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ARTÍCULO DE INVESTIGACIÓN

Simulación y aprendizaje social: estrategias para la formación comunicativa de futuros abogados*

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Resumen. El artículo considera las herramientas pedagógicas que implican la simulación de situaciones de interacción profesional para abogados y su uso en la educación jurídica superior para fomentar y desarrollar la competencia comunicativa. La simulación de situaciones de la práctica jurídica basadas en hechos reales o la imitación de procesos jurídicos en los que los estudiantes actúan como abogados o funcionarios aumenta el interés por las disciplinas estudiadas, fomenta el proceso de aprendizaje y desarrolla tanto las competencias profesionales como las comunicativas. Los autores concluyen que en el proceso educativo deberían utilizarse diversas herramientas didácticas, prestando especial atención a aquellas que preparan a los futuros abogados para la interacción y cooperación profesional en diversas situaciones jurídicas. Los juegos de rol basados en la simulación de la interacción profesional son un medio eficaz para desarrollar la competencia jurídica y comunicativa de los estudiantes. Las conclusiones del estudio contribuyen a ampliar y actualizar la comprensión científica de las herramientas didácticas que simulan la interacción profesional y su aplicación en la educación jurídica superior.

Palabras clave: educación jurídica, competencia comunicativa del abogado, modelización de situaciones profesionales, juegos de empresa, enfoque basado en proyectos, habilidades comunicativas, estudiantes.

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Simulation and social learning: strategies for the communicative training of future lawyers

Abstract. The article considers pedagogical tools that involve the simulation of professional interaction situations for lawyers and their use in higher legal education to foster and develop communicative competence. Simulating situations from legal practice based either on real-life events or the imitation of legal processes in which students act as lawyers or officials enhances interest in the studied disciplines promotes the learning process and develops both professional and communicative competences. The authors conclude that various didactic tools should be used in the educational process, with particular attention given to those that prepare future lawyers for professional interaction and cooperation in diverse legal situations. Role-playing games based on the simulation of professional interaction are an effective means of developing students' legal and communicative competence. The study conclusions contribute to expanding and updating the scientific understanding of didactic tools that simulate professional interaction and their application in higher legal education.

Key words: legal education, lawyer's communicative competence, modeling of professional situations, business games, project-based approach, communicative skills, students.

INTRODUCTION

High-quality education is the fourth of the UN Sustainable Development Goals. This indicates the importance of professional education, which is gaining international significance. UNESCO promotes global citizenship education through the Recommendation on Education for Peace, Human Rights, International Understanding, Cooperation, Fundamental Freedoms, Global Citizenship and Sustainable Development (UNESCO, n.d.) and the Recommendation on Education for Peace, Human Rights and Sustainable Development (UNESCO, 2023), both serving as guiding documents for how teaching should evolve in the 21st century. This approach focuses on developing cognitive, social, and other skills that enable students to apply their knowledge and align it with their real-life experiences (such as thinking critically, questioning what is just, understanding and accepting other perspectives, resolving conflicts constructively, working in teams, and interacting with people of diverse backgrounds, cultures, and perspectives). According to the Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG) of 2015, higher education institutions must ensure the use of diverse teaching methods and flexible pedagogical approaches. These teaching methods and tools lay the foundation of modern educational didactics.

In recent years, the level of communicative competence among specialists has increasingly been viewed as a critical component of professional suitability, providing a distinct competitive advantage in any profession (Usmanova et al., 2023). A lawyer's professional activity takes place in a communicative environment which often constitutes the core of their work and becomes a unique form of labor, i.e., professional communication (Vishnevskaya, 2006: 70). Effective legal practice requires various communication skills, including the ability to listen, speak, persuade, use precise verbal expressions of legal concepts, and correctly interpret laws and regulations, as well as argumentation and negotiation skills. This list makes it clear that a lawyer's communicative competence involves a

broad range of skills aimed at comprehending and producing speech in diverse situations of professional communication (Dubrovskaya, 2012: 291).

The simulation of professional legal situations based on actual events or the imitation of real legal processes in which students take on the roles of lawyers or officials enhances engagement with the studied disciplines, stimulates the learning process, and encourages additional efforts to acquire professional knowledge and skills (Ramsden, 2005).

Simulating professional legal activities involves the active participation of students in the educational process, facilitating a deeper understanding of their future profession. This approach allows students to develop the necessary professional skills and competences, enabling them to reinforce theoretical knowledge and to learn how to apply it, particularly in social interactions. With this goal in mind, Y. Sangroula advocates for legal pedagogy based on social justice. The scholar believes that law schools should instill in students the habits and commitment to act like a lawyer from the very first day they enter law school. Therefore, the development of professional competence among students should be a priority for law schools (Sangroula, 2020).

The simulation of professional interaction for lawyers in higher legal education is primarily achievable through practical tools and methods, such as business (role-playing) games, solving practical case studies, and stimulating approaches like the project-based method.

LITERATURE REVIEW

The literature analysis suggests that the process of simulating professional situations in the training of future lawyers has been explored in a few academic papers. According to S.M. Struganov and E.V. Panov, the term “simulation” refers to the study of situations (objects) of knowledge through their models, meaning the construction of simplified copies of real situations to visually demonstrate possible operational and service scenarios, anticipating their outcomes and developing solutions. A police officer trained using the simulation method will be better prepared to respond effectively when carrying out operational tasks (Struganov & Panov, 2023).

We agree with E.A. Rassolova (2017: 75) who points out that “the simulation of professional situations is an important tool for systematizing legal knowledge and specialized disciplines, integrating them into practical activity by applying and adapting them to real-life tasks”.

Thus, the simulation of professional situations in the training of future lawyers makes the learning process more effective and promotes the development of professional and communicative competences. Legal communicative competence entails the necessary communication knowledge, skills, and abilities required in legal practice; mastery of verbal and non-verbal means of communication; communicative flexibility; and the use of language encompassing legal terms and categories. The latter includes speech patterns, expressions, and constructions that meet the requirements of speech etiquette and legal technique, which play a crucial role in fostering and maintaining effective interaction in professional legal activities.

The range of methods and techniques for developing communicative competence in the educational process is expanding. These include case studies (Karagozoglu, 2017: 13), game-based learning sessions (Dias, 2017: 98), specialized interviews, group project methods, etc.

There are several approaches to the concept of business games. From the perspective of S.Y. Ryvkin,

“A business game is one of the active learning methods reproducing the activities of the participants. It is an effective teaching method as it resolves the contradictions between a theoretical discipline and real-life professional activity. Through business games, students gain insights into working in investigative agencies and expert institutions, which may be useful for their future careers” (Ryvkin & Ivchenko, 2021: 210).

D.V. Chernilevsky (2020: 65) claims that a business game represents “the purposeful organization of educational and gaming interactions among students as they simulate the professional activities of a specialist”.

According to K.M. Noralieva (2020: 290), “a business game is a form of recreating the objective and social content of a specialist’s future professional activity, modeling the relationships typical of this activity, professional problems, real contradictions and difficulties faced in typical professional situations”.

Being a tool for simulating various conditions of professional activity, aspects of human action and social interaction, a business game serves as both “a method for discovering new ways of performing tasks” and “an effective teaching method as it resolves the contradictions between the abstract nature of the academic subject and the real-life professional activity” (Bocharova, 2006: 35).

Z.M. Khutyk (2014: 37) defines a business game as “a specially organized management process that integrates the professional activities of the teacher aimed at developing and refining their professional skills and abilities”.

N.A. Astashova emphasizes that game processes are a “realm of emotionally rich communication”, which requires developing specific relationships and facilitates participants’ self-expression. Including students in games should bring positive emotions, drawing on the game’s potential, and thereby use informational, emotional, and interactive tools to achieve high-quality outcomes in future professional activities (Astashova et al., 2023: 15).

Learning through business games is a preferred method when the goal is to teach specific behavior patterns or skills. They provide a safe environment that simulates real-life scenarios (Varughese et al., 2024).

Chinese scholars reviewed academic publications from 2009 to 2020, analyzing game-based learning in higher education. Based on the data collected, they noted that acquiring practical skills is considered the most important goal in game-based learning, followed by knowledge acquisition and changes in communicative behavior (Zheng et al., 2024).

Under the first approach, a business game is a teaching method used to reinforce theoretical knowledge and to develop specific professional competences. According to the second approach, it is a tool for developing communication skills, enabling the improvement of effective communication and teamwork. In conformity with the third approach, it is a tool for fostering creativity and creative thinking.

Despite the abundance of publications on this topic, there is a lack of research on the simulation of professional legal interactions and its application in higher legal education.

MATERIALS AND METHODS

The research object is the simulation of professional legal interactions within higher legal education to foster and develop legal communicative competence.

The study is conceptual in nature and is based on a doctrinal legal research methodology. To achieve the objectives of the research, the authors applied general scientific methods of cognition, including the principles of objectivity, systematicity, and comprehensiveness. Systemic and theoretical analysis was conducted to assess the current state of economic security regulation in Russia and to identify key gaps and trends in its development.

This study uses scientific materials that explore the concepts, educational practices, and features of business games and project-based work simulating professional interaction situations in legal education. These materials comprise scientific research on the didactics of legal education, works by leading global scholars in the field of higher legal education methodology, and UNESCO materials and reports on education freely available on the Internet and in official publications.

The research is based on the analytical review of legal acts, presidential decrees, federal laws, and academic literature published from 1992 to 2024. No empirical methods such as surveys, experiments, or fieldwork were employed. Accordingly, the study should be classified as a theoretical-analytical essay, aimed at systematizing existing knowledge and offering a critical examination of the legal means of ensuring economic security in the Russian Federation.

Using systemic and comparative methods, we identified specific features of applying pedagogical tools, including simulating professional legal interaction, in higher legal education. This enabled the formulation of recommendations for incorporating business games into the educational process, focusing on developing the communicative competence of future legal professionals.

The study also employed an approach to examine the effectiveness of business games in developing professional and communicative competences among law students at Ogarev Mordovia State University. The main focus was on assessing the impact of simulating professional interaction situations through business games on the ability of students to apply theoretical knowledge in practice. Following the business games, a survey was conducted to evaluate students' perceptions of the educational value of these activities.

Pedagogical research methods addressing didactic issues related to the simulation of professional legal situations in higher legal education helped draw conclusions about the specifics of conducting such sessions and the nature of the teaching methods and technologies used during student training.

RESULTS

Simulation in the educational process for training future lawyers involves the following stages: the preparatory stage aimed at forming legal knowledge in students, selecting professional tasks and situations for simulation, assessing students' readiness to solve professional tasks, and allocating resources for organizing the simulation process; the analysis of situations reflecting the most critical aspects of legal problem-solving; the simulation process focusing on the development of students' legal behavior when solving professional tasks; the discussion of solutions, including selecting and substantiating the most appropriate actions for solving problems (Rassolova, 2017).

The key issue in simulating professional legal situations in the educational process at law schools is selecting scenarios for business games that reflect modern legal practice, are relevant, and recreate complex, problem-based situations similar to those a future lawyer may face in real life.

Overall, the business game in legal education is a multifunctional tool for preparing students to engage in legal practice. It serves as a method for simulating and recreating diverse professional legal situations aimed to develop and refine students' professional legal skills, knowledge, abilities, and personal qualities.

In a business game, future lawyers can try various roles, ranging from judges and prosecutors to defense attorneys or legal consultants, and learn to make decisions under time and resource constraints. Students develop teamwork skills, improve their communication abilities, and learn to find compromises and resolve conflicts. Business games encourage the development of creative thinking and the ability to find unconventional solutions and overcome challenges. They also enhance communication by expanding interaction, developing language skills, and stimulating verbal activity (Daligdig et al., 2022).

Some scholars argue that among the indicators of pedagogical practices, only active learning correlates with communicative competence. This suggests that the longer students are involved in active learning, the higher their communicative competence becomes. Moreover, it indicates that when students engage in a learner-centered approach to education, they can practice skills such as competition, negotiation, and verbal and non-verbal communication, enhancing their communicative competence (Zhurbenko & Karlash, 2022).

Didactic conditions for role-playing games encompass interactions within the educational-communicative situation during the game and its preparation, execution, and discussion (Nikolaeva & Shutova, 2012).

The methodology and stages of organizing a business game should be viewed as a set of activities designed to conduct the game, which simulates real legal scenarios and allows participants to develop and improve their professional and communicative skills.

The methodology for conducting a business game includes developing a scenario and an action algorithm for the participants, where each student must actively participate, independently choose their actions, draw their conclusions based on legal information, quickly make scientifically and practically sound decisions, and discuss the intermediate and final results of their actions and those of other participants in the group. Using business games, the teacher immerses students in the professional activities of judges, lawyers, police officers, notaries, etc.

The preparation and organization of a business game can be divided into the following stages:

1. Preparation. At this stage, the goals and objectives of the business game are defined, the format is chosen, and the game scenario is developed. When modeling situations of professional legal interaction within a business game, it is important to consider the relationship between the goal, objectives, and results. The goal of modeling is to place participants in situations close to real ones to develop or strengthen their professional legal skills and practices.

Modeling can be adapted to various content as participants put themselves in the roles of others to make decisions, follow work procedures, apply legal tools, understand fundamental principles, rules, and knowledge, and develop a creative approach. The content, game process, and participation are discussed with the students in advance. A group of experts (three or four students) can be selected to carefully observe the course of the game and evaluate each participant's performance.

2. Introduction to the game. At this stage, students are provided with information about the game scenario. At the beginning, it is crucial to formulate the rules of the game. The instructor explains the rules, sharing their knowledge and analyzing the situation, while encouraging and stimulating critical thinking. The instructor must emphasize the mandatory use of legal information to ensure that conclusions are not based on simplified or widely accepted views. Specific roles are also determined for each participant. The modeling of professional activities allows for role-playing, where participants can take on the roles of plaintiffs, judges, prosecutors, public representatives, witnesses, or other legal actors. The instructor draws the attention of participants and experts to the importance of observing the behavior of others, actively listening, and understanding various communication codes. This stage sets the foundation for immersive participation, ensuring that students are ready to engage fully in the simulated professional context.

The scenario is a fundamental element of the business game. Typically, the scenario outlines the general sequence of the game broken down into key stages and steps. One of the most challenging aspects of designing a business game is selecting and describing the object of simulation (Navrotskaya, 2022). The simulation model reflects a typical fragment of professional legal activity that is relevant, controversial, and problem-based. It includes structured scientific and applied information that cannot be mastered individually. It is essential to avoid outdated or questionable material. If necessary, the instructor assists students in searching for, collecting, processing, and analyzing practical material. At this stage, the issue of inviting legal practitioners as experts is considered.

3. Game process. At this stage, students apply their theoretical knowledge to solve the tasks presented, interacting with each other within the framework of the game scenario. During this phase, the instructor's leadership, organizational, and managerial skills become essential. The instructor must adhere to the pre-developed scenario and focus exclusively on topics related to the subject matter. In our opinion, an interesting approach is to subtly push the participants toward altering the environment or the situation in an unexpected direction. This encourages participants to think creatively and search independently for more accurate solutions.

Students should be given more opportunities for self-expression, creativity, and autonomy, making the gameplay more natural and relaxed and allowing students and the instructor to see each other from different perspectives.

4. Analysis, discussion, summary, and evaluation. This stage involves the analysis of the game results, where the participants share their impressions and conclusions. They discuss alternative developments of the game, considering how different behaviors and positions of other participants could have changed the outcome. Experts and instructors assess the games' effectiveness, highlighting the positive and negative aspects of the participants' behavior and the expression of their positions. They also dwell on errors and suggest possible ways to correct them. Some scholars note that this stage should take about 40-50% of the lesson (Bezuglov et al., 2023).

Most modern law schools and faculties are equipped with courtrooms, legal clinics, and forensic laboratories, which allows the development and reenactment of various aspects of professional legal activities. Law students can recreate conflict resolution in labor or family law in a courtroom. In a legal clinic, business games can simulate the reception and interviewing of a client by a lawyer, imitating the work of a legal advisor or attorney consulting with a client.

Although the main goal of initiating clinical legal education was to provide law students with practical, industry-specific training, a recent trend has also emerged to incorporate legal aid pro-

grams and specialized professional education in line with court directives ensuring access to justice. Legal clinics at law universities play a key role in assisting underprivileged segments of society in gaining access to justice through legal aid programs, informational workshops, and lawyer training (Sharma & Kumari, 2024).

While preparing for business games, it can be useful to watch films depicting civil and arbitration processes and court proceedings or to attend real court hearings. It is important to study and compare these materials with the legislation in force (Yarkov & Dolganichev, 2020: 146).

Many scholars highlight that effective communication is crucial in legal practice. It is worth emphasizing the importance of studying models of interaction between prosecutors, defendants, and witnesses in courtrooms as part of legal education (Chow et al., 2023). The system of developing professional communicative competence in law students is based on the linguistic principles of communication.

Legal communication can only be successful if law students are familiar with the structure of a communicative act and can apply linguistic and psychological knowledge in communication. Mastering communication skills and dialogical interactions is essential in all spheres of public relations. Dialogue serves as the foundation of human understanding, and its role in the work of future lawyers is growing steadily. In a rule-of-law state, the ability to engage in constructive dialogue is especially important as it helps resolve democratic issues and avoid confrontation. Communicative competence and its qualities and skills should not be taken for granted. The process of mastering these skills must be conscious, purposeful, and aligned with professional needs.

Unlike legal knowledge acquired during training and refined through practice, professional behavioral patterns and communication skills must be gained during the educational process. Therefore, it is crucial to improve communication culture and develop communication skills, analytical thinking, creativity, and the ability to solve communication tasks in professional situations.

In addition to reinforcing theoretical knowledge and developing professional legal competences, business games contribute to developing psychological attitudes, communication skills, the ability to argue one's position, negotiation skills, etc.

As part of the educational process at the Law Institute of Ogarev Mordovia State University, we conduct business games simulating the professional activities of a lawyer. These include the legislative process within legislative bodies, judicial proceedings in criminal, civil, administrative, or constitutional courts, a lawyer's work in client consultations, negotiating contracts and deals, resolving various conflicts and disputes, and conducting mediation procedures in family, inheritance, or labor disputes. These simulations are integrated into courses like "Legal Conflictology" and "Legal Clinic". As a result of these business games, future lawyers can analyze problem-based situations in legal practice through the simulation of cases reflected in verdicts and court decisions found on judicial websites, which helps them better immerse in legal practice.

A survey of students on the effectiveness of using business games at Ogarev Mordovia State University shows that they report positive experiences. These include the development of professional interests and motivational skills, improved retention of theoretical material, quick search for relevant legal acts, enhanced teamwork and communication skills, activation of creative potential, and better assimilation of theoretical knowledge. The simulation of professional interactions in business games allows future lawyers to apply their theoretical knowledge in practice, develop com-

munication and leadership skills, and teach them organization and responsibility. In some cases, the competitive spirit among students during the game leads to a focus on winning rather than achieving the intended educational results.

The project-based approach in higher legal education allows students to solve real-life problems and find new solutions over a longer period. This method makes classes more engaging, with students learning new content and developing teamwork and research skills, which can lead to better collaboration and understanding, spark creativity, and contribute to more effective learning.

Examples of project-based learning in legal education include preparing and filming a documentary on some legal issue or resolving a potential legal conflict; creating legal-themed puzzles (with subtopics such as participants in legal processes, the legal process itself, causes, timelines, state and political events, etc.); solving social problems, i.e., the protection of the rights of minors or individuals with disabilities; developing documentation for the establishment of organizations with different legal structures.

We cannot but agree with M.V. Klarin that

“project-based learning changes the traditional function and role of the teacher, involving a wide range of people outside the classroom in the interaction, with the teacher acting as a facilitator, assistant, and mediator in the educational, research, and practical search of students” (Klarin & Osmolovskaya, 2020: 76).

The project-based approach may also include simulating situations of professional legal interaction. However, the teacher must carefully design the task and ensure it is completed in groups.

Thus, didactic tools that simulate professional legal situations encourage students to interact with their peers during practical sessions. This increases their academic workload but allows them to develop faster professionally and communicatively.

When developing didactic tools that involve modeling situations of professional legal activity, the educator must consider the following aspects: the content of a specific type of legal activity, real conditions, and practical cases; the recreation of controversial or problem-based situations typical of legal practice; the necessity of joint group work by students, interaction while performing duties and functions according to their roles; the features of students' communicative interaction in solving the educational tasks assigned and achieving the required result. For a lawyer, having extensive knowledge of the legal framework and the ability to apply this knowledge in practice is of great importance. In this regard, when developing teaching materials, it is necessary to cover theoretical legal issues and use learning tools that allow students to show initiative and independence in conditions that reflect real legal practice.

The evaluation and adjustment of the educational and methodological support of the courses (especially “Legal Clinic”) must consider cases and situations from real legal practice. We agree with certain scholars who recommend using a comprehensive approach to clinical legal education, applying simulation and working with real clients, to help students prepare for their legal practice (Dev, 2020: 412).

CONCLUSIONS

The analysis of learning processes shows that merely transmitting knowledge through repeating theories, concepts, rules, and laws is ineffective in ensuring knowledge retention. For this reason, it

is advisable to use didactic tools that present situations, problems, and cases within a specific context. Knowledge should be translated into practice, meaning the development of professional skills in practical scenarios.

A modern educator must possess professional and pedagogical competences and well-developed communication skills. Forming communicative competence is a key objective of education, particularly in the legal field, where the ability to articulate ideas and build productive relationships is essential for professional success. The effectiveness of this process depends on specific pedagogical conditions that foster communicative competence in future lawyers.

Thus, the simulation of professional communication situations in the educational process plays a crucial role in assimilating and systematizing legal knowledge and developing professional and communicative skills needed for its application.

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