

*Materials of Conferences***CURRENT PROBLEMS OF EDUCATION
RELATED WITH ENTREPRENEURIAL
ACTIVITY**

Erali Abdikarim

*International Kazakh-Turkish University of H.A. Yasavi,
Turkestan, e-mail: bgulmira74@mail.ru*

Problems of education that are linked to entrepreneurship in formed republics of Soviet Union require a special approach. We think it is necessary to include the problem of teaching subject on entrepreneurship starting with the last terms of school.

What is the result?

First of all, teenagers who finish school, receive a certain idea of entrepreneurship, particularly, private property.

Secondly, obtaining theoretical knowledge on entrepreneurship in school helps teenagers in selecting their future profession and planning their lives.

Thirdly, entrepreneurship is an independent labour that forms an income, studying a subject on an independent work forms a respective approach toward one's property.

Fourthly, in some countries young people, students take part in unrests and destroy, burn shops, cafes, restaurants, offices, and other objects of entrepreneurship.

Fifthly, states that introduce entrepreneurship in school, avoid the described problems and help its citizens to solve problems of employment and making a living after school.

On the described topic: «A significant part of the populations «experienced a school of forced unemployment». Many expressed an ability to ... change labour qualification independently, became businessmen... with a purposeful support from the state» [5].

Studying history of entrepreneurship and formation of private property in school would be mastered by students of high grades with interest, because it would teach them how to form private property with labour.

For example, in history, linked to Roman private right there is an expression: «... Nerva-son says that owning things has emerged from natural possession» [6, p 169]. Therefore, a question arises: When, how, and from where did the term «owning» emerge? Roman jurists Marcus Antistius Labeo and Julius Paulus who lived in the I century AD «etymologically expressed a word «owning» – possessio from sedere – to sit, sit down, and the very word «possession» described as position – a settlement (on earth)» [6, p. 190-191].

Therefore, if «earth is a natural object», then «settling of earth is natural possession of a territory». And «possession of a territory» in future is

receiving a product via farming ground. The result is the received product and it defines «...emergence of property for a thing from natural possession». Thus, the first sign of the ownership, «possession» is based on the idea of «settling on a territory, owning territory, processing soil».

This idea is developed by a doctor of juridical science, professor S.Z. Zimanov as follows: «Meaning of word «land» is supposed to be considered as a territory, located in a certain area (geographic concept) and as a territory or a lot that gives a certain product (productive concept). And property, as a result of «owning» refers to the latter definition [3, p. 105].

Therefore, land can be referred to the idea of possession – *possessio*, or, via owning a land as a productive object – *fructus*.

What comes to the second characteristic of ownership – «using», or the «right to use», then the «Old civil right to express the idea of «owning» was referred to the term «*usus*», enriching it with an outcome of products – «*ususfructus*» [6, p. 168]. In other words, making profit of utilizing land through *usufructus* – utility product (a property) forms the second characteristic of ownership – «utilization».

Further, as a result, these two characteristics – owning and utilization, linked to land and utility product, become dependent on the term «*dominium* – dominating» over an object, [6, p. 191], in other words, the third characteristic of ownership – «*managing*» – arise.

So, if we see that the «definition of property» according to the history of Roman private right has got its origin from the idea «*possessio*», it will become another evidence to that the idea «*managing*» has got its origin from the idea of «owning», according to domination over land. Anyway, it is obvious that an authority to manage an object and has formed from owning it and dominating over it.

To resume this idea, we can conclude that Roman reformer of the II century AD Julian developed the idea of *dominium* – domination over an object, property in *rem* – proprietary interest. If we speak of a specific objective right, this idea can be defined as a property itself – *proprietas*, and is called *dominus proprietas* – an owner of private property [6, p. 191]. Therefore, «property is a right for an object, in other words, proprietary interest».

Several juridical systems exist in the world and regulate entrepreneurial relations. One of them is Roman-German (civil) right, the second – English-American general right. Civil right solves cases that are linked to entrepreneurial relations according to «implementation of civil law similar to a right or to a law» [1].

The basic «characteristics of American delicate right (civil right of E.A.) are based on a legal case

(laws only enrich and correct judicial law; codexes describe the procedure of judicial law)» [4, p. 153].

In our idea, such approach develops entrepreneurship in countries that act according to legal case and is linked an urgent solving of cases on property that belongs to an entrepreneur. Moreover, English-American general legal system property, as in continental civil law, is not limited by the three characteristics of it, «owning, using, managing». Some researches prove that «... in English-American jurisprudence there are eleven characteristics of property, and each of them gives approximately a thousand and a half different types of property in its various meanings» [7, p. 21].

Such alterations in characteristics of property are most likely linked to political and social-economic changes in a state authority system. For example, in times of Soviet Union professor L.I. Dembo acknowledged that «private property for land has been liquidated, and, therefore, it is necessary to introduce a competence of state control over property instead of the competence of owning land» [2, p. 17].

Professor G.A. Aknesenok suggested «to introduce the fourth characteristic of managing – state ownership of land with preserving the competence to own» [2, p. 18-19]. In response to this idea of professor G.A. Aknesenok, doctor of juridical science I.V. Pavlov and candidate of juridical science A.S. Krasnopolskiy have come to a concept that states: «managing land is not different from disposing it, managing one type of disposing that is involved by the right to dispose, in other words, a characteristic of property» [2, p. 19].

Therefore, an owner, through management, overseeing, control, and other mechanisms of domination of property, obtains an authority to «define a fate of property in a legal way». So, for any entrepreneur property and entrepreneurship are inseparable values.

All that we have provided as an example is linked to entrepreneurship, or independent labour that must be studied and introduced to children in school.

References

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