and loyalty to civic duty had been laid down. Much attention was paid to the Roman Republic educating the younger generation in the spirit of the highest morality, social orientation and integrity, creating an environment in which children were excluded from «what does not correspond to the dignity of freeborn rights», promoting removal of the state of profanity, from which «develops the propensity to commit evil deeds», and protecting young people from contact with the «anything vile or inciting hatred» [2; 58].

Antique cult of freedom and human rights was forgotten in the Middle Ages, but was revived in the Renaissance. Education of the citizen becomes the ideal of education. The representative of the humanists, T. Campanella suggested that civic education be defined as an organic relationship of interests of the individual and society. Power and control in the City of the Sun operated according to the following principles: management of educating the citizens and popular participation in governing [3].

Pedagogical views of J.A. Comenius who opposed dogmatic teachings of the Middle Ages were shaped under the influence of ancient philosophy and culture of the Renaissance. Calling for the formation of a person in accordance with the ideals of good and public benefit, the Czech teacher paid special attention to the issues of moral education, advised to develop children's modesty, obedience, benevolence towards others, politeness, deference to the elderly, and hard work; he considered wisdom, temperance, courage and justice as the main virtues of an educated man.

In his book «The Laws of a well-organized school», Comenius described the rules of conduct for students, class monitors (decurions), employees of the school, teachers, educators and directors. «And given that one has to fight more for the laws than for the walls, as the wise ancients used to say (since one can dispense with walls, but under no circumstances can the state exist without the law), the claim that the welfare of the entire school is based on the conscientious implementation of laws should be regarded as indisputable» [4; 162,163].

The Age of Enlightenment in the history of European culture marked the development of scientific, philosophical and social thought. It was a natural continuation of the Renaissance humanism and rationalism of the early modern period which laid the foundations of educational philosophy, the rejection of religious outlook and appeal to reason as the sole criterion of knowledge of a man and society. Supporters of the En-

lightenment adhered to the thought that it was possible to change the social system, renew the spiritual nature of a man through education and training. Development of ideas on legal education constituted an important prerequisite for achieving the public consent.

In England, the pedagogical ideas of the Enlightenment were developed by the pleiad of thinkers, including J.Locke, who in his political treatises rejected the traditional view of the divine origin of the royal power and saw the source of power in the «social contract». Based on this, he justified his conviction about the right of the people to overthrow their rulers (by the people he meant bourgeoisie). His program included ethics and law, jurisprudence and others.

The paper «Human Rights» by T.Paine advanced a democratic idea of universal free education. Based on Christian values, he opposed slavery, tyranny, and humiliation as well as formulated and expounded the principles of a democratic society.

One of the goals of the representatives of the French Enlightenment was the struggle against feudal ideas and institutions of education and training. Its beginning is associated with the publication of the «Spirit of the Laws» by Ch.L.Montesquieu in which he put forward the following program. He offered to form younger generation on the ideals of the constitutional state, on the rejection of despotism of absolute monarchy, and on the replacement of the class school system with the democratic, national education, where every young citizen is familiarized with knowledge [3].

J.J.Rousseau, developing the contractual theory of J.Locke, juxtaposed civilized, i.e. feudal society, to an ideal society in its, supposedly, «natural state» where men were once free and equal and then transferred their rights freely to their chosen authorities. According to him, the first among the natural rights of men is freedom. In the novel-treatise «Émile» he showed the way of educating a free man in the new, i.e. bourgeois, society. Free education, in his opinion, adheres to nature and helps nature by eliminating harmful influences. He asserted that it is harmful to teach men moral rules as long as they do not see a need in them themselves.

L.M.Lepeletier proposed a broad program of mental education and believed that children should learn reading, writing, arithmetic, geometry elements, morality, social order, «The Declaration of the Rights of Man and Citizen», and stories from the history of free peoples and the French Revolution. He envisioned a new generation of young citizens who would be «strong, hard-working, disciplined and honest» as an outcome of this effort.

Outstanding French materialist philosopher K.A.Helvetius argued that the perfection of education depends on the level of the development of laws, «to make men virtuous is only possible by good laws» [5; 319].

J.H.Campe proclaimed the idea of school independence from the state at the end of the XVIII century. Based on the belief that society should respect the rights of each person and give him the opportunity of free development, he pointed out the legitimacy of freedom of conscience at school and the need for the dissemination of all arts and sciences, which do not harm society [3].

French philosopher P.A.Holbach spoke of a distinct conception of the relationship between laws and civic education. His teaching reflected the idea of educating an active citizen, one of the integral features of whom was to be obedience to the laws of his homeland. He believed that the actions of the state in relation to the citizens should be founded on the principle of humanity. On the basis of this provision, he determined the laws as the rules of conduct that society prescribes its members to save life and ensure happiness of all citizens [6].

The primary interest of the German Enlightenment encompassed the questions of philosophy, ethics, aesthetics, and education. I.Kant was one of the first political thinkers to raise the question of human rights as a general principle. In accordance with the basic premise of the Enlightenment, he claimed that each person has inherent and inalienable rights; he developed an innovative for its time concept of «legal order» by grounding it on the belief that the law aims to regulate the actions of people whilst ideals, subjective motives, and citizen's goals are not subject to legislative determination.

Individual status, considered as a legal state only, was based on the following a priori principles:

- 1) freedom of every member of society as a human being;
- 2) equality of every member of society with every other as citizens;
- 3) independence of every member of society as a citizen.

Relying on the stated principles, Kant solves the problem of human rights, legislative guarantees of estate equality before the law, and legal activity of citizens [7].

Despite all the prejudices of G.Hegel against the revolutionary terror, the French Revolution, in his opinion, was the greatest phenomenon of history, which initiated the realization of freedom as a universal

human right. In his writings, he develops the idea of civic education and the role of law as well as emphasizes the relationship between law and individual citizen. He examines the questions of legal education through the dialectics of rights and obligations of the individual. Hegel underscores the particular influence of the original activity of the subject on the process of legal education, justifying the idea that consciousness, including legal, is formed in doings. Moreover, he introduces a new provision on the dual character of the status of the individual in society: moral and legal, «that which the state requires as duty is directly treated as the right to individuality for the reason that the state is none other than the organization of the concept of freedom» [8; 273].

The notions of law and proper rule of law as well as the questions of the formation of the citizen in terms of legal education have been closely studied by Russian scientists and educators. In the writings of A.N.Radishchev, the Decembrists, and Russian revolutionary democrats, the understanding of the interconnection between law and education is seen in the identity of the citizenship and revolutionary character, and in the anti-serfdom orientation of legal education.

Democratic circles and representatives of the «official national spirit» paid great attention to the problem of educating law-abiding citizens. Legislation was studied in many schools in Russia in the XIX century; however, the legal training differed from the similar process in Europe. If European countries emphasized educating men as members of the civil society endowed with natural and inalienable rights (i.e., the course of «Citizenship competence» in France, in the second half of the XIX century), in Russia the main task was raising law-abiding and loyal citizens.

V.G.Belinsky maintained that there must be first education of a person, and then of a citizen, arguing that «who did not first and foremost become a man, he would be a bad citizen and a poor servant of the king» [9; 334]. He laid this duty on parents and schools, which should mold children into scientists, citizens and members of the State at all levels. Defending the idea of citizenship education, he acted on the premise that there exists close relationship among laws, personal interests and the public good, whereas he considered that the presence of liberties and rights of a citizen are directly contingent upon the establishment of genuine democratic laws in society.

A.I.Herzen, N.A.Dobrolyubov, N.G.Chernyshevsky regarded the idea of civic education as the main task of education, which included training of a true son of the Fatherland, capable of solving problems of revolutionary changes in the state system. The Social Democrats believed that every person develops in the process of transforming the circumstances.

Russian publicist N.V.Shelgunov claimed that education only fulfills its true role when it accustoms the individual with active citizenship, advances civil consciousness, and provides the skills to observe accurately, assess precisely, and make infallible conclusions, and, most importantly, the ability to act independently.

Thus, Russian advanced democratic thought advocated for the education of a man-citizen, a patriot, a fighter for the rights and freedoms of the oppressed.

The new social and legal direction to establish itself in Russian philosophy of the late XIX and early XX centuries put more focus on the interaction of citizens and society; moral righteousness of the laws; and concerns related to which interests were to be reflected in the legal activity of the state and how.

Such representatives of liberalism as B.N.Chicherin and P.I.Novgorodtsev explored in their works the essence of law, its place, role and purpose in society and state.

B.N.Chicherin examined two concepts — subjective and objective law. He defined the former as the moral possibility or, in other words, as a legitimate freedom to undertake an action or to demand. The latter referred to the law that determined this freedom. The combination of these concepts allowed him to formulate a common definition that is one's right is one's freedom controlled by the law. In his view, the state has to grant the rights to its citizens [10].

According to P.I.Novgorodtsev, natural law theory was thought to inherently combine personal moral principle with the justly legal structure of society. In light of this, the focus had been not on the state, but on the individual personality. He emphasized that moral education is a prerequisite for legal education which sets its basic guidelines [11].

The school of «natural law» (S.I.Gessen, B.A.Kistyakovsky, L.I.Petrazhitsky et al.) had significant impact on legal education. Namely, Kistyakovky's views gained special primacy in terms of the correlation among the categories of right, law, and morality, on the problem of relationship between the state and the individual, sense of justice, legal culture, and law order. The state and its people, in the face of citizens living in its territory, were said to set high spiritual purposes, strive to achieve a higher level of legal culture, pursue

knowledge which would lay the foundation for the formulation of convictions about the necessity of law as the main regulator of social relations.

B.A.Kistyakovsky wrote that if legal training is the main method to exert influence on the legal culture of the citizens on the part of the state and its agencies, then the broader category, in terms of its value, of legal education aims to increase the sense of justice of citizens not only by authorized subjects, but by society as a whole [12].

K.D.Ushinsky attached the objective of training to the formation of civic identity. The idea of national spirit, based on the development of national consciousness, according to the anthropological approach, constitutes the basis of civic education. As a Russian teacher, he noted that the school was to set a new goal of raising a true citizen who loves his homeland, who is ready to defend its integrity and independence, and who regards himself as an integral part of his country, its history and culture.

In the works of the great Russian writer and teacher, L.N.Tolstoy, a deeper understanding of the importance of civic education is reflected. According to him, respecting the child's personality, giving him complete freedom, developing his activity, independence, and all of his abilities allow a child to grow into a person and a citizen who is free, honest, intellectual, and ready to fight for the interests of society.

Thus, in the late XIX and early XX centuries, emerging democratic reforms in Russia led to acknowledge the expedience of studying jurisprudence in educational institutions. Approaches of Russian and foreign teachers to the role of law became much closer. At this time in Russia appeared the translation of the book by H.O.Arnold Forster «The rights and obligations of the young citizen», originally intended for young citizens of the United Kingdom. The sociology course by G.A.Engel known under such different names as jurisprudence, social studies, introduction to the theory of state and law was taught in many schools and gymnasiums. After 1917, he became the author of the first textbook for schools in sociology, which underscored the idea of the necessity of legal education [13].

The issues of justice and legal education of the younger generation are indicated in the writings of P.F.Kapterev, K.N.Kornilov, N.N.Iordansky. Notwithstanding, the problem of legal competence of teachers called to implement it had not been adequately addressed.

Kapterev in «On the social and moral development and education of children,» asserted that it is at school where children get the basics of civic education. The works of Kornilov «The Constitution of the Republic of students,» and Iordansky «Fundamentals of social education in the national school» expressed a similar position.

During the Soviet period the development of solutions to the problems of legal education under the civil system was attached to the name of N.K.Krupskaya, who believed that schools should prepare people with the clear awareness that the good of the individual pertains to the good of the whole (society).

K.N.Venttsel, seeking to draw public attention to children's issues, to convince the public in childhood value as the most important period of life and to protect children from tyranny and violence of adults as well as equating people of all ages in their rights, compiled the «Declaration of the Rights of the Child.»

Throughout practical experiences, S.T.Shatsky, P.P.Blonsky and A.S.Makarenko formed the sense of justice in their students and addressed the problem of legal culture, as part of teacher professionalism and higher level of citizenship of his personality.

In the curricula of the United labor school, the students studied the Constitution of the country, the system of organization of the Soviet power in the center and on site, the essence of the Soviet executive branch, and electoral rights of workers.

The writings of the philosophers, educators, psychologists, lawyers, and social activists such as P.P.Blonsky, E.I.Monoszon, S.S.Alekseev, and S.L.Rubinstein highlight the importance of educational potential and preventive dimension of the law in forming the citizen as well as substantiate pedagogically reasonable conditions for education and development of a harmonious personality.

While investigating the questions of the sense of justice in the younger generation, Blonsky singled out the importance of a historical analysis of specific forms of government in society in place of a dry formal commentary of constitutions and charters of various agencies. In the course of civic education students were offered to study political and legal institutions of society (court, parliament, government and others) and universal moral values (the idea of justice, respect for the human being, the brotherhood of men, the good of the state as the highest good, and others) [14].

The social prevention of child abandonment, neglect and crime was treated as one of the main conditions for ensuring the socialist rule of law and legitimacy. Therefore, precise correction of the behavior of pedagogically neglected children had been extensively explored in numerous scientific studies.

In the 20s and 30s, A.S.Makarenko, implementing his educational system in the colony after A.M.Gorky and in the commune after F.Dzerzhinsky, believed that a person must possess a certain level of education, a capacity for high social and political activity, teamwork, an ability to actively participate in the management of public and state affairs. He saw the true manifestation of the essence of the citizen in the unity of consciousness and behavior, and the origins of civic education in the organization of a single children's workforce, the prototype of a single collective society of workers. Simultaneously, the citizen had to embody creative individuality to fully realize all his possibilities and abilities [15].

P.P.Blonsky and A.S.Makarenko paid significant attention to the teacher training in relation to legal education and work with pedagogically neglected children. According to Blonsky, rightly honed professional skills and high qualities of the teacher's personality were tantamount to the main «weapon» in the fight against deviations in the minds and behavior of school children [14].

The rule of law that existed in the Soviet society in the 30s of the XX century affected both the work of teachers and the content of legal training and education. Many pedagogical ideas were either not implemented or distorted. In the postwar years, legal education was reduced to legal education in the study of the Constitution of the USSR.

After analyzing the educational role of law in the professional development of a teacher, M.M.Rubinstein supported the stipulation of legal training to perform professional duties, as the teacher plays an important role in the education of lawful behavior and the legal culture of children. He proved that social and legal representations of children require correction, direction and saturation of socio-legal expertise of previous generations [16].

In the 40s of the XX century, pedagogical problem elaborations in terms of legal education were limited to the method of school teaching of the basic provisions of the Soviet constitution.

Psychological and pedagogical research has shown that it is not possible to achieve advanced legal consciousness at school age. Therefore, experts in the field of legal education believed that the implementation of the following tasks, to give children an idea of legal norms, to stimulate their learning in this area, all along contributing to the accumulation of positive experience, to ignite their interest in and respect for law, and finally to form a habit to perform legal rules, would prevent juvenile delinquency and offenses committed by children and adolescents.

The concept of «legal education» reemerges in the 50s of the XX century and is understood as purposeful and systematic impact on individuals to form legal consciousness, to develop legal sense, to cultivate skills and habits of lawful behavior and intolerance for violations. However, this period was short-lived, and the issues of legal education were again forgotten up until the beginning of the 70s of the XX century when the lawyer K.A.Lukasheva suggested an idea of understanding the legal culture as the spiritual atmosphere of society. During this period, the need of law enforcement movement among adolescents was particularly underscored.

B.A.Suhomlinsky believed that education of a perfect personality, a future citizen of the country, and a man useful to society is a complicated process which necessitates that the basis of human dignity comprise civilian thoughts, feelings, anxiety, and civic responsibility. His views on civic education as well as on harmony between the individual and the social environment contributed to the prevention of delinquent behavior among adolescents and others [17].

A promising idea in the 90s of the XX century was associated with an integrative approach to the formation of legal consciousness through the creation of special courses as well as through the study of general educational subjects of history, literature, economics and other disciplines [18].

Theoretical propositions and conclusions contained in the works of Y.K.Babansky, B.T.Lihachev, M.I.Mahmutov, A.V.Mudrik et al. are of great importance to identify the main factors of legal education as a pedagogical process.

In the works of legal scholars the following issues are discussed:

- education of individual legal consciousness, the role of legal consciousness in the rule of law (K.T.Belsky, N.Y.Sokolov et al.);
- legal consciousness of youth, prevention of its deviations (A.I.Dolgova, I.I.Karpets et al.);
- goal-setting and effectiveness of legal education (S.N.Golovin, T.M.Pochtar);
- organization of legal education (S.N.Bayzhuminov, S.A.Ivkin, I.V.Sidorenkov et al.)

Profound changes in the social life in the late XX and early XXI centuries led to the development of civil society in the context of priority of the rights and freedoms of the individual. In modern conditions legal education becomes a key factor in the development of personality as well as in the establishment of civil society and the constitutional state where citizens will be able to live in a socio-legal agreement with each other and with the state.

Based on the above, it can be concluded that legal education was seen as part of civic education and has always been the most important social and pedagogical task of any society at different stages of its development. The significance of the basic institutions of civil society and the constitutional state at large entails an increased interest in the problems of legal education, legal culture and legal consciousness. The more citizens obtain legal training, the better the social moral culture, respect for law and order in the country.

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### Педагогикалық ойлар тарихындағы құқықтық тәрбие

Мақалада құқық, әр түрлі тарихи кезеңдердегі тұлғаның құқықтық тәрбиесі туралы философтардың, ғалымдар мен педагогтардың көзқарастары қарастырылды. Авторлар құқықтық тәрбие жүйесін мемлекеттің сипаты және саясатымен анықталады деп, ал құқық демократиялық қоғамда азаматты тәрбиелеудің маңызды элементі болып есептелетіндігін айқындайды. Құқықтық тәрбие мәселелері және оларды шешудің түрлі жолдарының пайда болуы қоғамның ұзақ даму үдерісімен байланысты. Құқықтық тәрбие педагогикалық ойлар тарихында азаматтық тәрбие шегінде жиі зерттелді. Тәрбиенің бұл бағыттарының ортақ мәселелері көп, алайда құқықтық тәрбие кейбір жағдайда заңды, құқықтық нормалар мен жауапкершілікті саналы қабылдауға бағытталған.

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### Правовое воспитание в истории педагогической мысли

В статье рассматриваются взгляды философов, ученых и педагогов о праве, правовом воспитании личности в различные исторические периоды. Авторы выявляют, что система правового воспитания определяется характером и политикой государства, а право в демократическом обществе считается важным элементом воспитания гражданина. Отмечено, что возникновение проблемы правового воспитания и различных вариантов ее решения связано с длительным процессом развития общества. Правовое воспитание в истории педагогической мысли часто рассматривается в рамках гражданского воспитания. Эти направления воспитания имеют много общего, но правовое воспитание в большей степени ориентировано на осознанное восприятие юридических законов, правовых норм и ответственности.

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### Компаративная философия образования как перспективная исследовательская стратегия

В данной статье обосновывается необходимость компаративной философии образования как области философского знания. Отмечено, что она интегрирует знания многих дисциплин (сравнительной педагогики, философской компаративистики, истории философии, истории педагогики и образования и др.) для изучения различных философско-образовательных традиций человечества. Автор акцентирует внимание на теоретических аспектах компаративной философии образования. Методологическим основанием исследования выступает философская компаративистика.

*Ключевые слова:* компаративная философия образования, философские знания, сравнительная педагогика, философская компаративистика, история философии, история педагогики и образования, традиции человечества.

Изменение современного мира происходит стремительно. Это связано с широким распространением новых информационных технологий, преобразованием коммуникационной среды, растущей взаимосвязью и взаимозависимостью стран и народов. Развивающаяся транснациональность мира сопровождается поразительным единообразием и одновременностью многих процессов: демократизации, либерализации и открытости экономик, общего модуса нравственной направленности, происходящих на глобальном (общецивилизационном) уровне.

Как видим, изменения в обществе на глобальном уровне отражают и вызывают изменения в образовании. Речь идет о формировании единого мирового образовательного пространства, которое Б.Л. Вульфсон определяет как «совокупность всех образовательных и воспитательных учреждений, научно-педагогических центров, правительственных и общественных организаций по просвещению