

ANALYSIS RELATION BETWEEN TEACHING AND SCIENTIFIC RESEARCH IN UNIVERSITIES AND COLLEGES - AND RECOMMENDATIONS TO IMPROVE RESEARCH ACTIVITIES AT LAW SCHOOLS

ANÁLISE DA RELAÇÃO ENTRE ENSINO E PESQUISA CIENTÍFICA NAS UNIVERSIDADES E FACULDADES - E RECOMENDAÇÕES PARA MELHORAR AS ATIVIDADES DE PESQUISA NAS ESCOLAS DE DIREITO

ANÁLISIS RELACIÓN ENTRE DOCENCIA E INVESTIGACIÓN CIENTÍFICA EN UNIVERSIDADES Y COLEGIOS - Y RECOMENDACIONES PARA MEJORAR LAS ACTIVIDADES DE INVESTIGACIÓN EN LAS FACULTADES DE DERECHO

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ABSTRACT: Nowadays, with English support, scientists can use it to improve their scientific research activities. Studies indicated that between teaching and research, there are connectivity and relationship. By using qualitative and explanatory methods, authors present an example of research paper for students and scientists at law schools, moreover, the study also shows recommendations and limitations of scientific research and teaching in colleges/universities. For instance, we need suitable policies to reward international publications at schools as tools for promoting human resource and staff, as well as improving Science and Tech management in universities.

KEYWORDS: Science and technology. Scientific research. Teaching.

RESUMO: Hoje, com suporte em inglês, os cientistas podem usá-lo para aprimorar suas atividades de pesquisa científica. Estudos indicaram que entre o ensino e a pesquisa, há conectividade e relação. Usando métodos qualitativos e explicativos, os autores apresentam um exemplo de trabalho de pesquisa para alunos e cientistas de faculdades de direito, além disso, o estudo também mostra recomendações e limitações da pesquisa científica e do ensino em faculdades/universidades. Por exemplo, precisamos de políticas adequadas para recompensar publicações internacionais nas escolas como ferramentas para promover recursos humanos e de pessoal, bem como melhorar a gestão de Ciência e Tecnologia nas universidades.

PALAVRAS-CHAVE: Ciência e Tecnologia. Pesquisa científica. Ensino.

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RESUMEN: Hoy en día, con soporte en inglés, los científicos pueden utilizarlo para mejorar sus actividades de investigación científica. Los estudios indicaron que entre la docencia y la investigación, hay conectividad y relación. Mediante el uso de métodos cualitativos y explicativos, los autores presentan un ejemplo de trabajo de investigación para estudiantes y científicos de facultades de derecho; además, el estudio también muestra recomendaciones y limitaciones de la investigación científica y la enseñanza en colegios/universidades. Por ejemplo, necesitamos políticas adecuadas para premiar las publicaciones internacionales en las escuelas como herramientas para promover los recursos humanos y el personal, así como para mejorar la gestión de la ciencia y la tecnología en las universidades.

PALABRAS CLAVE: Ciencia y Tecnología. Investigación científica. Enseñando.

Introduction

First, Prince *et al.* (2007) pointed out: (1) research has the potential to support teaching; and (2) research that has been shown to support teaching in practice. Those who claim that research supports teaching give evidence in support of proposition 1, only find out all the ways that scholarships can improve teaching, such as keep the course content up to date or model for students the curious mind and critical thinking that characterizes good research. Most who argue otherwise would readily admit that teaching and research can complement each other but take a negative position on proposition 2, citing numerous studies that have consistently shown a correlation. There is no significant relationship between research productivity and teaching performance.

On the other hand, Compagnucci and Spigarelli (2020) when discussing Knowledge Transfer and entrepreneurship education as university functions, they argue that Future Research can go beyond the commercialization of knowledge and consider creating and granting patents.

Further academic research needs to be supported by governments to collect and construct data to develop evaluation criteria and formats that can capture both the complexity and heterogeneity of the experience and practice. Data collection should also include information on continuing education, entrepreneurship education and social engagement, along the various dimensions of innovation and not limited to the technology side.

Policymakers should avoid idolism, or rather, the tendency to emulate “world-class” universities. However, all interesting approaches need to be observed and considered, and learning from each other can bear fruit in efforts to maximize the impact of scientific research. Future research and policy interventions should consider all three of the university's missions simultaneously, exploring synergies, interdependencies, opportunities, priorities, and

values. Further studies are needed on the strategic direction of scientific research towards co-creation of collaborative methods and solutions to forecast and address sustainability challenges in both developed and developing countries.

Literature Review

In addition, the following table summarizes related studies:

Table 1 - Summary of some previous research results

Domestic studies	Year	Results, contents
Hồ Tú Bảo	2008	In advanced industrial countries, RandD, which typically accounts for about two-thirds of all research activity and funding, is the predominant type of research by firms, and is often the highest in the developing world. research institute. Meanwhile, basic research and applied research are the main types of universities and have a high proportion in research institutes.
Nguyễn Đình Đức	2014	However, according to many experts, Vietnamese science and technology still has "bottlenecks" in the management thinking of the university itself, with some specific manifestations, such as: only attaching importance to teaching, the policy of scientific research capacity of lecturers is still inadequate, the management of scientific research is heavy on administrative procedures, there is a lack of key investment for research groups.
Đỗ Anh Đức	2019	In the context of the "industry 4.0" revolution, which is taking place strongly and having a great influence on the higher education environment, universities are not only a place to transmit knowledge, but also create new knowledge
Võ Văn Nhị	2019	University lecturers focus on teaching tasks rather than scientific research activities. This is a fact that happens in all universities in the country because only teaching can supplement the meager salary. If the issue of adequate salaries for lecturers cannot be solved, it will be difficult to create peace of mind for lecturers, even those with scientific research ability to carry out the scientific research tasks that we are setting.
Mai Đan	2020	To evaluate the professional working ability, theoretical thinking and practical awareness of lecturers at universities, it is necessary to have a good combination of lecturers' scientific research activities with teaching activities.
Phạm Thị Diệu Phúc	2021	In teaching, it is necessary to prepare carefully and use appropriate teaching aids. However, do not overdo it, it can be counterproductive. Proposing Information Center - School libraries regularly add new documents, specialized databases to meet the information search needs of lecturers and students in all forms: printing, information network, summary, quick announcement, etc. to ensure that there are enough important textbooks, specialized journals. Encourage lecturers to contribute specialized materials to the bookcase so that other lecturers and students have reference sources.
Nguyễn Quang Minh	2021	Enhance the role of the State, Ministries and branches in linkage. The article proposes the model interactions between the State, enterprises and research institutes, universities, colleges, in which the State plays a huge role in linkage and innovation, which is shown by creating a legal environment and social environment are favorable for association and innovation to develop. The State's innovation policy is closely related to the association activities between the Institute - the University - Enterprise - State includes three components: innovation in universities, colleges and other research institute, innovation in production and business activities of enterprises and innovation in policy making

Châu Nhật Duy, Lê Đức Ngọc	2021	Quality culture at university includes academic and social elements
Lê Mạnh Hùng	2021	The results of overseas research on lecturers' scientific research capacity are affected by advantages or disadvantages from many factors such as workload allocation policies (teaching, research, service provision), reward system, income, leadership style, democracy and shared governance, strategy, vision, resources for research, institutional research support, research environment within the faculty, the number of graduate programs and research culture of the institutions.
Trần Văn Hồng, Đinh Trần Ngọc Huy	2021	Increasing the quality of smart libraries contributes to improving the quality of support services for scientific research to achieve good results.
Dương Thị Tình, Nguyễn Thu Thủy, Đinh Trần Ngọc Huy	2021	For doctoral level, and for lecturers, we need to practice how to use English to communicate, write and create very good articles to publish in famous journals such as ISI, Scopus, ABDC high ranking etc.
International Studies	Year	Results, contents
Gafield	1955	The citation index of a publication, proposed by Eugene Garfield in 1955, is the number of times the publication is cited and referenced in all other publications. Since then, the citation index has been used as an important metric to evaluate research works, as a basis for defining other metrics for journals and scientists. Roughly speaking, the citation index measures the "naturally aromatic" degree of the publications.
Lawani	1977	The H-index does not distinguish critical citations. Lawani summarizes six reasons for citing an article: (a) Attribution to the author, (b) Showing respect to the author, (c) Talking about the methodology involved, (d) Providing information useful background information, (e) Citation for criticism, (f) Citation as a basis for the article. Thus, citations by reason (e) do not increase but only decrease the value of the article but are always added to the author's achievement when calculating the H-index.
Bereiter	1991, 1994	Researchers consider themselves social scientists or scientists, not only by solving social or scientific problems, but through participation in the discourse of the scientific community and within contexts the values of that community
Azad and Seyyed	2007	gave groups of factors affecting research results in the United Arab Emirates, including: Group of demographic variables; The group of variables on self-knowledge and individual competencies (Self - knowledge and individual competencies) shows the motivations leading to the conduct of research, the individual's conceptions of the meaning of doing research on the subject and an assessment of one's own abilities to conduct research; The group of factors about the working environment, reflected in the expectations and regulations of the workplace, the conditions of the facilities, the support of resources to carry out the research; Concerns other than society that you cannot control (social contingencies)
Jung, 2012; Hedjazi and Behravan, 2011	2011-2012	Studies on scientific research capacity of university lecturers are increasingly attracting the attention of researchers and policy makers in developed and developing countries
Xie et al., 2014, Zoogah et al., 2015	2014, 2015	On the one hand, in India, the author disagrees with the progress of the higher education system, research output and university rankings. At the same time, the author is very disappointed to know the current job market in the country. This suggests how we should establish well-structured, managed and excellent higher education systems while eliminating cumbersome procedures, controlling negligence and minimizing political abuse, thus placing a governance-based and goal-oriented higher education structure in the world. On the other hand, the second remark says that one must aim high and work carefully for the development of the country. The outcome will then have a positive impact on economic progress, employment, foreign cooperation, capital mobilization, and entrepreneurship. In this context, the institutional environment, economic resources and human resources are important drivers of higher education and higher research
Stappenbelt	2015	There is no support that active research participation is a requirement for good teaching. The central conclusion of the study is that the teaching and research

		activities of academics should, in fact, be treated as unrelated entities.
Adedoyin <i>et al.</i>	2016	With the quality orientation of "teachers" based on teaching, focusing on scientific research, taking root from development "is the basic requirement, emphasizing both quality and talent, focusing on ability, effectiveness and performance and achievement to evaluate young teachers. Stick to problem orientation and solve practical problems as a starting point; Follow a combination of personal development and education principles, comprehensive assessment and highlighting, combine developmental assessment and reward and punishment assessment, scientifically build a rating system evaluate young teachers, and promote the development of young teachers to a high level.
Abreu <i>et al.</i> , 2016; Urdari <i>et al.</i> , 2017	2016- 2017	In recent years, there has been increasing pressure on universities, to move away from mainly teaching and conducting research, and to add a mission, described as "contributing to society".
Sukmana <i>et al.</i>	2018	In order for human resources to meet the standards and quality of private higher education institutions, there is a need for serious attention from leaders
Weihuang Dai <i>et al.</i>	2018	Young teachers should be aware of responsibility and mission towards the successors of good teaching and learning and must have an objective and scientific assessment and analysis of themselves; Universities should balance the relationship between teaching and scientific research. In addition to objectively and rationally assessing the performance and contributions of young teachers, young teachers should be given a certain degree of freedom to fully develop their personal goals through assessment of the likelihood of achieving maximum support for this rating system.
Nurrahmawati <i>et al.</i>	2018	The aim of the study was to investigate the tangible service quality, reliability, responsiveness, assurance and empathy of the private university image. The study used PP survey to explain research. Using statistical formulas Pearsons r and SPSS V.21. The theory used is service theory quality and pattern of the picture. From this study there are effects-service quality in terms of tangibles, reliability, responsiveness, assurance and tangible empathy, reliability, and meaningful empathy enough about the institutional image, especially the empathy factor in service registration has a strong impact on the university image.
Lu Lin Zhou <i>et al.</i>	2019	In addition, the level of national investment in research and development is relatively modest, at 1.52% of the national research budget, accounting for only 0.41% of GDP (Ministry of Science and Technology, 2016). This limitation in the higher education system is mainly due to the limited investment capacity of the Vietnamese economy.
Compagnucci and Spigarelli	2020	Thus, future research could move from focusing solely on strong leadership stories, to micro-practices, to actively engage more scholars in scientific research activities. Further investigation may be conducted into existing policies to evaluate and reward scholars and non-teaching staff who have contributed to the success of academic initiatives. Develop new forms and channels for disseminating scientific results to non-academic audiences, while understanding the potential of IT to promote effective dissemination.

Source: Devised by the authors

Methodology

Main Findings and limitations of scientific research and teaching in colleges

On the other hand, Dr. Tran Mai Uoc (2013) pointed out that besides the achieved results, the fact that the scientific research movement among lecturers in recent years still has the following shortcomings and limitations:

Firstly, the lecturers are not aware of the importance of scientific research, therefore, most of the lecturers have not really taken the initiative to come up with research topics. Many topics are studied based on models that have been studied before or have not come from the actual needs of the lecturers themselves, or the needs of the subject or discipline.

Secondly, the topics selected by the lecturers are general, general, not in-depth, have not gone into specific issues, leaving many practical issues open. Most of the lecturers are new to the works with a lot of documents for reference, the lecturers are still hesitant and "bored" when they have to choose the works that need to collect a lot of documents, need to have a sociological investigation, statistics, running models. On the other hand, in the process of scientific research, lecturers are still afraid to give their own personal views, have not carefully explored the reference materials, have not studied the problem thoroughly. In particular, there are lecturers who copy previous works without quoting, violating the rules in scientific research.

Third, it can be affirmed that the main source of income for university lecturers today comes from teaching. Scientific research takes a lot of time and effort, while the income is meager. In fact, it is normal for many lecturers to exceed 200%-300% of the prescribed hours, especially some lecturers in some schools who "embrace" more than 1,000 periods/1 semester. Many teachers even go to private schools to teach extra lessons because there are higher salaries for each lesson. Therefore, lecturers "forget" scientific research is not difficult to understand. Besides, so far, there has not been a sanction against those who do not do research. Many lecturers in schools today have not had any research work for a long time but still being taught is still common practice.

Results

Example of law research paper

In law school, scientists including students could conduct research, for example:

A. Introduction

Title: **Recommendations for improving and commercial law 2005, land Laws 2013 in Vietnam**

Commercial activities are not regulated in the Commercial Law (LTM) and in other laws, the provisions of the Civil Law (Code) apply. However, as mentioned above, Commercial law (LTM) 2005 omits many important provisions relating to commercial

activities in practice, or if any, these provisions are not consistent with the provisions of specialized laws and guiding documents. Therefore, it seems that the 2005 Commercial Law is only used for reference, while the 2015 Civil Code, Specialized Laws and Decrees and Circulars are mainly applied. This makes the existence of the 2005 Commercial Law unnecessary, because the overlapping provisions of the LTM complicate the problem of applying the law to private relationships, especially to the Civil Code. Commercial Law 2005 has had positive impacts on socio-economic life, created a unified legal corridor for commercial business activities in practice and contributed to improving the business environment of Vietnam. However, along with the development of the world economy in general and Vietnam's economy in particular in recent years, Commercial Law 2005 has revealed certain limitations, requiring amendments.

B. Contents

Recommendations for improvement Commercial Law 2005

First, amends a number of provisions related to contracts for the sale of goods, including: regulations on the time of transfer of ownership of goods specified in Article 62 of Commercial law 2005, or regulations on the time of transfer of risk from Article 57 to Article 61 of Commercial law 2005. Specifically: adding cases of transfer of ownership of goods and cases of transfer of risk in case of goods subject to registration of ownership, in case of installment purchase or trial. In addition, in order to ensure compliance with the 1980 Vienna Convention on Contracts for the International Sale of Goods, Commercial law needs to add provisions on cases where the buyer is required to reduce the selling price in case of non-repudiation of goods that do not conform to the contract, or the provisions of the seller's goods warranty obligations.

Second, revises regulations on commercial intermediary activities. Specifically: (i) For commercial brokerage activities, Commercial law needs to supplement clear regulations on the form of commercial brokerage contracts, in the direction of allowing the parties to decide on the form of the contract themselves. in written form or in forms of equivalent legal validity. (ii) For goods purchase and sale entrustment, commercial law needs to clarify the case that the entrusting party does not follow the instructions of the entrusting party but brings economic benefits to the entrusting party. How to ensure the interests of both parties. (iii) For commercial agency activities, adding provisions allowing agents to be traders or non-traders to suit the practice of carrying out this commercial activity.

Third, amend and supplement regulations on logistics services and franchising, especially regulations on concepts and conditions for logistics service business, concepts and forms of franchising.

Fourth, improve regulations on trade sanctions. The current regulations on commercial sanctions still have many shortcomings such as the regulation on the maximum penalty for violations that are no longer appropriate and hinder the parties' freedom of agreement in the contractual relationship between the penalty for violation and the compensation for damage and other sanctions such as suspension or cancellation of the contract. (i) Regarding the regulation on the maximum penalty for violations of contractual obligations: to ensure compliance with the provisions of the Civil Code 2015 and respect the freedom of agreement of the parties involved. Under the contract system, it is thought that Commercial law 2005 should increase the maximum penalty for violation or allow the parties to freely agree on this penalty. (ii) Regarding the regulation on the relationship between penalties for violations, compensation for damage and sanctions for suspension and cancellation of contracts: in order to ensure the principle of freedom of contract, 2005 Commercial law is considered and it should allow the parties to agree on the simultaneous or non-simultaneous application of sanctions for violations and compensation for damage instead of being required to apply both sanctions simultaneously for the same breach of the contract as at present (in case the parties have an agreement on penalties for violations).

In addition, Commercial law also needs to supplement regulations on the simultaneous application of sanctions for suspension, suspension and cancellation of contracts with other commercial sanctions such as fines for violations or compensation for damage to facilitate the law enforcement process.

Fifth, the legislators need to research and add to the Commercial law some new commercial activities, in line with the recent development of commercial activities in our country, and at the same time ensure the correct implementation of commitments on opening up Vietnam's service market to the WTO.

C. Then, teachers can use this paper for case discussion in classroom.

Law topics for research

In law field, Authors point there are some research gaps need to research for instance:

- Amendment of Consumer Protection Law in Asian countries
- Amendment of Criminal Law, e-criminal Law issues
- Amendment of Privacy Law

- Amendment of Slander Law
- Amendment of Business Law, etc.
- Issues of Trademark and Intellectual property, etc.

Discussion

Tran Duc Vien (2021) discussed It is necessary to encourage and facilitate the establishment of interdisciplinary and multidisciplinary research collaboration groups within each university/institute and between universities/institutes, regardless of the 'border' of governance and administrative management of institutes/schools. The group is a collection of like-minded scientists with the same passion for a certain research field, who are members of different faculties, centers, schools, and institutes, voluntarily working together under the leadership of one or a few enthusiastic, fair-minded professors who have leadership ability and know how to gather forces. These scientists are people who have many works published internationally, or have many patents, inventions, or both, have a clear research direction, they have the right to decide on salary, recruitment or dismiss researchers according to the development plans of the laboratory, the research team. Research team leaders can be (and should be) promising young scientists. They have the right to register research topics and demonstrate their research potential and potential with 'launched' products (patents, inventions, international articles, commercial products). products or 'semi-finished products' for which they already have the know-how, need to continue researching and perfecting the technology, need to continue to find technological solutions to lower production costs, etc.).

Conclusion

Besides contributing to improving the quality of scientific research, international cooperation programs were implemented, many agreements and memorandums of understanding were signed. Many educational institutions have actively integrated into the world through joint training programs with foreign countries, exchange programs of students, lecturers, and research cooperation.

In addition, Compagnucci and Spigarelli (2020) suggest that the gap between universities and external stakeholders can also benefit from research on models to enhance collaboration and innovation. Tran Duc Vien (2021) pointed Accept international standards and practices in higher education. The state should have a policy of internationalization as

soon as possible on education and training, science and technology and make it popular and common in practice. Therefore, with Science and Tech management in universities, international publication or invention must be taken as a criterion in promoting and appointing staff to do SandT management.

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