

TEACHING ENGLISH LEGAL TERMS IN ENGLISH AS METHODOLOGICAL COMPONENT OF A SPOKEN LANGUAGE

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ABSTRACT

The article discusses new approaches to the study of English legal terminology based on the competence-based approach. The author thoroughly analyzed structural and semantic features of terms, cases of their use, translation difficulties and provided relevant elucidations from several jargons of the personnel involved in the organizations where legal terms are ubiquitously used.

Keywords: methodical component, competence, legal language, international terms, intercultural view, professional necessity and sufficiency principle.

Applicability of a meaningful and balanced approach to instruction of communicative intercultural, linguistic, as well as primary professional competencies will indispensably contribute to alleviate English in purely professional situations at each further stage of teaching.

Meanwhile, as practice indicates, particular issues and calamities might appear in the study of legal terminology, because jurisprudence operates complex, multifaceted and specific concepts, which are expressed by the corresponding special terminology, are distinguished by semantic unambiguity, functional stability and are divided into industry, intersectoral and general legal terms. Replacement of special terms with descriptive expressions can lead to ambiguity and vagueness of wording, to the loss of accuracy and clarity of expression of the legislator's thought [6].

Legal vocabulary as an object of study in non-linguistic higher educational institutes was studied in the works of such scientists as Aleksandrova E.V. [1], Varlamova T.V. [2], Kuznetsova Yu.A. [3], Kucheryavaya T.L. [4], Stupnikova L.V. [5], Madhubala Bava Harji, Zhinoos Kamal Alavi1, Krishnaveni Letchumanan [6], Panadda Pratoomrat, Krich Rajprasit [7], Wenzhong Zhu, Xuping Deng1, Jingyi Li[8]. Researches Anisimova A.G., Arkhipova M.A. in their article "English-language legal terms: optimization of educational process" examine main special characteristics of legal vocabulary, and also study and prove system character of legal terminology [9]. Hsiao Hou in his article "Teaching Specialized Vocabulary by Integrating a Corpus-Based



Approach: Implications for ESP Course Design at the University Level” considers the possibility to use language frame while introducing special lexical units in university foreign language classes [10]. If the obstacles of instructing professionally aimed vocabulary in non-linguistic tertiary educational institute are paid much attention by resource specialists in linguistics, introduction of such lexical components into educational curriculum of linguistic specialties’ students hasn’t been studied independently until recently, which proves thematic justification.

According to Aleksandrova E.V., specific character of English legal vocabulary lies in a large amount of lexical nests, legal lexical units that were borrowed from other languages, in particular, from Latin and French, a large number of Latinisms, short and monosyllabic words, a huge amount of polysemantic words and significant amount of specific terms that were rooted in common-literary language [1].

Legal vocabulary embraces rather complicated and indistinguishable concept. With regards to socio-political terminology, it involves legal vocabulary itself or terminology of law, and terminology of jurisprudence. Within the frameworks of this article we are interested terminology of law, since this is a terminology of legislation, rule-making and regulatory enforcement, which is applied in various areas of knowledge. Terminology of jurisprudence is not of interest in this aspect, since its target is to elucidate jurisprudence as a science and is not of practical value for linguistic university graduate.

According to Anisomova A.G. and Arkhipova M.A., terminology favours creation of consolidated information area for international scientific communication [9]. According to Pigolkin A.S., legal term in a word or word combination, which is used in legislation, and which is a generalized name of legal notion. Legal term has accurate and specific meaning and is characterized by notional monosemy and functional stability [11]. Should terminology studies be limited by one part of speech is a question that is still open in modern terminology. Averbukh K.Ya. states that term’s morphologic structure may be different. According to him, in spite of the fact that all nonsubstantive forms of representation of special notions became results of initial terms’ transformation, they also may be ranked as terms. On his opinion, prerequisite for giving terminological status to any word is presence of stable connection with the special notion being denoted [12]. Zuieva A.V. offers including verbal forms, adjectives and adverbs into legal terminology complex (along with substantives, which form nucleus of terminological system) of English legal vocabulary [13]. Leichik V.V. also doesn’t see any



reasons for depriving verbs, adjectives and adverbs of terminological status [14].

According to Zuieva I.V., one of the main requirements to application of legal vocabulary of systematicity and unity. For unity of legal vocabulary it is necessary that one and the same term is used for denomination of specific notion in normative text, while at denomination of different notions, different terms are used [13].

Literal Communication of KFU, showed that the sphere of teaching legal vocabulary in English classes is limited by such topics as: human rights, types of crimes and punishments, court proceedings, and also main generic terms of juridical vocabulary (law, lawyer, court, crime, sentence etc..) In all manuals legal vocabulary is mainly introduced through texts, represented by fragments of popular detective stories. As for types of speech activity, reading and speaking prevail here. In our opinion, teaching legal vocabulary, presented in manuals for linguistic universities, requires improvement in terms of its actualization in accordance with modern requirements of society, as well as extending diversity of approaches to introduction and reinforcing lexis.

Thus, we offer lexical minimum that includes such juridical branches as contractual law, law of trusts, succession law and other branches, vocabulary of which is the most topical at the moment. The majority of scientists mentioned systematicity as one of the key characteristics of legal terminology: vocabulary is fixed not only in terminological dictionaries, but also in legislative acts, and it has a strict hierarchy. However, branches of English law are less divided, and they were not enough classified.

According to A.Kh. Saidov, the lack of strongly marked division of English law into branches may be explained by mainly two factors. First, all courts have common jurisdiction, i.e. they may hear various cases: in private law and in public law, civil, commercial, criminal ones. In this case unified jurisdiction favours merging of branches of law. Second, there are no branch codes in England, and English lawyer considers law as a uniform one [21]. In a wide sense, it is possible to detach branches of civil and public law in English law. Such branches as contractual law, law of trusts, family law and tort law were mainly developed on the base of civil law, criminal, constitutional and international laws are usually referred to public law.

The legal terminological system has a long history formation and development, sharply reacts to all changes in society. The classic origin of English legal terminology is Roman law. The world-famous historical document from the field of Roman law "Digesta" is a collection of Roman legal formulas compiled on the initiative of the Byzantine



emperor Justinian (1st half of the 6th century) based on the statements of the largest jurists: Papinian, Paul, Gaia, Ulpian, Modestinus - representatives of the "golden age" of Roman jurisprudence (2-3 centuries).

The distinctive features of Roman law were the accuracy of wording, simplicity and clarity, so it was prescribed to European countries. Most of the Roman legal terms have survived to this day and have become property of many modern legislative systems. Therefore, students should know that in modern English Latin legal terms are widely used with little or no changes in their orthographic structure. Many of these words have been taken directly from the source language during the Renaissance, when interest arose in Latin, not only ecclesiastical, but also classical: *credo*, *forum delicti*, *votum separatum*, *habeas corpus*, *memorandum*, *mandatum*, *veto*. Many concepts have come into English through French: *congress*, *constitution*, *legislature*, *parliament*, *president*, *representative*. Sometimes one common Latin term had different meanings passing through different languages. Immensely, Latin adjective *legalis* ("legitimate") has the forms *legal* (directly from Latin), *leal* (from Anglo-Norman), *loyal* (from Old French). In legal texts use both modern and Roman expressions.

A positive factor in mastering legal terminology the possibility of a promising intercultural presentation of Latin borrowings belonging to the so-called international vocabulary, which are repeated in the languages of many peoples, united between common features of cultural and social development. By this reason the principles and fundamental concepts of international law are stated in Latin: *res judicata* ("decided matter", i.e. legal precedent), *lis alibi pendens* ("simultaneous consideration civil case by the courts of different states"), *utendi et abutendi* ("the right use and use") etc.

The active vocabulary of the teaching aid "English in International Law" (Zueva I.V., 2011) in connection with the bilingual orientation is given with translation into Russian of neutral, idiomatic and terminological meanings relevant for students of this direction preparation. Idiomatic expressions stand out separately. Wherein assimilation and consolidation of vocabulary is carried out in tasks for multiple choice, substitution, correlation with the definition and English-Russian and Russian-English translation. It is bilingualism in the presentation and work on vocabulary provides a comparison of the volumes of meaning in both languages and reveals national specifics of the lexical unit. Practice shows that this approach determines the assimilation of vocabulary in an intercultural perspective.

Another principle of terminology selection is the principle of professional necessity and sufficiency, based on the terminological meaning is “a cartel agreement between ship owners” [7].

Word combinations, the structure of which includes words with a metaphorical meaning, as well as phraseological terms, belong to the group of metaphor terms and idiom terms. The difficulty in translating such terms is that their internal form, even being sometimes very transparent, does not allow the translator to deduce the meaning of the entire terminological unit. E.g.: Nine Old Men - U.S. Voorkhov Court, consisting of 9 people; Christmas tree - bill overloaded with amendments [5].

Thus, while observing an integrated approach, we give priority to the development of communicative linguistic competencies, as well as a number of professional communicative competencies in general and professional in real situations of communication in accordance with the B2 level of the European standard, with special attention being paid to the ability to correctly select the meaning of special terms. Given the objective differences in the Anglo-Saxon and Russian language traditions, among the leading linguistic competencies within the terminological field, the following can be distinguished:

- possession of monologue and dialogic speech in a wide range topical issues in order to express opinions for and against, as well as their own points of view;
- the ability to conduct a reasoned discussion, the implementation of a strategy "cooperation";
- understanding of the text on contemporary issues, the individual position of their author;
- understanding the complex argumentation of reports, lectures, films and dialogues on familiar topics;
- achievement of the communicative goal of the statement, in particular due to correct use of discursive markers and connectors;
- acquisition of intercultural competence underlying bilingualism.

At the same time, one of the important tasks remains the development of professional competencies through mastering the legal terminology in English, which is a complex and multilateral process. Difficulties, arising in the process of its study, of course, are not limited to the problems described above. However, we hope that the competence-based approach and the intercultural perspective of the presentation of the material will undoubtedly contribute to a deeper, meaningful and creative study of English legal terminology.



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