

# Theoretical justification and methodological support of special competences in anti-corruption management when training lawyers

Igor Godunov

*Corresponding Member of the Russian Academy of Education,  
Doctor of Law  
chief research worker of the computer-aided engineering of the  
Russian Academy of Sciences  
Moscow, Russia  
godunov.biz@gmail.com*

Sergey Nikolaev

*Candidate of Pedagogic Sciences, Associate Professor  
Pskov affiliated branch of the Academy of the Federal  
Penitentiary Service of Russia  
Russia, Pskov  
nikolaev.pui@mail.ru*

**Abstract**—While training lawyers institutes of higher education provide the needs of the public service in the field of law and order. This activity is associated with increased corruption risks, which requires special training of law students for anti-corruption activities. This implies the inclusion of special competences in educational training programs for lawyers that determine the ability of anti-corruption behavior and the prevention of corrupt conduct in professional activities.

**Keywords**—*anti-corruption, special competences, training of lawyers, anti-corruption activities*

## I. INTRODUCTION

Emphasis on the state's attention to the problem of corruption, the search for solutions for countering corruption at the level of improving their preventive measures and cautions forces us to refer to the possibilities of pedagogical science in this area.

In accordance with the Federal Law of December 25, 2008 №273-FL "Anti-corruption management" the preventive direction of solving the problem is the formation of intolerance to corrupt behavior in a society. The development strategy of education in the Russian Federation for the period up to 2025, civic education includes the formation of a stable system of moral and sense bearing personal goals, allowing to counter corruption.

In accordance with the National Anti-Corruption Plan for 2018-2020, the introduction of a complex of preventive measures is envisaged, and for the first time, special attention is paid to the popularization of anti-corruption standards in society and the development of public justice. In order to implement this, it is proposed to include competences that allow developing impatient attitudes towards corrupt behavior in federal state educational standards and support the interception of such behavior in professional activities; implementation of anti-corruption educational programs; enhancing relevant interdisciplinary research [2].

The role of civil employees of the law sphere in anti-corruption management in Russia is essential - they not only

support the law and order in the state, but also contribute to the assertion of the principles of social justice. Herewith, the sphere of public service to ensure legality and the rule of law relates to activities with specific corruption risks associated with an increased level of subjectivity of making legally important decisions by employees [9]. The performance of these functions by lawyers determines the special requirements for their professional training.

It is important to note that the transfer of knowledge and skills in the field of countering corruption does not always lead to the desired result. As noted by V. Amukov and S. O. Gung, in the implementation of anti-corruption measures the inability of a person to achieve complete control of their thoughts, desires and needs is recognized. Anti-corruption training should strengthen the ability of students to act consciously, to be attentive and vigilant in discharge of their functions, to form a rational ability to resist various temptations [1].

## II. METHODS

The data for the study were a generalization of the causes and conditions of the commission of more than 750 corruption offenses in the period from 2011 to 2018, an analysis of the attitude towards corruption of 2,046 law-enforcement officers, as well as 498 former employees convicted of committing corruption-related crimes.

The study of the theory and practice of anti-corruption activities in the penitentiary system was based on the use of a set of methodological approaches. The humanistic approach has determined the focus of preparation for anti-corruption activities on the harmonious development of the personality of cadets, the actualization of their spiritual strengths, abilities and skills. Using a systematic approach, the interrelatedness of the problem of formation of cadets' impatience to corruption and support of the interception of such behavior in professional activities, creating a preparation program, procedures for implementing and evaluating knowledge and competences generated, as well as motivation of students to counter corruption is determined. The statements of the axiological approach formed the basis for substantiation of the need for cadets to

form values and value orientations that determine a conscious activity on the impatience of corruption and the interception of such behavior in professional activities. The activity approach was used to determine the structure of the organization of employment activity in the context of moral and legal decisions, the choice of behavior when corruption risks arise.

### III. RESULTS

The activity of an institute of higher education in training lawyers is a multi-component process for the formation of professionally significant qualities and corresponding competences of students, the active transformation of their inner world leading to self-realization in their chosen profession. Herewith, the development also implies the formation of positive motivation for the forthcoming work of students, their effective mastering of functional duties in accordance with the speciality received, as well as the formation of awareness of their activities and responsibility for its results.

The ability to counter corruption is one of the most significant requirements for the training of lawyers to carry out their activities in conditions of increased corruption risks. For greater multipurposeness, qualification requirements for lawyers as a part of preventive preparation for anti-corruption activities can be classified into the following levels:

- basic requirements for ensuring the legitimacy and law and order (moral and ethical norms, norms of universal and professional morality);
- special requirements for civil employees working in conditions of increased corruption risks (intolerance towards corruption, fulfilling a complex of duties, prohibitions and restrictions on preventing corruption).

Referring to the training of lawyers, it should be noted that standards of higher education implemented in institutes of higher education indicate the need to form qualities determined by special qualification requirements for the subsequent implementation of anti-corruption activities:

- the ability to practice prevention of crimes and other offenses basing on the use of patterns of crime, criminal behavior and methods to prevent them, identify and eliminate the causes and conditions conducive to the commission of offenses, including corruption (40.05.02 Law enforcement, PC-15)
- the ability to identify, evaluate corruptive behavior and support countering it (40.03.01 Jurisprudence, PC-12);
- readiness to participate in the legal examination of draft regulations, also aiming to identify provisions in them that contribute to the creation of conditions for the manifestation of corruption (40.03.01 Jurisprudence, PC-14).

The analysis of the regulatory legal acts governing the training of lawyers and the procedure for passing the civil service to ensure law and order, allowed to formulate the formation of qualities determined by special qualification requirements for the subsequent counteraction of corruption

as a task of preparation for anti-corruption activities. This requires the inclusion of special competences presented in the Table 1 into the educational programs for the training of lawyers.

TABLE I. THE LIST OF SPECIAL COMPETENCES FOR TRAINING LAWYERS FOR ANTI-CORRUPTION ACTIVITIES

Job specifications	The results of the acquisition of OP (content of competence)
basic requirements at the level of moral and ethical standards of employee behavior, human and professional morality	the ability for anti-corruption behavior
special requirements for the implementation of activities in conditions of increased corruption risks	the ability to prevent corruption in professional activities

Integration of training for anti-corruption activities involves appropriate emphasis of the context of future professional activity in the institute of higher education management system, the content of educational activities, methodological work, library and information support, the training of teachers and other institute of higher education staff, research and development activities, the organization of cooperation, the organization of educational work.

The formation in an institute of higher education of an environment with an intolerant attitude towards corruption in the integration of preparations for anti-corruption activities is of particular importance. The educative nature of the environment of an institute of higher education is associated with the consistency of the activities of the subjects for a practical understanding of the usefulness of countering corruption by students.

One has to agree that only knowledge and formal acquaintance with moral norms, rules, imperatives does not ensure their observance, interiorization, and transition to beliefs. In order the knowledge of the norm does not diverge further with its realization in behavior, in the learning process it is necessary to organize for students the experience of professional and moral relations and feelings in which this norm will be rationally accepted as fair, necessary and useful [Gorbunova O. Place of education in a society whose economy is based on knowledge // Socio-economic phenomena and processes. - 2008. - № 2. - p. 15-23., pp. 35-39].

The effectiveness of the performance of specific job duties characterizes the level of student training. The competences formed in educational organizations focus on the result of education of a graduate, which is not the sum of acquired information (knowledge, skills), but the ability of a lawyer to act in various situations, analyze oneself, form one's position within the framework of the norms of law and morality. Herewith, the knowledge obtained does not represent value, if it does not find expression in personally and socially significant activities, diverge from it.

The information revolution and the formation of a new type of social structure – the information society, fundamentally change the role of information and knowledge in social and economic development [13]. State bodies need lawyers who, on the basis of their knowledge

and life experience, are able to solve standard and non-standard tasks, critically assess situations, correctly and rationally organize their activities of daily living and work. Conscious obtaining of knowledge, skills and competencies necessary for normal life activity allows a person to feel more mobile and be able to evaluate his actions within the framework of the law, moral norms and ethics.

In the problem of the formation of value orientations to counter corruption, the versatile general knowledge that forms the outlook and values of a student plays a significant role.

The following features of knowledge in the sphere of training lawyers for anti-corruption activities can be distinguished:

- consistency and unity of the knowledge gained in the field of anti-corruption;
- integration of knowledge into the content of subjects taught and the activities of an institute of higher education;
- orientation of knowledge on the opportunities and prospects of public service;
- comprehensive knowledge in the field of causality of corruption relations, legal and psychological consequences;
- knowledge of the legal framework for the organization of anti-corruption;
- knowledge of typical corruption risks in the public service.

It is important to note that when organizing training for anti-corruption activities, it is extremely difficult to clearly distinguish skills and abilities. This is because the conditions for their usage are constantly changing. Dzida G.A. [3] reasonably notes that reality demands from a person the diversity of its manifestation, creative attitude to the world around it. Each new human skill is always a product of analysis and synthesis, meaningful adherence to the previously unknown, and a skill is the result of repeating the same actions.

The result of the generalization, internal analysis and synthesis of knowledge, abilities and skills of training for anti-corruption activities is the formation of the student relevant professional competences.

G.K. Selevko [13] considers competence as an educational result, expressed in the readiness of a graduate to cope with the tasks, as a set of knowledge, skills and abilities that allow you to set and achieve goals to transform the world, as an integral quality of a person, manifested in the overall ability and readiness of its activities based on knowledge and experience, which are acquired in the process of learning and socialization and are focused on independent and successful participation in activities. E.F. Zeer [15] thinks competence is a generalized way of actions that ensure the productive fulfillment of professional activity – a person’s ability to put his competence into practice. He believes that the implementation of competence occurs in the implementation of various activities.

#### IV. CONCLUSION

Thuswise, the ability of a student to work in the conditions of corruption risks based on practical experience, skills and knowledge in solving professional tasks is expressed in the content of professional competencies:

- Within the competence “Ability of anti-corruption behavior” the student must know:
  - the state of the problem of corruption;
  - sources, concepts and meanings of corruption relations;
  - regulatory legal framework for countering corruption;
  - corruption risks;
  - the content of values that determine the refusal of the subject from entering into corrupt relations.

Be able to:

- observe the regulations of morality, rectitude and law;
- analyze corruption relations;
- monitor incoming information about corruption, draw appropriate conclusions;
- identify and prevent corruption risks;
- analyze and adjust inner needs to prevent entry into corrupt relations.

Have:

- skills to use knowledge about corruption relations in various fields of activity;
- skills of self-preparation for anti-corruption activities;
- the skills of analyzing and correcting attitude towards events and objects related to corruption risks.

- Within the competence “Ability to prevent corrupt behavior in professional activities” the student must

Know:

- typical corruption risks in the activities of the penitentiary system;
- directions of preventing corruption in the penitentiary system;
- algorithm of actions in case of occurrence of corruption risks.

Be able to:

- perform actions to counter and prevent corruption in professional activities;
- make decisions when a corruption relation arises (threatens to occur);

Have:

- skills to prevent corruption in professional activities;
- skills of organizing prevention and countering corruption in an institution or authority of the penitentiary system.

Knowledge, skills and abilities that a student acquires in the process of training for anti-corruption activities are the basis of the experience of the activity.

The study of preparation for anti-corruption activities allows us to single out the following provisions of the experience of activities in intolerant attitude towards corrupt behavior and the suppression of such behavior in the professional activity model of preparation for anti-corruption activities:

- an activity approach for preparing students on the basis of the formation of relevant competencies in a graduate;
- the ability and readiness to prevent corrupt behavior in various fields of activity;
- moral and legal responsibility for the choice of their behavior in situations involving corruption risks;
- the usefulness of an intolerant attitude towards corrupt behavior for the student;
- actualization of the context of the lawyer's activities in the conditions of corruption risks for the student;
- consistency of students' needs with the possibility of their satisfaction in the practical work of a lawyer;
- the formation of the integrity of behavior in all spheres of life.

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