
**INNOVATIVE ASPECTS OF INTERCULTURAL COMMUNICATION
IN THE PROCESS OF LEARNING A FOREIGN LANGUAGE
BY LAW STUDENTS**

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У статті розглянуто головні інноваційні аспекти міжкультурної комунікації у процесі вивчення іноземної мови студентами-юристами. Особлива увага приділяється дослідженню форм міжкультурної комунікації та співпраці між викладачем і студентом. В статті підкреслюються особливості професійної іншомовної комунікації у сучасному багатокультурному світі.

Ключові слова: *інновація, міжкультурна комунікація, іноземна мова, навчальний процес, студенти-юристи, вищий навчальний заклад.*

Formulation of a research problem. The topicality of this subject is caused by the extension of international relations of Ukraine and, in particular, by its integration aspirations. The participation in the Bologna process has led to increasing the demand for foreign languages and induced the reforms in the system of training specialists as well as the necessity of generating innovative approaches to learning foreign languages. In this context, the readiness of future lawyers to the intercultural foreign language communication is becoming especially important. In the period of greater integration of different countries and the development of the international economic and cultural relations stressing the role and the process of substantial expansion of professional terminology including the terms of jurisprudential acts, contracts and papers containing specific and indispensable for the present recommendations, requirements and regulations is one of the most significant problems which requires qualified interpretation in the native (Ukrainian) as well as in the foreign languages, particularly, in English.

Thus, the current educational paradigm reflects a new vision of the interconnection of law education and the future communicative activity of the law students. Using the opportunities of the English classes in teaching them the basics of intercultural communication is one of the most important innovative ways of solving the problem that involves achieving coordinated actions with the representatives of another culture.

Analysis of recent publications and researches. Modern researchers, such as K. I. Myzin, consider the comparative linguistic culture studies “a new branch of science of a synthesized type”, which is not completely defined. But today in an increasingly globalized world this method as well as a number of other methods of the investigation of the law language material prove multidimensional character of the interaction of language and culture [1, p. 51].

In this regard, taken into account the multidimensional nature of the problem, the authors of the article “Intercultural communication as a compulsory subject in the Bologna system of study in the higher educational establishments of Ukraine” (I. Y. Nam-

akshantska, O. V. Romanova, G. Y. Antonova) [2, p. 41–44] believe that the process of converging and integration of the national educational systems into a single “Bologna space” doesn’t just need but to a great extent, requires obligatory learning of national cultures. This demand is proclaimed by a number of international documents. F. S. Batsevych underlines that for the establishment of the atmosphere of respect and trust among the communicants belonging to different cultures, their thorough knowledge of their own native culture as well as the interlocutor’s culture is of a considerable importance. It contributes to their fruitful intercultural dialogue as one of the forms of “successful communication of the representatives of different cultures and members of different ethnic linguocultural communities” and such a form of intercultural communication is effective in “creating national tolerance” [3, p. 45].

A number of recent publications made by such researchers as I. F. Loschenova [4], S. E. Kirzhner [5], N. V. Kucherenko [6] and others attract special attention. S. E. Kirzhner, emphasizing the importance of knowing the judicial system in the English-speaking countries (the U.S.A. and Great Britain) for establishing skills and proficiency of intercultural communication, considers that the legal culture being a part of the general culture of the representatives of law profession of a certain linguistic society, defines the specific character of the lawyers’ communicative activity [5, p. 89]. In general, most researchers emphasize the importance of this subject and the necessity of its detailed investigation in the current conditions of globalization, internationalization and integration of the modern world.

The purpose of the article is to define the most significant aspects of foreign professional intercultural communication in modern Ukrainian and foreign science. However, the main focus is concentrated on the identifying innovative and the most effective means of learning foreign languages by the future lawyers, among which we highlight such organizational and pedagogical (methodological) methods as target programming of the professional communication, students’ motivation for learning the professional communication in a foreign language and dialogizing their professionally oriented foreign language activity which may be distinguished as the main tasks for achieving the goal of the investigation.

Exposition of the basic material. As the comparative analysis shows, the Ukrainian and foreign (Russian and American) syllabuses single out the following objectives of teaching foreign language in the higher educational establishments: the establishing the communicative competence; thorough study of the culture the language of which is studied. The process of training students for the professional intercultural communication is governed by standard legislative documents (in Ukraine – the Law “On Higher Education”, National programme “Education” (“Ukraine in the 21st century”), the target complex programme “The teacher”; in Russia – “State Educational standard of higher professional education”; in the U.S.A – each state and the universities determine the content of their vocational education. The main forms of training students in foreign language communication are lectures, practical, laboratory classes and individual work. Various teaching and educational methods are used in the process of training students in the foreign language communication.

The standard legislative documents mentioned above have the following things in common: 1) fundamental values of developing communicative abilities and, to a great extent, reflect social interests which are constantly in progress and are rather changeable; 2) the 21st century sets the tasks of collaboration between a teacher and a student, working out common values, forms and content of teaching methods as well as common approaches

how to harmonize the teacher's demands with the student's needs; 3) continuity of solving communicative tasks aimed at the development of the student's personality; 4) teachers' and students' orientation on the establishing the appropriate conditions for self-realization of a future lawyer; 5) the teacher's elaboration of his own conception of the student's proficiency in the field of intercultural communication and the ways of its realization.

The international relations of Ukraine cause the need in the specialists who could communicate in the foreign languages on the professional topics, i. e. the specialists who could successfully interact with their foreign colleagues. Having a good command of English is especially important for modern lawyers as Ukraine cooperates with a number of European institutions where this language is the official language of the international communication. It is proclaimed by very many interrelated international law documents, signed, first of all, by the states – members of the United Nations Security Council as well as the country-members of the European Union which determine the principles and conditions of the ensuring the independent state status of Ukraine, its political sovereignty and territorial integrity, etc [7, p. 693].

The contemporary tendencies in the foreign language methodology indicate that the effective learning of foreign language communication is impossible without a cultural dialogue and the knowledge of the communicative peculiarities of the representatives of different countries. We agree with the point of view of S. E. Kirzhner who states that the main purpose of learning a foreign language in the context of the dialogue between different cultures is to prepare the students for the active cooperation in today's multicultural world by means of a foreign language they learn [5, p. 88]. Thus, in the process of teaching professional intercultural communication English should not be regarded as an object of study, but rather as a means of sharing the important professional information among the experts. According to the "Law Encyclopedia" only on the territory of the EU member states there are more than sixty international law organizations where English is spoken [7, p. 642–699].

In terms of comparison this example is not in favour of Ukraine because lexical and terminological possibilities of the Ukrainian language as the only official language don't have clearly defined rules about the communicative norms which should be used in the field of law theory as well as in law practice. From the point of view of law linguistics – the newest branch of linguistics, we should talk about those problematic issues which should be taken into consideration in the presentation of some of the articles on the Ukrainian legislation. In this case a specific language policy of law involves, on the one hand, the expansion and improvement of the law terminology system of the Ukrainian language which should be based on its own lexico-terminological foundation and, on the other hand, it involves the necessity to use a modified system of the Ukrainian terminology connected with the international system of law. In such a system there are elements taken from other languages, internationalisms, Slavonic names and other new language borrowings that penetrated into the Ukrainian language as a result of integration, internationalization and globalization of the modern world.

Thus, in the course of the formation of the lexico-terminological foundations of the communicative activity of the future lawyers it is essential to use the information about the political structure of the country, the peculiarities of functioning the judicial branch of power, trends in the development of different law branches and institutions (constitutional, municipal, administrative, civil law and others) and the specific character of responsibilities of different representatives of law profession. For example, in Great Britain the consideration of complicated criminal cases is held in a higher court (Crown Court) while less complicated cases are handled in lower courts (Magisters' Courts). In the U.S.A the majority of

everyday controversial cases (family, household, etc) are considered in state courts (State Courts), but some of the more serious cases are sent to the federal courts (Federal Courts).

A similar comparison can be made in other areas of law practice. Thus, the characteristic feature of the English system of law is the work of certain types of lawyers: solicitors who prepare their clients' cases to the trial and barristers who directly present the people's interests in court. Meanwhile, in Ukraine and in the United States such division doesn't exist. In these countries barristers participate in court proceedings. Another example of communicative terminological differences between English, American and Ukrainian judicature that should be emphasized to the law students learning the relevant topics in English is the crucial role of jury in the English-speaking countries, while in the Ukrainian legal system it is not widespread. It's no wonder that one of the conditions of signing the Agreement about the Association of Ukraine in the European Union (November, 2013) is a judicial reform, the lack of selective justice, the development of the jury and other innovations of European and world jurisprudence.

Under conditions of reforming the law system the tasks of lawyers, linguists and foreign language teachers are: 1) to examine the law standards in order to find out if they are still functioning; 2) to provide the correct authentic text of law standards in writing. In our opinion, it would be good to involve law students into this kind of work. Besides, it is very important to achieve accuracy, clarity and simplicity of presentation of law standards to ensure a correct use of law terminology.

Thus, the possibilities of improving the knowledge of students about the law systems of the countries the language of which they study can greatly be expanded by mastering the essence and spelling of the mostly common used foreign language law terminology. In this process the following aspects should be distinguished:

1. Knowledge of the legal system of the English-speaking countries is of great importance for the developing in future lawyers professional skills in intercultural communication.

2. Legal culture of a country, being a constituent part of a common culture of the representatives of law profession living in a certain society, determines the specific features of their professional communication.

3. The legal systems of the U.S.A and Great Britain have many common features because they belong to the same Anglo-Saxon law family, within which the system of precedents exists. As for the Ukrainian legal system, it belongs to the Romance-Germanic family and is completely different from the American and British one because law questions are solved in accordance with the codified law standards [8, p. 237–238].

4. The differences in the legal systems of different countries influence both verbal and nonverbal behavior of lawyers in the course of their professional communication. The legal dialogue between the country of a native language and the country, the language of which is studied, is determining and should be an integral part in developing abilities and skills of the future lawyers in intercultural communication.

5. For the effective professional intercultural communication the future lawyers should master their professional and linguistic knowledge, skills and abilities that constitute their foreign language communicative competence.

6. In the process of teaching the English professional cultural communication to future lawyers they must learn not only lexical and grammatical aspects of the language of law but they must also learn how to interpret the specific features of British and American law and to compare them with the Ukrainian ones.

7. In terms of professional work the lawyers can't do without understanding the ways of resolving legal disputes in accordance with the existing legal system.

8. The formation of speech and communicative skills is one of the main innovative aspects of the development of a future lawyer as a creative personality who demonstrates a high level of foreign language communicative competence having a respect to his native language and who is willing to improve his speech in all its forms, styles and genres.

In the course of developing speech and communicative skills along with a high level of communicative competence the law students should acquire a good knowledge of syntax and imitate some speech ideal.

We agree with the opinion of some researchers (I. Donchenko, S. Karaman, A. Nikitin, M. Pentylyuk and others) who focus their attention on such notions as “communicative personality” and “competence”. “Communicative personality” is defined in terms of his readiness and abilities to the communicative activity. “Competence” manifests itself in the total knowledge and number of skills and abilities which have been obtained during the process of learning a foreign language.

Thus, speaking competence is the ability to apply the knowledge of some language being able to use linguistic units which are appropriate in a certain situation.

We share the point of view of A. Nikitin who considers that the most important components of communicative competence are linguistic competence (the ability to understand and produce an unlimited number of correct messages), sociolinguistic competence (the ability to understand and produce speech in a certain sociolinguistic context of communication), the strategic competence (the ability to participate effectively in communication, choosing the right strategy and tactics of communication) and socio-cultural competence (the ability to use the socio-cultural context: customs, norms, rituals and social stereotypes). Moreover, some linguists include into the communicative competence a discourse competence (the ability to combine messages into a coherent discourse) and illocutive competence (the ability to realize the communicative intentions, using the structure of a message – a speech act) [9].

The basic principles of psycho-pedagogical training and education are:

1. The principle of common activity of the foreign language teachers, teachers of law and students in the process of planning, implementation, evaluation and improvement of the educational process. The law students who learn a foreign language have two tasks to do: on the one hand, they must master some British and American vocabulary and style and, on the other hand, they must learn completely, new notions of British and American legal systems. Therefore, the students need to learn the words and expressions used by lawyers in the English-speaking world, but without proper understanding of the specific features of the legal systems, in which these lawyers work, they won't be able to use the acquired language skills effectively.

2. The principle of the reliance on the students' experiences and skills. It lies in the fact that life experience (either home, social, educational or professional) are used by both the teachers and students as a source of learning. For example, during the holidays a student was travelling to Western Europe, where he had an opportunity to practice his language skills and learned some interesting information about his future profession.

3. The personalization of learning process. This process involves making a syllabus which takes into account students' individual needs and interests, their experiences, level of training, psychological, physiological and cognitive peculiarities. This principle helps to convince those students who are not sure of their abilities to learn a foreign language and encourage them that they could master it. As practice shows, there are no people who are incapable of learning a foreign language, at any age. The teacher's task is to identify the student's abilities and use them in the teaching process.

4. The principle of collective (cooperative) activity on learning a foreign language. It is a form of learning in small groups of students united by a common educational purpose when a teacher guides each student's work indirectly, by giving different tasks. In such a way he directs the activity of the group.

5. Conclusions and perspectives for further research. After investigating the professional, sociocultural, linguistic and psychological aspects of the professional intercultural communication of the future lawyers we have come to a conclusion that the effectiveness of the communicative and functional approaches to learning foreign languages by the law students depends on the conditions for the implementation of this process in the higher educational establishments as well as on the level of teacher's understanding of some theoretical notions, such as language personality, communicative skills and communicative competence which is rather universal and combines other competences. Besides, learning foreign languages by the students of Law department should rely on the dialogue of cultures.

The perspective of the further investigation is to work out new complexes of different activities which could be used at the English classes for law students aimed at mastering skills of intercultural communication.

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