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37

ГРАММАТИЧЕСКИЕ ДИСТРАКТОРЫ В CLIL-ОРИЕНТИРОВАННЫХ ТЕСТАХ ПО МЕЖДУНАРОДНОМУ ЮРИДИЧЕСКОМУ АНГЛИЙСКОМУ ЯЗЫКУ

Аннотация. *Статья посвящена проблеме применения грамматических дистракторов при планировании, составлении, проведении тестов по юридическому английскому языку, а также при анализе их результатов. Рассматриваются возможности использования дистракторов для закрепления важнейших речевых навыков профессионального общения будущих специалистов. Формирующий характер дистракторов находит свое применение в ряде специальных заданий, способствующих достижению важных сопутствующих целей. Среди таких целей можно выделить: поддержание позитивного отношения к изучению иностранного языка, развитие способности к речевому самоконтролю, повышение уровня мотивации, учебной автономии, закрепление навыков коллективной работы и ее самостоятельной организации, а также правильное понимание роли грамматического аспекта в обучении и высокой ценности грамматической правильности, независимо от уровня беглости речи. Предприняты попытки классификации грамматических дистракторов для удобства их использования в учебной аудитории.*
Ключевые слова: *дистракторы, CLIL, языковые тесты, юридический английский язык.*

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GRAMMATICAL DISTRACTORS IN CLIL-ORIENTED TESTS ON INTERNATIONAL LEGAL ENGLISH

Abstract. *The article addresses the use of grammatical distractors in planning, preparation and a conducting process of tests in legal English, and the analysis of their results. It also considers their potential for consolidating the most important skills of professional communication of future specialists. The formative nature of distractors finds its application in a number of specific tasks that contribute to the achievement of these important*

aims. Such aims include: maintaining of a positive attitude towards learning a foreign language, the ability to self-control during the act of speaking, increasing the level of motivation and educational autonomy. They also undermine the development of teamwork skills and its organization with minimal assistance, as well as the correct understanding of the role of the grammatical aspect in learning and the high value of grammatical correctness of speech, regardless of the degree of an individual's fluency. Attempts have been made to classify grammatical distractors for learning convenience in the study room.
Keywords: distractors, CLIL, foreign language tests, legal English.

Specific aspects of compiling CLIL-oriented language tests

In the modern system of higher education, programs and courses taught in foreign languages, mainly in English, are strengthening their presence. More and more universities offer joint programs with foreign higher education institutions, the possibility of obtaining double diplomas. They provide programs led by so-called visiting professors, native speakers from other countries. They tend to use English as a medium for communication and transfer of knowledge to students. Mutual recognition of academic degrees by different countries has become a significant aim for the current generation of students, as it provides professional opportunities at the international level and meets the current needs of employers of global organisations and major market leaders. This kind of teaching suggests that the assimilation of the content of academic disciplines is initially carried out in a foreign language, which is associated with certain difficulties in the perception of a linguistic, cross-cultural and psychological nature. There is an increasing need for specialists who are able not only to maintain a conversation on general topics and that in a professional environment, to perceive authentic printed materials and sounding speech of native speakers, but also to conduct scientific discussions, make presentations, act as specialists in intercultural communication, translate and interpret texts of specialised content.

The main goals of language learning in the XXI century go far beyond reading foreign fiction or simply expanding an individual's cultural horizons. Basically, it is aimed at establishing professional relations, unimpeded in terms of language and cultural barriers of moving within the territory of foreign countries and accommodation there. This determines the importance and a new status of the language of professional communication in the XXI century.

To a certain extent, the CLIL system (Content and language integrated learning[1]) is oriented towards the approach mentioned. It combines foreign language studies with subject study, enabling students to master the curriculum and at the same time increasing the level of their linguistic literacy by providing a large number of authentic exposures.

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[1] *Marsh D.* CLIL/EMILE — The European Dimension: Actions, trends and foresight potential. Public services Contract EG EAC. Strasbourg : European Commission, 2002.

Миловидова А. И.
Грамматические дистракторы в CLIL-ориентированных тестах
по международному юридическому английскому языку

39

With the obvious advantages of the CLIL approach specially developed for these needs, it also reveals a number of drawbacks in practice. In particular, they relate to the excessive role of a teacher in the preparation of necessary materials. Obviously, scaffolding[2] is a productive way to temporarily accompany the process of studying the subject, taking into account the specific features of particular groups and individuals. However, the key point in understanding the role of this method is the word 'temporary'. Scaffolding uses special techniques that increase learning motivation and provide some kind of fun during the process. At the same time, in the future, specialists will have to continue to study, develop their skills and carry out professional activities in a foreign language without the stimulating factor mentioned above or use their own resources for self-motivation, which is a separate skill that needs to be formed at an earlier stage. Adaptation of textual material to a student's level of foreign language skills is necessary, as it ensures understanding of the content. However, it does not form the skill of switching to the language level of the interlocutor, which could be successfully applied during professional interaction. By providing a constructive feedback, the teacher cannot be sure that the student will be able to independently find ways to verify the correctness of his or her solution to a language problem. By offering various ready-made glossaries, frames, tables, realia and other types of templates and samples at the lesson, the teacher ensures high efficiency of content transfer and its accessibility for perception at different levels of the students' knowledge of a foreign language. Meanwhile, it should be borne in mind that when performing real professional tasks none of these materials will be provided in advance or adapted to a particular user. The same applies to other scaffolding techniques offered by CLIL. The only way to ensure the continuity of not only knowledge, but also language skills is to constantly maintain the development of learner autonomy[3] both at the level of lesson planning and at the level of its conduct and analysis.

These challenges are observed at the stage of testing and assessing the acquired knowledge. Adequate attention should be paid to the linguistic component. While the content aspect is the most universal, independent of what language the material is presented in, the assessment of speech correctness often goes far beyond the competence of the language user. A professional linguist is expected to possess significant skills and knowledge to monitor and correct his speaking behavior in a foreign language, to verify the options chosen. A representative of a different profession, such as a lawyer, an economist, or a physicist, for instance, does not enjoy such an opportunity, since he mainly practices working with the content rather than with a linguistic component.

In many ways, when it comes to choosing the right answer, whether in real communication or in a test task in the study room, and a person doubts the correctness of his decision, he tries to guess the right option, relying on his intuition. The most challenging fact is that in the case of the linguistic component, this most often leads to a wrong choice, because the user is not a native speaker. He does not have natural communication experience, or enough background knowledge normally acquired by

[2] *Vygotsky L. S.* Mind in Society: the Development of Higher Psychological Processes. Cambridge, MA : Harvard University Press, 1978.

[3] *Milovidova A.* Scaffolding for reading authentic texts of specialized content. 8th International Conference «Social Science and Humanity». London : SCIEURO, 2018. 127 p.

native speakers since early childhood, and does not feel the border between the natural construction required and the artificial statement produced, allowing the listener to guess by analogy about the content of the statement.

One of the previous works by the author of the present study formulated the principle of 3Ds[4], necessary to ensure the completeness of the testing elements: diversity (using a greater variety of distractors), demonstrativeness (openness and obviousness of the results of learning for the student) and their diagnostic nature (providing potential for self-reflexive exercises, the opportunity to independently formulate feedbacks and to draw special attention to the difficulties especially problematic for the student). Later, another research developed the idea of language-oriented distractors in tests, the nature of which in relation to teaching legal English remains mostly lexical: «First and foremost, a significant amount of such tasks are lexical ones, testing students' knowledge of targeted legal terminology.»[5] The methods of using distractors based on misleading phonetic-graphic ('the Royal Accent', 'the Royal Accept', 'the Royal Assent'; 'circuits', 'circles', 'circuses'; 'probation', 'probability', 'probe') and semantic ('custom' and 'customs') similarities, real or confusing, were also analysed there.

In fact, if we take a closer look at the 'custom/customs' distractor, we notice that its features are determined not only by the semantics, but also by the grammatical category of number. This means that even a student knowing the content, trying to choose an option with the meaning of 'custom law(s)' and knowing the correct translation equivalent can nevertheless make a mistake. A properly formulated distractor-oriented statement in a test can, for example, set a misleading direction, like: the context here implies the custom law of not one, but several countries, therefore a noun in the plural form is preferable. However, using the plural form, especially with the wrong noun ('custom' — 'customs' instead of only making the plural form of the noun 'law'), changes the semantics of the word and the meaning of the whole statement: now the latter addresses customs law, meaning the procedures for transportation and payment for imported goods. This example shows that even a student's knowledge of the topical content, the legal term in the native language and its foreign equivalent, his deep understanding of the both, and the ability to explain their meanings may fail to prevent him from choosing an answer containing a distractor. In order to avoid mistakes, the respondent should turn to another level of language — the field of grammatical categories.

Types of grammatical distractors

A distractor is a special tool used in different types of tests to prevent students from guessing the answer without knowing it. It typically appears in the form of a plausible

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[4] *Milovidova A.* Choosing the focus of CLIL assessment for teaching legal English // The priorities of the world science: experiments and scientific debate : Proceedings of the XIX International scientific conference 28—29 November 2018. Section «Philo1ogy». North Charleston, SC, USA : Create Space, 2018. P. 33—34.

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Вестник
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Миловидова А. И.
Грамматические дистракторы в CLIL-ориентированных тестах
по международному юридическому английскому языку

41

and reasonable option, still having its discriminatory power, or distinguishing ability. The study conducted reveals the following groups of grammatical distractors.

Firstly, types of distractors could be designated according to parts of speech in the English language. This group includes distractors based directly on grammatical categories and other distinctive features: time, aspect, mood, etc. (verb), number, case, etc. (noun), degrees of comparison (adjective), etc. This type of categorisation is easy to understand, objective and relatively unambiguous when classifying occurring elements into one or another category, as it is based on an established idea of the language system. It may be recommended for lower-level students of English. At the same time, it is more academic and therefore causes less research and creative interest and motivational activity. It also demonstrates less heuristic characteristics.

Another criterion for categorisation may be the level of language proficiency of students and groups. Thus, students with a lower level of knowledge of a foreign language can work with distractors aimed at distinguishing between comparatives and superlatives of adjectives and adverbs, while students with a higher level can deal with more complex cases of such use in tests, examples of substantivised adjectives, adjective structures, adverbial phrases, sentence adverbials, negative adverbs, prepositional phrases after adjectives, order of adverbs in a sequence, double comparatives, inversions for emphasizing the meaning of the adverb etc. This classification is especially useful for defining teaching methods in real-world practical conditions and for teaching mixed-ability groups, but at the same time it requires careful selection of exposures by the teacher, a thorough analysis, forecasting of possible difficulties and errors, and in some cases deeper and more complex adaptation of educational materials.

Finally, the classification may be focused on the functional use of grammatical categories, depending on whether the change in the form of a word or construction leads to a change in its meaning. For example, when describing the appearance of a wig, some students made a mistake by choosing the option 'hairs' instead of 'hair' and thereby created a comic portrait of a lawyer (just a few hairs instead of a fluffy curled wig). A law student with 'knowledges' may be rated higher than one with 'knowledge', since it is obviously a man of great erudition with knowledge in areas other than law. In a proposal about a business transaction that is unfavorable for the speaker at the enterprise, the student used a real conditional, thereby showing that he considers it as potentially possible, while the context implied that the situation is absolutely unrealistic and unacceptable in this case, rejected by the statement made by the party. In phrases like 'he must come', 'he has to come', 'he ought to come', 'he is to come', the common meaning of obligation undermined completely different causing factors, depending on the tint of the meaning of a modal verb. Besides, the statement 'we must win the case' did not imply an obligation to win the case at all costs and by any means, but only confidence in success on the basis of favorable factors. When considering the topic of the formation of the English common law system, an error in aspect (replacing Past Perfect with Past Simple) entailed an incorrect chronology of events and, thus, caused a mistake in the test task. Replacing Past Simple with Present Perfect as an attempt to show the resulting character of the action "revived" the doer, indicating that he is still a living being and can perform further actions. This type of categorising distractors is suitable for people with any level of knowledge of a foreign language, but involves active use and high degree of development of analytical skills and critical thinking.

ВЕКТОР ЛИНГВИСТИЧЕСКОЙ НАУКИ

The methodological potential of grammatical distractors in teaching legal English

Any test is primarily a part of an assessment, which allows the teacher to evaluate the achievements of students and plan further directions for expanding their knowledge, development of their skills and abilities. On the other hand, it allows the student to receive an objective assessment of his level at the moment, analyse the dynamics of his development, and notice what aspects require more in-depth study. However, the capabilities of tests and distractors are not limited only to the diagnostic function. Considering a test as a stressful situation aimed at setting grades, affecting further academic credits and a position in a career hierarchy is being replaced by considering it as a challenging and stimulating type of activity. It can be a means of developing the skills of autonomous learning, the great importance of which has already been mentioned earlier, creating a positive learning atmosphere, encouraging the spirit of competition and thereby increasing motivation. «Teaching requires making assessment a natural process and an integral part of self-reflexive exercise. It's not only during formal tests and final controls that students should be aware of their progress, but also at each complete stage of learning. Forming the right attitude to any assessment is essential, as it provides psychological comfort. Regarding a test, an additional task, or the fact of putting a mark as a type of punishment for some faults is counterproductive. The level of responsibility for the sufficient performance of tasks should not be underestimated, but it is necessary to make assessments viewed as a challenge, i.e. something that has to be done in order to achieve something of the higher level.»[6]

After completing a test, in addition to the usual discussion of errors made and of correct options expected, various follow-up exercises can be offered. For example, a teacher, and then each student takes a sentence and replaces one word in it with a nonexistent one (abcd), but in the same grammatical form (abcdED). Another student must guess which part of speech this is, name the grammatical categories of the word, and make suppositions about its meaning. Suppose a student gets a sentence: 'A company is formed upon the issuance of a certificate of incorporation by the appropriate governmental authority'[7]. For example, from the CLIL point of view, such options will be more productive (one proposal involves one omission, in this example, possible options are shown together for more convenience): 'a company is abcd upon the issuance of a abcd of incorporation by the appropriate government authority'. In the first case, it is necessary to guess that a part of the passive voice construction is missing, and it is a part of the predicate in the sentence. The student can offer options: 'formed', 'made', 'established'. On the other hand, the expression 'to form a company' is the item of the active topical vocabulary (law of companies) and an element of content. In the second case, guessing the missing word implies knowledge of the grammatical pattern 'the smth of smth' and at the same time, the term 'certificate of incorporation' is from the vocabulary list of this thematic section. If the language component only is to be focused on, the following options can be proposed: 'abcd company is formed

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[6] *Milovidova A.* Choosing the focus of CLIL assessment for teaching legal English. P. 34.

[7] International legal English : a course for classroom or self-study use. Cambridge University Press, 2006. P. 20.

Миловидова А. И.
Грамматические дистракторы в CLIL-ориентированных тестах
по международному юридическому английскому языку

43

abcd the issuance of a certificate of incorporation abcd the appropriate government authority'. In this case, knowledge of the rules for the use of the article, prepositional structures, and the typical construction of the passive voice is being checked.

Other types of working with distractors may include: peer-correction and peer-discussions, labeling types of mistakes and misleading options, trying to identify distractors and their nature, compiling the students' own mini-tests (5—10 points each), compiling of different types of tests (one type for one pair of students, another one for another pair, etc.). A collective discussion may involve an individual feedback about what influenced the choice of the wrong option: lack of knowledge, unfamiliar grammatical structure, inattentiveness, haste in making a decision, an attempt to guess the answer instead of a thoughtful analysis of possible options. Perhaps the distractor was composed correctly and the choice of the student was influenced by his 'mostness': the option was the most obvious, the most familiar or unfamiliar, the most frequently used, the easiest, the longest etc.

Having identified that the cause of an individual error or the most frequent mistakes made by a particular group of students was specific grammatical difficulties, patterns, or forms, the teacher can offer to systematise the theory on the topic again, elicit more examples, visualise the material for a better-structured presentation, ask students to write sentences using the challenging construction in their native language and exchange them so that group mates could translate it into a foreign language. Students should be encouraged to demonstrate their adequate perception of distractors as assisting aids in identifying strengths and weaknesses in mastering the material, but not as a way to reduce grades or any kind of disfavour from the test compiler.

Conclusion

So, grammatical distractors, correctly selected and placed in the tasks, not only allow students to check the level of their language accuracy, but also to raise motivation, to develop the necessary skills of educational cooperation and productive self-expression, to encourage exchange of opinions, tolerance towards each other. They support the method of learning by learning, helping students feel their involvement in the learning process, outlining their own directions of self-education, allowing them to become creators of real communication situations, which will certainly be helpful in the future. They also demonstrate the role of grammar as a set of special 'language game' rules, following which is not only leads to fulfilling the requirements of teaching aids, but also expands the possibilities of using the resources of a foreign language to express more complex and detailed ideas, moving away from familiar patterns. Focusing on grammar does not imply a refusal to actively monitor the development of specific vocabulary; on the contrary, it makes it more diverse, demonstrating the unity of different language levels for the purposes of communication. The topic of working with grammatical distractors can be applied and adapted for the study of English for specific purposes by representatives of other professions other than that of a lawyer.

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