

TEACHING LAW DISCIPLINES IN THE DIGITAL AGE - A SYMBIOSIS BETWEEN E-LEARNING MATERIALS AND RELATION TO LEGAL PRACTICE

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Abstract

The paper presents the experience and best practices in teaching law disciplines in the conditions of digitalization in Bulgarian higher education. Modern social conditions and the needs of students of the digital generation require adaptation of teaching methods to current processes. The paper reflects the specifics and the teaching techniques used by lecturers of the "Legal Studies" Department at the University of Economics-Varna. Data from surveys conducted among students and representatives of the judiciary in Varna are also used. Based on the analysis summaries and conclusions are drawn.

Keywords: higher education, law disciplines, e-learning materials, relation to legal practice

1 INTRODUCTION

Higher education is developing in line with the pace of societal processes and responding to the needs for highly qualified personnel in the relevant field. By introducing modern information technologies into their activities, universities are adapting the specifics of the disciplines taught to the needs of students of the digital generation.

The examination presented in the paper is undoubtedly topical and this is associated first of all with the implications of digitalization in the teaching process of law disciplines in the professional fields of "Economics" and "Administration and Management". Secondly, it relates to the need to present the field of doctrinal debates on the interrelationship between theory and practice in the context of teaching methods for mastering the respective discipline.

The scientific aim of this paper is to present the experience and best practices in teaching law disciplines in the conditions of digitalization in Bulgarian higher education. The authors have presented the basic model reflecting the specifics and the teaching techniques used by the lecturers of the "Legal Studies" Department at the University of Economics-Varna (UE-Varna). Based on the analysis, summaries and conclusions are made.

In order to achieve the objective, the traditional methods of legal research - legal analysis, induction and deduction, as well as a desk research method were used to clarify the conceptual elements of the paper, collecting secondary data on specific elements.

The study complies with the current legislation as of December 2022.

The material does not claim to be exhaustive on the subject, but only to present good practice in teaching

legal knowledge in the field of economics and management students.

2 TEACHING LAW DISCIPLINES TO ECONOMIC AND MANAGEMENT STUDENTS

Education and innovation must go together and "hand in hand". This process has different intensities in the teaching of the different sciences, in some of them it is closely linked and unthinkable without digital tools, in others they are a means to reach the students and to achieve quality learning. In the teaching of law disciplines, traditional methods have been established for centuries and this is associated with the stability of legal institutions and the continuity between legal knowledge in different historical periods and the achievements of legal systems. At the same time, modern regulators of social relations, among which is the normative one, require adaptation reflecting the radically changed reality as a result of digitalization of processes. All these nuances related to law should have their impact on the way legal knowledge is presented to students and the formation of their skills and competences.

It is important to build a teaching model that is relevant to the specificity of the law disciplines, as well as to the profile of the university and the needs of the students in the different programmes. One way should be used to teach law students, another for economists, managers, etc.

First of all, the selection of law disciplines is considered and implied in the teaching documentation (curricula).

Secondly, the teaching model should be tailored to the needs of the labour market for relevant personnel. This theory-practice relationship is also legislatively reflected in the Higher Education Act (HEA), where in 2018 an supplement was made to the provision of Art. 26 paragraph 1 (promulgated in SG 112 of 27.12.1995, supplemented SG No. 98 of 27.11.2018, in force from 27.11.2018).

Thirdly, it is necessary to follow the specifics of the organization of the learning process in the particular university.

The teaching of law disciplines at the UE-Varna has a centuries-old history and is related to the establishment of the university and the first academic documentation. Considering the great importance of legal knowledge for economics students, the very first curriculum of the Higher School of Economics for the period 1920-1922 provided for the study of a number of law disciplines - general theory of law, civil law, commercial law, maritime law, international law, competition law (Tsonev, S. et al., 1988).

Throughout the different periods, law disciplines have invariably accompanied the training of student economists. Considering the set scientific aim, the teaching process within the last 5 years will be presented in relation to the dynamics generated by digitalization and the need to modernize education to offer training corresponding to the demand of the labor market.

The teaching of law disciplines at UE-Varna in the mentioned time period is based on: Higher Education Act, Regulations for the Activities of the UE-Varna, Regulations for the Structure, Activities and Management of the Centre for Electronic and Distance Learning at the UE-Varna, Regulations for the Assessment of Students' Knowledge, Skills and Competences at the UE-Varna, Strategy for the Development of the "Legal studies" Department, etc

These are just some of the examples used by the lecturers at the "Legal Studies" Department at UE-Varna to ensure symbiosis in the teaching of law disciplines to economics and management students. The interrelation along the line: tradition - innovation in e-based learning process - legal practice is the basis of the model of teaching law disciplines at the university. The same is built on the basis of:

- the centuries-old traditions of the university (Bliznakov, P. et al., 2001) laid the foundation in the teaching of legal matter;
- the specificities of the business/public sector in Bulgaria.

First of all, the traditions of teaching legal studies at the University of Economics are associated with its early development. Bulgarian higher education has deep historical traditions, and the UE-Varna is a higher education institution with over 100 years of history (Dimitrova, D, 2016). Lawyers who have worked at the University over the years also contribute to the training of highly qualified personnel for the economy, as well as to the development of the educational and scientific institution. As a result of their achievements in the field of legal science, the legal training of economics students has been improved (Dimitrova, D., 2016a). It is deeply understood that future economists must have knowledge in the field of law, as economics and law are genetically linked. It is a self-evident truth that economics is inextricably linked to the application of legal norms (Tsankov, P., 2017). Time has shown that economic and legal education stand in a dialectical

relationship, that they are essentially interrelated, and that therefore the one who decides to distort it makes a mistake (Tsankov, P., 2017).

Economic processes are linked on the one hand to the development of society in the respective historical period, and they also have their regulatory framework. This presupposes that students trained in economic universities have a good legal knowledge. Specialists with higher economic education, in addition to the economic content of economic relations, need to have an idea of the legal nature of these relations and processes. From such a point of view, the curricula of economic studies should necessarily include, as a necessary component, various law disciplines (Rachev, R., 2016).

From the academic year 2017/2018 at UE - Varna is offered studies in the Bachelor's degree programme "Judicial Administration", the administration of which is entrusted to the "Legal Studies" Department (1).

Second, the theory-legal practice relation. Until 2018, when the provision in Article 26 para. 1 of the HEA, explicit regulation on the attraction of specialists from practice was absent in the HEA, although universities have invited such specialists as guest speakers in various forms. The addendum allows, after a decision of the relevant Faculty Board, up to 10 per cent of the total number of study hours of the curriculum for the Bachelor's degree and up to 20 per cent of the total number of study hours of the curriculum for the Master's degree to be conducted by prominent experts from practice. According to the provision, prominent practitioners may conduct classes at both the Bachelor's and Master's degree levels. The legislator has set a limit of 10, respectively 20 per cent of the total number of teaching hours, but this volume is not small. The amendment is expected to achieve better adaptation of curricula and curricula plans to the dynamically changing social realities, in particular the economy and the labour market. However, the opportunity given should not undermine the academic nature of higher education. The power to attract prominent practitioners is included within the powers of the General Meeting of the Faculty Board under Art. 26 par. 8, item 3 (2) and 7(3) HEA. The legislator has left the regulation of the terms and conditions for taking such a decision to the Faculty Board of higher schools, which, within the framework of their autonomy (Slavova, V.; Andreeva, A.; Dimitrova, D., 2019) are to determine them in the regulations for their activities (Art. 52, new par. 5 HEA). There is also an opportunity for employer representatives to submit proposals for curriculum and program updates, as well as to be included by exception on the state commission when administering state examinations (Art. 35b, par. 8 and Art. 45, par. 2 of HEA). But even before the introduction of the explicit provisions in the HEA, the UE-Varna has maintained an active relationship with the economy and business in the region and the country and attracted specialists from practice as guest lecturers, as well as has taken into account their recommendations in the preparation of the curricula. The examples of this are numerous - firstly the numerous agreements signed with representatives of business and state administration in the region and at national level, secondly the organization of conferences, round tables and other forums for the exchange of ideas with business, thirdly the organization of meetings-discussions and lectures with prominent specialists from practice. Of course, we cannot fail to mention the "Judicial Administration" programme established in 2017 - entirely in line with the needs of practice and in coordination with the National Institute of Justice. Some of the graduates have already been successful and work in the regional administrations of the judiciary.

As a manifestation of the interaction with the legal practice and its active involvement in the educational process in teaching law disciplines at UE-Varna can be presented the following examples:

- Cooperation with the structures of the judiciary based on contracts and memoranda of cooperation - with the Supreme Administrative Court, Court of Appeal - Varna, District Court - Varna, Administrative Court - Varna, Regional Court - Varna. Educational projects have also been developed and are in operation with the local judiciary, reflecting both the specific needs of the trainees and innovative activities for university-court cooperation.
- Cooperation with other representatives of the legal practice - Prison-Varna, law and notary offices, etc.
- Cooperation with national level institutions - Ombudsman, Commission for Personal Data Protection, Commission for Protection against Discrimination, National Institute of Justice, Institute for State and Law, Arbitration Court at the Bulgarian Industrial Association, etc. (4)

3 DIGITALIZATION AND SURVEYS

3.1 Digitalization in the Teaching of Law Disciplines at UE-Varna

Teaching in a hybrid environment in recent years has become necessary both in view of digitalization in the field of higher education and due to the pandemic caused by the Covid 19. In this regard, the teaching of law disciplines is based on interactive methods, which appear as a means to increase student motivation and the

sustainability of results. School is the natural environment in which children should learn to use computers and the Internet and to understand the importance of digital technologies for society (Bogdanova, 2016, p. 22).

The experience gained during the epidemic measures period is now being used successfully, combining online educational materials and opportunities for online interaction with traditional methods in teaching. This has become an inevitable strategy for the teaching of legal subjects. Since 2019, the e-learning platform "eLearn" of the UE-Varna has been introduced. The platform provides numerous opportunities for lecturers - both to upload the necessary for lectures and seminars study materials, create assignments, surveys, generate tests, create games and forums, and to communicate with students. Accordingly, students can get all the information they are interested in (information about the lecture course, about the classes, about semester and session control, about important dates, news and events, etc.) through the platform

An important point is the penetration of digitalization in all spheres of society, namely students should have digital skills for their successful implementation in practice. Training in all disciplines takes this need into account to help acquire the skills required. In the case of students in the "Judicial Administration" programme, this need is also dictated by the entry into force of the e-Justice regulations. The amendments adopted in 2016 in the Judiciary System act (JSA)(5) with the Act for amendment and supplement of JSA(6) - the new Chapter eighteen "a" named "Certifying acts and procedural steps in electronic form" and they are all already in force. These provisions follow strategies, concepts, roadmaps, recommendations from EU reports. The issue of staff skills and training to work with these systems is of great importance, and this is one of the skills that we try to give them here.

3.2 Students Interviews and Surveys

Of great importance is also the feedback we receive from our students regarding the educational process. In the framework of the tutor system at UE-Varna every semester tutor meetings are held with the students in which they and the lecturers get feedback on how the learning process is going, problems encountered by the students, opinions from the lecturers, ideas for optimization of the process. This is a kind of interviewing that allows for corrective action where needed. Apart from this, anonymous surveys are conducted among the students in which they evaluate their lecturers and this information is made available at management level. Surveys have also been carried out in projects among students and judicial staff. As a positive can be pointed the high evaluation of their satisfaction with the education received within the "Judicial Administration" programme - on a scale of 0-10 (10 is the maximum score) scores are from 10-8, lower are not indicated. Similar is the result in the assessment of their digital competences - in the range of 10-7. The answers of the court officials also correspond to these data - more than 60% of those with secondary education would like to obtain higher education in the "Judicial Administration" programme. These results are an assessment of the training offered at the UE-Varna in the "Judicial Administration" programme and eloquently speak for the good functioning of the symbiosis between theory - legal practice and digital environment.

The following model of teaching law disciplines in a university with an economic profile can be derived:

1. Presentation of the subject matter of the respective law discipline in a theoretical plan based on the traditions of teaching legal knowledge.
2. Implementation of research results in the taught disciplines, incl. stimulating students to research activity by assigning course projects, essay development, participation in Olympiads, student conferences, competitions.
3. Provision of resources for preparation in an electronic environment
4. Incorporation of legal practice in the educational process - public lectures, meetings-discussions, visits in real environment (court, prison, offices, etc.)
5. Stimulation of creative thinking and application of acquired legal knowledge in simulated situations.

Use as many sections and subsections as you need (e.g. Introduction, Methodology, Results, Conclusions, etc.) and end the paper with the list of references.

4 CONCLUSION

A number of conclusions and summaries can be drawn as a result of the research conducted on the topic.

First of all, we believe that digitalization in the field of higher education has changed the model of teaching

in law disciplines, and this corresponds to the way of organizing the learning process in universities, as well as the need of the trainees. The students of the digital generation have different ways of perception from the previous generations and this requires presenting the material in a way that ensures its assimilation in the best possible way. At the same time, legal studies is characterised by an “archaic” and traditional character that requires teaching teams to balance very well between tradition and modernity in order to preserve the specificity of the subjects taught and to ensure a good perception of legal principles and institutes.

Secondly, the relation between theory and legal practice is valuable not only for future lawyers, but also for all students studying law disciplines in view of the needs of the programme in which they are studying. This relation provides them with a real opportunity to build personal perceptions of legal institutions, to develop a civic position, etc.

In conclusion, after the review it can be summarized, that the teaching of law disciplines in the current period of digitalisation should be a symbiosis of tradition and modernity, of theory and practice, presented with the modern tools of hybrid learning so as to reach the students in the best possible way.

Judicial training should further promote a culture of the rule of law, promote fundamental rights, extend the digitalisation of justice and, going beyond legal education, support the development of professional skills by providing rapid access to new training opportunities in response to new training needs(7).

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NOTES

- (1) <https://ue-varna.bg/bg/subject/4147#curriculum>
- (2) approves the engagement of prominent experts acc. Article 52 par. (5)
- (3) annually approves and monitors the teaching workload of members of the academic staff, including the prominent practitioners referred to in item 3
- (4) for more information. <https://ue-varna.bg/bg/p/8104/katedra-pravni-nauki/vrazki-s-praktikata>
- (5) Promulgated SG No. 64 of 7.08.2007, amendment SG No. 80 of 24.09.2021

(6) SG No. 62 of 2016, in force from 09.08.2016

(7) EU judicial training policy, https://e-justice.europa.eu/121/BG/eu_judicial_training_policy