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THE CHALLENGE OF LANGUAGE AND CULTURE INTERACTION IN TEACHING LEGAL WRITING

Traditionally, a great deal of attention is paid to the teaching of writing while teaching legal English. And current EFL/ESL programs focus on developing students' reading, speaking and writing skills. As a rule, the students of Law Faculty use authentic materials in their studies not only during their English classes, but while studying cases in the International Law. And no doubt, successful techniques that we implement during English classes are used by them in their studies and further practice.

To be a successful international lawyer, one must not only be an expert in international law and be able to communicate on relevant topics. As part of globalization and the increased amount of communication between countries with different legal systems and different approaches to business and legal matters, it is often required to present your ideas in English not only verbally but in writing.

The duties of an international lawyer should include not only the skills of spoken legal English, but also deep knowledge of legal writing. And the assessment of the lawyer will be based on these skills. That is why successful teaching methods in Legal writing are widely used by our teachers, especially those who teach ESP and Legal Writing at the law faculty of the International University “MITSO”.

The main goals of teaching Legal writing is to deliver to law students the main ideas on how to conduct legal research and how to draw up legal documents (demand letters, opinion letters, research memos, motions, briefs, judicial opinions, contracts, statutes, ordinances, etc.). It is important to note the difference between the two systems of law: common and civil. And we shouldn't forget about the difference in approaches to the legal procedure and drafting of legal documents in our country and English-speaking countries. And that all together creates significant difficulties in understanding and implementing the fundamental principles of effective legal writing.

The language used in legal English is called legalese. It has its own characteristics. Legalese often creates difficulties for non-lawyers or clients. However, non-native English lawyers also find it difficult to understand. And understanding the legalese can be difficult for law students, as they need to know not only legal issues, but also learn to express some legal issues in written form.

To eliminate such difficulties, it is necessary for the Legal Writing teacher to introduce some typical features of this writing style and to facilitate understanding of texts and documents of this kind. Some of the features of the legal English are as follows:

1. Sentences are too long and complicated.
2. Texts contain many archaic words and phrases.
3. Passive constructions are widely used.

In order to respond to such a challenge, it is extremely important for law students to be informed about the latest trends in legal literature and methods of legal writing. And they should study not only old traditional legal texts, but also modern legal documents that can give a good example of how to express your ideas correctly and timely and be able to read texts written by traditional lawyers.

In the course of effective Legal Writing, it is recommended that students plan the basic structure of the document and the types of paragraphs they are going to write. To achieve clarity, it is recommended to work with sentences and words.

Students should be instructed to use short sentences, and they should not contain unnecessary words.

In order to minimize such problems, law students should be instructed to plan their writing projects for maximum efficiency. It's possible to suggest them to apply a four-step process:

Step 1. To decide about ideas they want to say (the number of ideas can be as many as possible in the shortest possible period).

Step 2. To work out a reasonable order for those ideas (that is, to make an outline).

Step 3. With the outline as their guide, to write out a draft.

Step 4. After putting the draft aside for some of minutes or days, to return to it and edit it.

This preparatory work doesn't mean the beginning of the writing process in producing sentences and paragraphs. This is only the stage of outlining. And the form of this outlining can be chosen by the student.

Some students may think that to write down the material in a logical sequence cannot be a problem for them. But it turned down, that they can use the samples of traditional conventions in law with their very specific structure of ordering the information. And the best way out is to follow the logic and chronology of the matter.

The next option is to divide the document into sections, and divide sections into smaller parts when needed. It is advisable to use informative headings for the sections and subsections.

In the process of building the sentences the law students must be trained to keep the subject, the verb, and the object together (toward the beginning of the sentence). And related words should go together. The average length of the sentence shouldn't exceed 20 words. As for the voice, the active one is preferable. The choice of active voice has some advantages over the passive:

- It usually requires fewer words;
- It better reflects a chronologically ordered sequence;
- It makes the reader's job easier;
- It makes the writing more vigorous and lively.

But nevertheless, the active voice:

- saves words;
- says directly who has done what;
- and makes for better, more interesting prose.

The students should be trained to avoid multiple negatives, as the positive form is more concise and direct. But when a sentence has more than one needless negative, the meaning can get muddled.

And, what is even more important in writing not only legal texts, is the issue that the students should be trained to finish their sentences effectively, even emphatically to avoid sounding like a bureaucratic bore.

The students should be trained to work hard with their texts sentence after sentence. As a result, they will brighten their style.

Similar approach to teaching writing can be applied not only for law students who study Legal Writing, but some aspects can be implemented into writing essays or business letters.

Of course, a foreign language learner remains the bearer of the culture of the native language, but the linguistic and cultural material received in the process of studying foreign languages enriches his background knowledge. And the knowledge of the essential elements of the foreign language culture will give the possibility for the students to be engaged in the process of integration in the world.

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