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RAISING LEGAL AWARENESS IN AN ESP CLASS

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Целью работы является описание видов деятельности на занятиях по английскому языку со студентами юридического факультета, направленного на развитие правового сознания и правовой культуры будущих юристов. В статье представлены традиционные и современные технологии обучения

Ключевые слова: правовое сознание, английский для специальных целей, коммуникативные компетенции, работа в группах, межкультурное междисциплинарное обучение студентов-юристов

Legal awareness is one of the key concepts of legal education in Russia. One of the aims of an ESP course at the university level is to empower legal consciousness of [legal culture](#). Legal awareness is defined as "the ability to make critical judgments about the substance of the law, the legal process, and available legal resources and to effectively utilize the legal system and articulate strategies to improve it is legal literacy" and a

"critical knowledge of legal provisions and processes, coupled with the skills to use this knowledge to respect and realize rights and entitlements".[Электронный ресурс].

In an ESP class we try to reach this aim through a number of activities utilizing both traditional means and new technologies as well. By traditional means we imply the use of group work leading to discussions, reading the materials on law and writing essays as well as role playing. The new technologies include such events as international collaborative teaching involving professionals from European and American schools of law, using social networks and online conferences.

Group work is widely used in ESP class to generate discussions on various topics, to solve legal problems and develop critical thinking skills. For example, the first unit of the textbook "Just English" offers the students some topics related to the concepts of law, rules and regulations. Students are encouraged to express their personal attitude to these ideas and terms. They read and discuss the text "The Nature of Law" and make a list of arguments for and against the five statements: *1. Laws haven't changed since primeval times; 2. However hard people try, laws are always insufficient; 3. Laws are not for ordinary people, they are for lawyers; 4. All laws are situational. They suit only a particular place at a particular time; 5. There is some eternal law. It is good for all times and places.* After discussing these statements in groups the students are invited to choose one of the five topics and write an essay (about 250 words) [Гуманова 2011].

The essays revealed what the students know about these topics and what opinions they have on these legal categories and what examples they give from real life situations.

Most students selected the statement "However hard people try, laws are always insufficient". The students write about changing and improving legislation in modern Russia: "*...Russia changed the economic system from the socialistic to market economy, the whole legal system had to be changed, The Civil Code and many other legal acts were approved in the 1990s. It is important to notice that because of the insufficiency of laws they are constantly modernized. There is even a joke among Russian lawyers : "If you look at the federal law, you can see how it is changing". We have to improve our laws in order to provide for all kinds of possibilities in our life. Of course, it is impossible to foresee all possible*

situations, and that is why the laws never stay the same. Hundreds and thousands of changes are made to acts of law since they are approved. Even the constitution, which is supposed to be stable, like an eternal law, provides a way for making changes in it. No wonder that federal laws are changed so often.”

Some of the students agree with this statement saying that “...our society develops continuously. Changes occur in all areas of society. New relationships appear, others become out of date. And most of them need legal control. Government must constantly monitor the dynamics of social development: to issue new laws, to change the existing laws and to cancel the outdated ones. But it is not always possible to do it in time, that is way legislation is often imperfect.”

Secondly, laws are always insufficient, because they are created by people. As it is known, there are no ideal people. Everybody has drawbacks. The human mind is not perfect either. It is rather difficult to cover everything: all diversity of situations in life, all the details, nuances and subtleties. Thirdly, laws are always insufficient to preserve the order in society. Laws contain “gray areas” which are used by offenders to abuse laws. On the other hand, no matter how many laws are passed, the offenders have always existed, and will always exist.

The students conclude that “...there are imperfections in laws, but at the same time they have advantages, for example: they are short, unified, systematic, relatively stable, etc. Therefore, a law still remains one of the most important legal regulators and in the future will not lose its value”.

Another group activity is called “Amending the Hammurabi's Laws” where students need to read the original laws written by Hammurabi and then introduce amendments from the modern law perspectives. Below are the examples of some laws and their “amendments”.

“Article 5. If a judge trying a case, reaches a decision, and presents his judgement in writing; if later an error appear in his decision, and it be through his own fault, then he shall pay two (not twelve) times the fine set by him in the case, and he shall be publicly removed from the judge's bench if he makes such a mistake again, and he shall not sit there to render judgement during the next five years.

(We suppose that the punishment for the judge should not be so severe because mistakes can be made due to lack of practise and many other reasons. We should give judges a chance)”;

*“Article 21. If any one breaks a hole into a house (break in to steal), he shall be put to death before that hole and be buried. **Firstly, death penalty***

is too cruel for a theft. Secondly, we would introduce the category of fidelity (or innocent trespass) which exists in modern law (if the person did not know that he was breaking the law, his responsibility should be not so strict)”;

“Article 129. If a man's wife is surprised with another man, the husband should be allowed to divorce his wife. In our understanding in modern law no one can be punished for conjugal infidelity, but everyone is free to divorce one's husband or wife.”

“Article 109. If conspirators meet in the house of a tavern-keeper, and these conspirators are not captured and delivered to the court, the tavern-keeper shall be put to death.

Our interpretation: Creating a stable armed group (band) for the attacks on individuals or organizations, as well as the leadership of such a group (gang) shall be punished by imprisonment for a term of ten to fifteen years and a fine of up to one million rubles or in the amount of wages or other income for a period of up to five years or without it and with restraint of liberty for a term of one year to two years.”

Such tasks are motivating because they are interesting and exciting to read and discuss, stimulating critical thinking and connecting what they have learned to real life situations and contribute to the knowledge in legal disciplines.

Discussions can be successfully conducted by introducing thought-provoking activities such as “Prisoners” and “Victims”. These activities are aimed at stimulating critical thinking which involves problem solution. The students should choose a young person who must be sent to be devoured by the Minotaur (“Victims”) and a candidate to be set free on probation (“Prisoners”) due to the fact that the local prison is overcrowded. The students have to use their knowledge of the situation, common sense and moral judgement to come to a decision [Ur 1994: 77-79].

Role playing also contributes to raising the students' professional and cultural awareness. The Mock Trial Module involves watching the video “The Twelve Angry Men” and discussing the film with a U.S. attorney both in class and on the Face Book page. The FB Legal Communication Group [электронный ресурс].

was created in 2009 for the students to be able to communicate with American professors of law and legal practitioners.

The second stage of the Module is the preparation for a mock trial “Elyse Roberts v. the District of Columbia”, where a woman sues her employer, the District of Columbia, for sexual harassment and intentional infliction of emotional distress [Электронный ресурс]. The students watch mock trial videos to get acquainted with the American trial procedure and prepare their roles accordingly [Электронный ресурс]. They study the case terminology and analyze stipulated facts, claims and defenses, the witnesses' statements, applicable law (acts), material evidence. Before the actual mock trial the students rehearse their roles to feel more confident. At the preparation stage the students are given the task to read the information about Court Procedures of RF Russian Civil Code under the supervision of a professor of law. The purpose of this type of collaboration is to make students understand the similarities and differences between the two legal systems. The students can later use the acquired knowledge for writing essays, reports and summaries both in English and in Russian.

To conclude, such ESP projects foster the students' abilities to get to know and realize the importance of watching, discussing, and analyzing cases, which, in its turn, leads to the development of critical thinking and problem solving skills. They are also aimed at improving the students' knowledge of legal English in civil and criminal areas of law and eventually contribute to raising their legal awareness and consciousness.

References

What is legal literacy? Examining the concept and objectives of legal literacy [Электронный ресурс]. URL: https://en.wikipedia.org/wiki/Legal_awareness (Дата обращения: 22.04.2015).

Good Citizens: Literacy Training in Anxious Time. Pittsburgh: University of Pittsburgh Press, 2014. Project MUSE. Web. Feb. 2015. [Электронный ресурс]. URL: <http://muse.jhu.edu> (Дата обращения: 22.04.2015).

Гуманова Ю.Л. Just English. Английский для юристов. Базовый курс: учебное пособие для юр. вузов. М. : КНОРУС, 2011. — 256 с.

Ur P. Discussions That Work : Task-Centered Fluency Practice Cambridge University Press 1994, pp. 77-79.

Street Law/ Civil mock trials [Электронный ресурс]. URL: http://www.streetlaw.org/en/Page/63/Civil_mock_trials (Дата обращения 20.04.2015).

Payne v. Davis Mock Trial Demonstration [Электронный ресурс]. URL:

<https://youtu.be/TFBwC CdV7VM> (Дата обращения 1.05.2015)

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The purpose of the paper is to describe the activities in ESP classroom for students of law which are aimed at raising legal awareness and legal culture

of the future law professionals. The article presents both the traditional and modern teaching technologies.

Keywords: legal consciousness, English for special purposes, communicative competence, group work, intercultural, interdisciplinary training of law students