BOLOGNA PROCESS AS A FACTOR OF INTEGRATION OF EDUCATIONAL SYSTEMS OF RUSSIA AND THE WEST

INTRODUCTION

The entry of human civilization into the "age of the information society" determines the increasing importance of education, which in modern conditions acquires a functional and instrumental content different from the "industrial era".

The education system is a set of material and procedural institutions in a set of educational activities that create holistic content.

Having emerged at a certain stage in the evolution of human activity, education as a way of conscious perception of the world of human relations and the formation of applied competencies, provides the opportunity for a single person - the subject of cognition, to receive and systematize information determined by the object and subject of knowledge with its subsequent introduction into the practice of social relations.

As a complex system uniting normative, organizational, instrumental and functional components, education in the modern perception of this phenomenon arises in cities of Western Europe, which were not only forms of urban settlements, different from both rural and castle analogues, but also outposts of civil liberties born in ancient Greek policies and subsequently established in Roman civitas. Medieval European cities, being the origin of feudal culture, nevertheless did not turn into impersonal and disenfranchised domain possessions of feudal lords. The European city was able not only to preserve, but also to multiply over time such a socio-cultural phenomenon as "urban freedom," one of the forms of manifestation of which were universities and university education.

A typical medieval European university was a triunity of students, teachers and city authorities who acted as carriers of subjective interests united by the university environment. In such a way, the University of Paris, which received a royal letter in 1200 legitimizing its legal status, along with students and teachers included booksellers, scribes, messengers, pharmacists and even innkeepers serving the "university brotherhood" and being its integral part.

The structuring of Western universities was originally carried out on the basis of the principle of "academic freedom." Teachers united in faculties headed by elected deans. At the previously named University of Paris, four faculties initially functioned: the "junior" (artistic), which taught seven "free arts," and three "senior" - medical, legal, theological. At the same time, it was possible to enter any of the "senior" faculties only after graduating from the "junior" (VASILYEVA, 2019). Thus, already at the initial stage of formation, Western European universities were characterized by a two-stage higher education system, in which the first stage ("junior" faculty), was on the one hand a completed educational form, and on the other,
a necessary condition for admission to “senior” faculties, which involved obtaining applied professional competencies.

Unlike the Western European model of university education, Russian universities were a manifestation of "initiative from above," as well as most other innovations that took place only if they relied on power of will and power of advancement.

If Western universities acted as centers for the provision of educational services and as such were considered consensual forms, bringing together students, professors, city authorities and all those who, by providing university activities, made their own profit from this, then Russian universities were an expression of imperial will, which on the one hand was mandatory for subjects, regardless of their social and legal status, and on the other was accepted without taking into account their (filed) interests, which in turn led to the isolation of Russian universities (at least at the primary stage of their formation), from the life realities of the "Russian world." The first Russian professors and academics were foreigners, who for the most part did not know the national language and national traditions. It is natural that teaching was scholastic in nature and was "disconnected" from practical needs. As a result, the low interest shown in universities by potential students. Therefore, in 1765 at the Academic University (St. Petersburg), only one student studied law (ZAKHAROVA; ZIPUNNIKOVA, 2008).

The model of Soviet university education was based on the unconditional priority of communist ideology in relation to the technique of scientific and educational activity. Soviet universities were considered by the leaders of the socialist state as a "forge of personnel" for the construction of world communism. At the same time, the confrontation of the two world formations of bourgeois (archaic) and socialist (progressive), conditioned the opposition of educational systems. State propaganda declared Soviet education “the best in the world" and naturally showed the Western educational system exclusively in a critical, derogatory aspect.

The systemic crisis, which led to the collapse of the USSR and the destruction of the world system of socialism, predetermined the actualization of the trends of globalization, Westernization and liberalization, which had a serious impact on the activities of the leaders of the “new" Russia. The desire to move from "barracks socialism" to "developed capitalism" was reflected in borrowing with the subsequent constitutional consolidation of such liberal (Western) values as the priority of human rights over state expediency; separation of powers; free competitive elections; the multiplicity of types and forms of ownership and the multidimensional nature of the economy; Ideological pluralism, etc. Liberalization and Westernization in the educational system was reduced to a mechanical transfer of the Bologna educational system and an attempt to adapt it to post-Soviet Russian reality.

Currently, two relatively independent education systems coexist in Russia: the “inherited from the Soviet past" system of unified higher education according to the specialty profile and the system of two-stage higher education in the areas of undergraduate and master’s studies copied from the "Western educational lessons." The ambiguous attitude towards these systems is predetermined by the equally ambiguous assessment of the place that the Russian Federation occupies in the modern world. On the one hand, the recognition of the multi-polarity and multiculturalism of human civilization implies the consideration of the Russian state as one of the subjects of international law, which in turn conditions its openness to foreign relations, and makes educational activities an essential instrument of international integration. In connection with the above, a study with the application of complex methods of comparative legal analysis and interdisciplinary synthesis allowing to most fully and versatile reflect the positive international experience in the field of organization and functioning of educational systems of Russia and the West is considered promising. It seems that the scientific search in the field of probabilistic threats caused by emerging "educational risks" should be characterized by interdisciplinary research approaches using the achievements of various sciences.
ANALYSIS AND DISCUSSIONS
The process of European educational integration is a consequence of economic and political integration and it cannot be considered in isolation from it. The European part of the Eurasian continent at all stages of civilizational development showed the conflict of two development trends: integration (globalization) and localization (national). At the same time, the integration trend received its implementation in two forms of expression: the creation of imperial states (Western Roman Empire (mid-IV - late V centuries), the Holy Roman Empire (962-1806), the Austro-Hungarian Empire (1867-1918), etc.) and the formation of interstate unions (Hanseatic Union (XIV century), Holy League (1684), Rhine Union (1806-1813) Holy Union (1815-1832), etc.).

The First World War (1914-1918) destroyed four European (on territorial grounds) empires (German, Austro-Hungarian, Ottoman, Russian) and led to the emergence in the European political and legal space of many sovereign states, each of which sought to pursue its own policy both in the domestic sphere and in the field of international relations.

The subsequent Second World War (1939-1945) clearly identified two systemic threats, none of which would have been able to cope alone with any of the European states that existed at that time. This is, firstly, the threat of the Third World War and the related problem of ensuring Pan-European military security, dictated primarily by hostility arising from the post-war “redistribution of the world” of the socialist world system, which did not hide its intention to destroy the bourgeois system (including through the use of instruments of military aggression) in the process of building a communist society. As for the second threat, it was associated with the pragmatics of the world market. The war-weakened economies of European states could not effectively compete with either the US economy, which was repeatedly strengthened at the expense of the same war, or with the socialist economy based on command and administrative management and virtually free labor. The desire to create a collective security system in Western Europe, coupled with a powerful overseas ally represented by the United States, led to the formation of a NATO military bloc. As for strengthening the economic competitiveness of Europe, here the United States was considered as a competing entity, not burdened with partnership obligations and in a similar status, not fundamentally different from the USSR.

On April 18, 1951, the Treaty on the European Coal and Steel Community (ECSC) was signed in Paris. The countries that concluded the treaty were Germany, Belgium, the Netherlands, Luxembourg, France and Italy. The main task of the agreement was interstate integration in the field of modernization of the metallurgical and coal mining industries at that time was the main component in the production of energy resources.

Further economic integration has led to an increase in the number of States participating in the European partnership. The liberalization of customs legislation and the policy of "mutual openness of state borders," together with the territorial compactness of European states and the means of transport communications accessible to most of their citizens, increased social mobility and labor migration, which required the solution of issues of unification in the field of the ratio of national educational systems, related to the structure of the educational process, the development of evaluation tools, the recognition of diplomas from educational institutions and the professional competencies enshrined in these diplomas.

A peculiar point of reference in the formation of the Pan-European educational system is the year 1983, when the European Court of Justice decided on the need to establish a general legislative framework governing admission and education in universities, while at the same time recognizing as illegal discrimination on the basis of nationality in this field (HEINE; MYBIG-TRAPP, 2007).

According to the Court’s decision, each country must grant the same rights to vocational training to citizens of other European Union countries as to its citizens. This decision created actual opportunities for increasing the social mobility of students and professors, and also
eliminated the direct relationship between higher education and national citizenship (AGARKOVA; FOMINA, 2015).

The further strengthening of integration processes in the educational sphere took place within the framework of expanding European integration, which was associated both with the adoption of new member countries and with the further unification of rules and standards governing the most important areas of public life, with their subsequent "transfer" to the supranational level of legal regulation (BRÄNDLE; WENDT, 2004).

The formal beginning of the Bologna process was laid in 1999, when the ministers of education of 29 European countries signed the Declaration on the Formation of a Single European Educational Space in Bologna (Italy), according to which university education in the signatory states should follow common principles to ensure high quality and comparability (STUDY.EU TEAM, 2020).

Russia entered the European Higher Education Area (EHEA) in 2003, thereby demonstrating the desire to join the Pan-European integration and become one of the equal (and equal) participants of the partnership union of European states with an educational system adapted to Pan-European standards (SMIRNOV, 2004). As such standards, the Bologna System establishes:

- introduction of a unified system of educational credit points (European system of credit transfer and accumulation)
- establishment of a general system for monitoring the quality of education (establishing comparable criteria for assessing the quality of teaching and learning);
- increasing the mobility of faculty and student contingents through the establishment of integrated training and research programs (WALTER, 2005);
- ensuring the employment of graduates;
- improving the attractiveness and competitiveness of the European educational system (SHEVCHIK; BOGDANOV, 2005).

As part of the Bologna process, EHEA countries implemented systems with three cycles (levels) of higher education qualifications: undergraduate, master’s degree, doctoral studies (MYLLER, 2007).

The integration of Russia into the system of European higher education at the beginning of the century was perceived by the country’s leadership as the most important political task, the solution of which should be another confirmation of the unconditional priority of the European vector in Russian development (KORTUNOV, 2019). At the same time, as the main targets that guided the leaders of the Russian state in their decision to integrate into the European educational system, as a rule, aspirations were expressed related to the recognition of Russian diplomas in the European market of vacancies, as well as the large-scale involvement of foreign highly qualified specialists designed to renew the Russian economy and ensure the "breakthrough development" so expected by the country’s leadership. In his speech at a meeting with members of the government President V. Putin (November 10, 2003) emphasized that Russia’s involvement in the Bologna process "should ultimately lead to the final mutual recognition of educational documents, which is extremely important for young people, since it expands the labor market. This is a very serious, significant step towards the integration of Russia into the world space."

However, the declaration adopted at the state level on the "Europeanization" of the Russian, and in fact of its Soviet entity, did not fulfill the naively expected miraculous effect expected. The continuation of specialization, along with the introduction of undergraduate and master’s degrees, has led to the logical question of what different professional competencies graduates with appropriate diplomas should have and, accordingly, which positions within
the relevant areas of training they can apply for. The domestic legislator has not yet given the answer to this question. 

Let us consider the case of the higher legal education system.

In the conditions of the Soviet period, three types of universities were training professional lawyers: classical universities (Moscow State University, Leningrad State University, etc.), specialized legal institutes (Sverdlovsk, Saratov, Kharkov Law Institutes, All-Union Correspondence Institute of Law), as well as specialized universities of law enforcement agencies (Military Law Academy, Higher Schools of the Ministry of Internal Affairs and the K). At the same time, regardless of the professional specialization of future legal activities, graduates of all universities received a single state diploma in the specialty “law” and the qualification “lawyer.”

Currently, the number of educational institutions that train professional lawyers many times exceeds the number of Soviet universities, which can partly be explained by the increased importance of the legal profession as such. Along with traditional (classical) universities and universities of law enforcement agencies, law faculties are formed in pedagogical, construction, aviation, forestry, etc., thereby demonstrating that it is possible to obtain a law degree from any university, regardless of its basic specialized professional orientation. At the same time, the combination in the educational cluster of two educational models (Soviet and European) involves the training of a “general lawyer” in several specialties and areas.

In accordance with the order of the Ministry of Education and Science of Russia dated 12.09.2013 N 1061 (edited from 30.08.2019) “On approval of lists of specialties and areas of training of higher education,” the following areas of training of lawyers are distinguished:

BACHELOR: Jurisprudence - 40.03.01. Qualification - Bachelor of Jurisprudence.

MAGISTRACY: Jurisprudence - 40.04.01. Qualification - Master of Jurisprudence.

As legal qualifications included in the enlarged group of specialties - Jurisprudence within the framework of the educational model “SPECIALIST PROGRAM” in the Order are distinguished:

40.05.01 Legal provision of national security (qualification - lawyer);
40.05.02 Law enforcement (qualification - lawyer);
40.05.04 Judicial and prosecutorial activities (qualification - lawyer).

Interestingly, the specialty 40.05.03 “Forensic Expertise” included in the Jurisprudence block, according to the results of the training cycle, involves assigning him non-legal qualifications - a judicial expert. At the same time, as previously noted, in all educational levels, areas and specialties, in reality, the modern Russian system of legal education is preparing a "general lawyer" who, in a formal sense, is able to perform any type of legal activity and hold any position related to the legal profession. The illogical nature of this approach is obvious. Just as it is impossible to put an eye specialist in a gynecological chair, send a geography teacher to conduct mathematics classes with schoolchildren, it is unacceptable within one curriculum, at least at the stage of obtaining applied professional competencies, to train lawyers who have chosen public law (protective, imperative) and private law (regulatory, dispositive) jurisprudence as directions for future professional activities. Unacceptable in theory, but quite possible in practice. And if so, then the illogical combination in the modern Russian educational system of two essentially independent and unrelated educational models (Soviet and Bologna) is completely embedded in the famous Russian saying: "The only way to get rid of a temptation is to yield to it".

The fact that the two-level system of higher "European" education, in fact, as previously noted, is a three-tier and includes doctoral studies as a stand-alone level, related to the preparation of scientific and pedagogical personnel who, following the results of the corresponding educational cycle, must defend their thesis for the doctorate of PhD, which
qualitatively differs from the traditional degrees of candidate and Doctor of Sciences for Russia.

At the moment, the Soviet model of training of scientific personnel in graduate schools (postgraduate studies in a military college) and doctoral studies is preserved in the Russian Federation, aimed at writing and defending candidate and doctoral dissertations. However, at present, postgraduate studies (doctoral studies) act to a greater extent not as scientific, but rather as educational institutions with the main goal not to train future scientists - candidates of sciences, but to pass students to another level of education (similar to European doctoral studies), which ends with the defense of a postgraduate dissertation and the assignment of qualifications as a “researcher,” the integration of which into the system of professional competencies also raises a number of questions, since both persons who have completed their education both at the level of "Specialty" and who have master's qualifications are entitled to engage in scientific and teaching activities in accordance with the current Russian educational legislation.

And in the conclusion, there is another innovation related to the integration of Russia into the Bologna process. If earlier the system of writing and defending dissertations was structured according to the principle of centralism and was closed in its activities to a special state body - the Higher Attestation Commission of the Russian Federation, now there are two independent systems: traditional, aimed at the Higher Attestation Commission and autonomous, created at the “most advanced” in academic sense universities. At the same time, it is assumed that a person with a degree approved by the order of the Higher Attestation Commission and the order of the rector of the corresponding university will be equal in their formal legal status. And this, in turn, leads to the question of why innovations are needed, which in principle do not change anything.

The number of questions, problems and conflicts related to the entry of the Russian educational system into the Bologna process can be multiplied. However, from what has already been said it follows that at present, the process of European integration of Russian education, which has created numerous educational risks, has unfortunately not yielded the results that its initiators hoped for. In this case, we are talking about those initiators who, as always tried to make the "gray masses" happy with the introduction “from above” of the progress so desired for everyone and not bothering to first find out how much this very progress is needed by the "mass consumer" and whether it can be constructively perceived by it. This does not mean the futility of the very desire of Russia to introduce those principles and accept those values in accordance with which the European world builds its vital activities. Once again convinced of the impossibility of an instant “breakthrough” in this world, one should calmly and consistently introduce European educational experience, developed by many generations and thereby proved its practical applied significance. After all, only the one who goes along it will be able to get through it any way.

CONCLUSIONS

European educational integration is a consequence of the desire of European States to create a single European space within which conditions can be created for integration communications in the most important areas of public life, including, inter alia, activities in the field of organization and implementation of education and science.

The Bologna process is a form of supranational educational integration, within which and through which the tasks related to the optimization of educational activities are solved through the development and implementation of a number of standards, the most important of which are:

- development and implementation of a European credit transfer and accumulation system in national educational systems;
- developing comparable criteria for assessing the quality of teaching and learning;
- expansion of academic freedom of students and teachers;
- ensuring the employment of graduates;
• improving the attractiveness and competitiveness of the European educational system.

The entry of the Russian Federation into the Bologna process was dictated by the declared desire to join the Pan-European integration and become one of the equal participants in the partnership union of European states with an educational system adapted to pan-European standards. The introduction of the Bologna process into the system of Russian higher education would be another confirmation of the unconditional priority of the European vector in Russian development.

The “Europeanization” that was carried out at the state level of the Russian, but in fact its Soviet education did not lead to the expected “miraculous” effect. The introduction of a two-level (instead of three-level) format of higher education was carried out not by replacing the “Soviet” specialty and the European educational system (bachelor’s degree, doctoral studies), but in addition to it. Therefore, there was not optimization and updating of the national educational system, but there was rather its complication due to the introduction of “parallel” segments that are not united by the general logic of interaction, which certainly had a negative impact on the effectiveness of the functioning of Russian higher education as a whole.

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The purpose of the research is to identify the patterns of development of educational systems of Russia and the West with emphasis on the features of the introduction of the Bologna process into the Russian higher education system. In the process of research, methods of comparative analysis, cyclicity, intersectoral synthesis, theoretical and legal modeling, historical and legal reconstruction, as well as other methods of scientific knowledge were used. The concept of the cycle of social history in relation to the genesis of the State and law in general and in relation to the concept of educational law in particular is justified. The conceptual difference between the educational systems of Russia and the West in terms of the mechanism of their formation and the goals of functioning is shown. The intra-systemic conflict of the system of modern Russian education is proved, combining Soviet (specialty, graduate school) and Bologna (undergraduate, master’s degree) components.

Keywords: Political genesis. Educational law. Educational risks. Professional competencies. Jurisprudence.