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**STATE AND LEGAL ASPECTS OF LINGUISTIC COMPETENCE
OF LAWYERS**

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Abstract

The article refers to the language competence of lawyers projected on to the modern system of communicative and cultural-linguistic coordinates and the state language policy in the context of globalization, ethnic and cultural heterogeneity of modern Russia. The main aspects of linguistic and communicative competence in the professional sphere are identified: the improvement of ideas about the Russian language as a state symbol and a factor of ethnic, civil and state identity, as well as about the cultural and educational potential of the Russian language in the context of national and world culture; the profiling of teaching Russian language and culture of speech in a law school based on the communication specifics and speech practice of lawyers, who traditionally use language as a professional activity. The civic individual maturity is manifested in mastering literary language so its potential, advantages and functions are the primary focus of the article along with the core terminological categories of “national language”, “state language”, “literary language”. Relying on the complex of sociolinguistic approaches to the language analysis, language situation and language policy through the comparative-historical, communicative and cognitive methods of modern Russian studies, the authors conclude that the teaching of Russian language and culture of speech in modern universities requires more than just utilitarian needs of professional communication and cross-cultural communication, but also awareness of the role of Russian language as a translator of Russian culture, a means of intercultural integration in Russia and the modern world and ideological framework of state policy.

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1. Introduction

Public speaking practice and the established system of the Russian language learning at tertiary level reflect both the socio-cultural sensitivities of its functioning and the state “commission” for ensuring the effectiveness of communication in a given social strata, for example, in professional interaction. This commission is determined by a multiplicity of extra-linguistic factors: the political climate, the cultural paradigm of the country, educational vision. The factors have been captured in the idea of the state influence on the language situation and make up *the state linguistic policy*. The terms *language planning*, *language construction* and even *language engineering* are also used to refer to this sociolinguistic phenomenon.

Of course, these concepts, and the very phenomenon of language policy itself, have an indirect relationship with linguistics since here it is not the question of shaping a kind of linguistic transformation but special state measures regulating the language use in various spheres of social life: education, documentation, the media, inter-ethnic communication, creativity, etc.

State language policy in countries with multi-ethnic (multilingual) populations usually regulates the cultural and communicative balance of various national languages functioning, forms the linguistic area of the state depending on *the national policy* framework (Kondrashkina, 2020; Vedenina, 2018). Therefore, when we talk about *the language policy* of the state, we usually mean *the national-language policy* (Alpatov, 2013; Blokhinskaya, 2015; Marusenko, 2019). From a historical and political point of view, this is the most interesting aspect of language policy: it reflects the relationship between peoples, their cultural and linguistic contacts, and the ambiguity of interaction between the authorities and the country's population (Bashieva & Shogenova, 2018; Bergelson & Kibrik, 2018; Blinov, 2020; Verbitskaya, 2015).

With this aspect of language policy in mind, it is necessary to pay attention to two legitimate trends in national relations: the need for nationwide communication and mutual understanding of peoples, and thus the need for “monolingualism” and the need for the ethnic identity of each nation and nationality. Therefore, at different stages of the country's history, language policy was dominated by the first tendency (Russification) and the second (nativization). In linguistic terms, they influenced not so much the linguistic systems as the formation of certain branches of linguistics, in particular sociolinguistics, legal linguistics, document linguistics, and the research on national language systems.

2. Problem Statement

The question of the Russian language role as a means of the Russian national identity or at least the civil, state identity of the “Soviet people” as a special historically formed community (nowadays this community is called Russians) has determined the language policy direction prioritizing the cultural roots of the language and its adaptability to the needs of state existence and really develops the language. Historically, these were the factors that contributed to the social (X– XI centuries) and then ethnic (XIV century) specification of the ancient Kiev koine resulting in the emergency of Russian literary language as an independent national language which is still the basis for the regulation of the linguistic situation in the country, its script (one of the most important objects of language policy) was formed. Influenced by

social stratification and communication requirements, a system of literary styles has been established in various fields of public life that permitted the Russian language development to benefit exponentially and to acquire those qualities (multifunctionality, universality, availability of oral and written forms, semantic and stylistic diversity) allowing it to spread and become a means of inter-ethnic communication.

Language policy, understood as protective and supportive measures in relation to the main language of state communication, was formed under the threat of the loss of its integrity and its status as a means of national and state identity. This danger of losing its national Russian and state identity was provoked by those facts of public communication and speech practice, which are commonly grouped in the concept of *language situation*. The negative phenomena of the modern language situation include a general coarsening of speech and a decrease in its etiquette and stylistic characteristics as a consequence of a distorted understanding of “freedom of speech” and the excessive democratization of communication in all spheres of public interaction.

Another danger of state identity is associated with the globalization and integration of languages and cultures due to the geopolitical, technological, and social processes of our time: the migration of peoples, the expansion of communicative space through its virtual forms on the Internet, the intensification of cultural, trade and economic relations of states (Kamusella, 2020; Milani, 2015; Moore, 2000). Usually, this danger is associated with the so-called *borrowing* - the use of foreign words. But it is not a matter of the lexical system of a language assimilating the words and concepts of a foreign source language, which, in general, contribute to the enrichment and development of the native language. Both the public and the scientific community have noted the negative impact of linguistic globalization on the Russian language (Bernatskaya, 2017; Lexin, 2015), expressed in the abandonment of own word in favor of foreign.

It is no longer so much about the identity of ethnic Russians as it is about the self-awareness of native Russian speakers. The very notion of a *native Russian language speaker* is a linguistic one but it is also reflected in the law, where the legal definition of *the native Russian language speakers* is the persons who are proficient in the Russian language and use it daily in the domestic and cultural spheres, if these persons or their relatives in the direct ascending line reside permanently or previously resided in the territory of the Russian Federation either in the territory of the Russian Empire or the USSR, within the State border of the Russian Federation.

Sociolinguistics traditionally includes not only ethnic Russians and children of mixed marriages, but also people of different nationalities, regardless of the settlement patterns of nations and nationalities who use Russian language fluently in everyday, interpersonal and public speech interactions in various spheres of social life, receiving or have received an education in Russian language, easily produce oral and written speech in Russian language (documents, scholarly articles, reports, messages, texts of business communication and even publicists and literary works).

Due to the wide spread and strengthening of Russian language functions as a universal communicative means including “lingua franca” (language of interpersonal communication between representatives of different “non-Russian” nationalities: Georgian and Uzbek, Kyrgyz and Ukrainian, etc.), it is perceived by everyone who knows it well and uses it daily. The official establishment of the

state language status gives it the importance of the symbol of Russia, along with the official state symbols: the flag, coat of arms and anthem.

Thus, in accordance with the current language situation, the language policy of the Russian authorities, in our view, is determined by the declared policy of strengthening national self-identity, the formation of ideas about the cultural and spiritual self-sufficiency of the Russian people, what is today called a *civil and state identity*. This linguistic situation also determines the specifics of Russian language teaching in a law school, the pedagogical concept of which is being developed largely under the language policy influence.

3. Research Questions

The subject of the article covers the aspects of Russian language teaching in higher education schools especially in the training of legal professionals.

Russian language teaching is based on the requirements of FSES that combine the tasks of forming general cultural and professional competencies. They define *two main sets* of educational and pedagogical tasks.

First, there are competences that require attention to speech-related, professional and business skills, knowledge of terminology, orientation in institutional legal discourse often integrated with legal knowledge and legal technique skills (Baranov, 2017). This direction, albeit outside the scope of the detailed consideration of this article, also relates to the language policy at the level of the FSES requirements themselves, which define the education policy in the country.

Second, it is the formation of cultural competences closer to the above-mentioned aspects of linguistic situation, societal attitudes, modern language policy: speech culture and communicative behavior.

Professional Russian language instruction is complicated by social factors primarily the high degree of national and cultural heterogeneity of the student audience. Many students who are not native language speakers have distorted ideas about language competence itself, related to the Russian language. They consider themselves Russian-speaking on the grounds that for the knowledge of Russian, as they think, the skills of everyday colloquial speech and mastering of non-literary means of language (jargon, foul language) are enough. The teacher faces the task of differentiating the *national* and *literary* language and promoting a literary language, demonstrating its advantages and potential the mastery of which is a true linguistic competence and civic maturity of the individual.

The teaching of the Russian language and the culture of speech includes a system of sociolinguistic concepts and without the recourse to them it is difficult to form an idea of the political and ideological potential of the Russian language in future lawyers. The central concept in this case is the concept of the state language. Despite the gravity of many problems relating to its legal and linguistic qualification and interpretation and the fair criticism of the Federal Law “On the State Language of the Russian Federation”, it is a well-established concept, limited in scope and enshrined in normative documents (Belov & Kropachev, 2016; Pennycook, 2013; Ryabova, 2016). It is used in various areas of social life such as public administration and local government, electoral activities, documentation, legal

proceedings, advertising, public display of artistic works, etc. Attention should also be drawn to language policy, i.e., state regulatory measures concerning the use of national languages, their support, development, adoption of the rules on spelling and punctuation, publication of dictionaries and reference guides, choice of the instruction language, etc. We cannot fail, either, to mention state support for social initiatives aimed at strengthening prestige of Russian national and Russian literary language, for example, ROPRYAL, MAPRYAL, “Russian World” Foundation.

Relying on the basic concepts of *state language*, *literary language*, *language policy* the students are introduced to the speech and communicative space of legal profession. Mastering legal discourse is associated with the study of legal terminology, traditions of domestic art of pleading, with some genres and linguistic features of legal documents. Acquaintance with the language as a subject of legal relations is an essential area of profiling.

4. Purpose of the Study

The purpose of the article is to describe the language competence of lawyers in the context of modern communicative, cultural and linguistic situation and language policy of the state.

5. Research Methods

The study is supported by the range of sociolinguistic approaches to language analysis, linguistic situation and language policy using comparative-historical, communicative and cognitive methods of modern Russian studies.

6. Findings

The result is a holistic vision of the development of a set of language knowledge and skills acquired by law students. It is relatively self-contained area of Russian language teaching.

Firstly, the development of speech and communicative competences based on the specific communication and speech practice of lawyers who have traditionally used language as a subject of professional interest and an instrument of professional activity.

Secondly, the shaping of ideas on the political and state-legal status of the Russian language, its function as a symbol of the state and a factor of ethnic, civil and state identity, which is an important component of legal awareness and legal reasoning of future lawyers.

Thirdly, deepening the understanding of the cultural and educational potential of the Russian language in the context of national and world culture and its culturally formative role at the present stage allow it being considered as a factor of spiritual and ethical security of society.

7. Conclusion

Thus, the traditional purpose of studying of the Russian language and the culture of speech in law school can and should be considered in line with the national objectives of the Russian linguistic policy

aimed at supporting the prestige of the Russian language as the state language and cultivating the respectful and careful attitude towards it as a symbol of the Russian state and the most important means of national integration and civil identity of Russian citizens.

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