

ОСОБЕННОСТИ И ПРОБЛЕМЫ ОБУЧЕНИЯ ЮРИДИЧЕСКОМУ АНГЛИЙСКОМУ ЯЗЫКУ В ВУЗАХ

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Преподавание юридического английского имеет большое значение в рамках программ юридической подготовки, как в академической, так и в профессиональной среде. В связи с установлением роли английского языка как лидера в международных деловых отношениях, а также юридического языка Европейского Союза, студенты юридических факультетов и студенты, специализирующиеся в области международного права, изучают английский как второй, не являющиеся носителями английского языка, стремятся к высоким стандартам в освоении юридического английского.

Ключевые слова: юридический английский, студенты юридических факультетов, английский для особых целей, коммуникативная компетентность.

FEATURES AND PROBLEMS OF TEACHING LEGAL ENGLISH IN UNIVERSITIES

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Teaching legal English is of great importance in the framework of legal training programs both in the academic and in the professional environment. In connection with the establishment of the role of English as a leader in international business relations, as well as the legal language of the European Union, law students and students specializing in international law, studying English as a second, non-native speakers of English, strive for high standards at mastering of legal English.

Keywords: legal English, law students, English for Specific Purposes, communicative competence

Improving the effectiveness of teaching English is one of the urgent tasks of modern methodological science. Because of prevalent use of English as an international language is in constant expansion. This fact is reflected in different fields and various domains where English is considered as a working tool. In order to reach specific objectives, world countries, including Kazakhstan, introduced English courses at all levels of education, and more particularly at the university. With the rapid development of modern technologies and their widespread use in the economic, scientific and educational fields, knowledge of a foreign language becomes a necessity, as evidenced by the qualification requirements for specialists.

Modern requirements for the level of professional training of a specialist in terms of knowledge of a foreign language imply not only the ability to understand written and oral speech, as well as writing and speaking, but also the ability to act effectively in conditions of foreign language communication, which implies a significantly higher level of linguistic, speech and extra-language training. This is especially important in teaching legal English, a register which has a distinctively performative character. But the practice of teaching English for Specific Purposes to students shows that there are a number of problems that affect the organization of the learning process, its content, and the final result.

In teaching legal English, texts are the largest source of legal vocabulary. The content of the training should involve reading authentic texts from the very beginning and using them as a means of teaching oral speech. Legal texts marked by a high degree of translatability and a variety of stereotyped ready-made-expressions known as clichés or set expressions. However, it would be wrong to believe that for successful mastering it is sufficient to possess the terminology and rules of registration of this type of texts. In fact, law is the system of social convention defined by socio-political and cultural features of the country, the comprehension of legal texts is a difficult task.

Particular challenges are posed by the specificity of legal language and the system-bound nature of legal terminology and differences between the source legal system and target legal system. Legal texts are normative texts, expressing command or prohibition. Typically, these documents are issued by the state organ of authority for the purpose of further interpretation. Legal texts have their origin in the notion of legal discourse. In order to interpret them one needs to have certain specialist knowledge, ability to interpret legal norms and has to know the legal context. Legal texts are also ‘normative or any types of legal acts expressed in words, formulated in legal language as opposed to lawyers’ language [1, pp.19-20]. They are characterized by economic form and condensed construction so as to determine the norms of conduct for as many theoretical situations as possible.

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Like all other texts, legal texts denote a ‘communicative occurrence produced at particular time and place, intended to serve a specific function’ [2, p.353]. According to the new system legal texts, which are formulated in legal language have only two functions i.e. regulatory and informative function. In legal terminology they are referred to as prescriptive and descriptive function of legal texts [4 pp. 277–293]. In general, legal texts can be divided into three major groups, depending on their function i.e.:

- primarily prescriptive texts
- primarily descriptive texts with some prescriptive characteristics as well
- purely descriptive texts

Legal texts with primarily prescriptive purpose are for example: laws, regulations, codes, contracts, constitutions, statutes, treaties and international conventions. They are regulatory instruments providing rules of conduct or a set of norms. These are also normative texts prescribing

a particular course of action, advice a type of human behaviour, which is believed to be appropriate. All individuals are required to follow norms and rules provided for in such texts, otherwise he/she would be subject to sanctions. Nowadays normative type of texts have the following functions: they advise people how to act and behave (in other words they commands something), they may retain somebody from doing something (serve as prohibition), they inform what type of actions is permitted (permission) or inform which actions are authorized and sometimes inform whether a given individual is explicitly authorized to act (authorization) [3, pp.167-168].

The structure and grammar of legal texts are specific. Legal texts are also characterized by the presence of a large number of passives, conditionals, unique determiners, and negatives. Moreover, the language of law is distinguished by its impersonality (legal texts are typically written in the third person as it adds to the degree of formality), nominalization, sentence length and complexity.

All of these problems are compounded by the fact that, unlike many registers of language for special purposes, there is often no unity in the underlying domain for which legal language registers have developed. When the professional language of say, a biologist, is translated from one language into another, both languages are attempting to communicate about the identical subject matter.

However, when legal language is translated from one legal linguistic register into that of another language, those two linguistic registers may well have evolved to describe and manipulate entirely different kinds of legal orders and legal cultures [5, pp.228–242]. To take an obvious example, legal terminology taken from a common law system like that of the United States or Great Britain is unlikely to have an appropriate terminological twin in the legal language developed within a civil law system such as those of Kazakhstan. The gloss placed on terms taken from one jurisprudential system can render them dangerously misunderstood when transposed into the other because of great difference. For instance, the English Legal System is founded on Common law, whereas the Kazakh Legal system is founded on Civil law, which is influenced by the traditions of Islamic law as well as the Soviet law and socialist principles.

Understanding of legal texts requires special knowledge. Teacher has to introduce general differences; otherwise students could misinterpret the whole substance of particular text. The notion of legal discourse is very wide and is inseparable from the notion of legal text, legal language, legal document, legal terminology or even text typology and classification of legal functions. Text functions is important as legal discourse itself is a communicative event, so order to effective study, teacher have to teach law students to transfer the actual intention of the text producer addressed towards particular class of receivers.

As for the development of oral and speech skills, those that have a legal focus should be selected from the topics of oral speech. Thus, the communicative competence of law students in the English language should be professionally oriented. Teaching English to law students implies

developing their necessary professional competence. Achieving this goal is made possible thanks to special teaching methods that are aimed at the development and development of new lexical and grammatical material. Professionally oriented case studies should be an integral part of most classes for teaching students verbal - verbal communication. Basic legal sciences, such as criminal law, international law, civil law, and many others should be widely represented in the English language teaching program for law students in order to form a basic country-specific legal training. Of no small importance in the study of English is the independent work of students, which expands the professional vocabulary and grammar base of students. The effectiveness of teaching English depends on the diversity and accessibility of the presentation of legal language material for students. Thus, we can conclude that every law student who has completed a two-year course of study at the university should read and understand legal texts, as well as be sufficiently fluent to express their thoughts in English in the most typical situations of legal life with some additional training. Our world, our society, our consciousness are rapidly changing today. Changes occurring in all areas lead to innovations in the education system.

Today, teachers need to prepare students to work in the changed conditions, unconventionally approach various situations, and organize their activities on a creative basis. Higher school faces new challenges, in particular - the successful integration of students in the educational process in European universities. To effectively solve their professional problems, a lawyer must possess the necessary knowledge and skills of a general theoretical and applied nature.

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