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АНГЛИЙСКИЙ ЯЗЫК И ПРАВО — ВОЗМОЖНОСТИ В УНИВЕРСИТЕТЕ

Аннотация. Эта короткая статья дает читателю представление о некоторых методах, используемых в нашем Университете для поддержки студентов, которые хотят стать более опытными в юридическом английском. Она начинается с обзора его важности для студента и предоставляет некоторые детали курсов, их содержание и другие возможности, которые доступны бесплатно, чтобы помочь в приобретении основного навыка для современного юриста.

Ключевые слова: язык, английский, курс, обучение, статьи, юридическое обоснование, верховенство закона, возможность.

DOI: 10.17803/2311-5998.2020.65.1.082-084

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ENGLISH LANGUAGE AND THE LAW — OPPORTUNITIES IN THE UNIVERSITY

Abstract. This short article gives the reader an insight into some of the methods used at our university to support students who wish to become more proficient in Legal English. It begins with an overview of its importance to the student, and provides some details of courses, their contents and other opportunities which are available free of charge to assist the acquisition of a major skill for the modern lawyer.

Keywords: language, english, course, training, articles, legal reasoning, rule of law, opportunity.

The topic of language and law is not a new one. It is not simply a matter of using language well — accurately, clearly, succinctly, effectively — but also about the choice of language itself. All too often, we hear lawyers sprinkling Latin words and phrases into their articles and speeches — in some way believing that their use enhances the argument — or justifies increased fees. The reader is undoubtedly already familiar with the power of words, and the effect — some might say “shock effect” — of injecting foreign language into legal argument.

Sometimes we hear Russian lawyers using English words in a similar way — and horrifyingly we also see the Russian language becoming adulterated with new words such as «кофе-брейк» and «тайм-менеджмент». Nevertheless, this is not enough. The modern lawyer, and our students deserve more, and they need more

than the ability to simply and indiscriminately scatter seeds of foreign language(s) into their work.

We have a small but distinguished core of elite students who actively seek to improve their ability to work in their chosen profession, by acquiring professional grade fluency in one or more non native languages. The programmes to obtain, through 4 years of additional study, the diplomas of translators in the professional sphere of law are not for the faint hearted. There are courses for English, French, German, Spanish and Chinese. In addition, the Faculty of International Moot Competitions promotes university team participation in English language international moot competitions — where students have to research, write, and orally present arguments from difficult international problems set in English. On average, we see perhaps no more than 40 or 50 such students each year who, on the top of their own studies, (often including an additional translation Diploma as well) choose to spend their free time on such moot programmes. Typically, the moot teams meet two or three times a week, with communications in English though closed social media platforms like VKontakte.

The teaching of legal English is a highly specialised field — a field that is complicated by the fact that Russian students in their timetables have almost no contact with the common law of England and Wales — nor parallel common law systems such as those in America or Australia. A relatively superficial knowledge may be acquired because of translation diploma studies — sufficient to understand and communicate, but legal working in English is a different matter entirely. Our university offers free lectures in English on various English law topics — both theoretical and practical — on Friday nights. These are given by myself, and are designed to be interactive, with practical writing exercises, verbal presentations and advocacy training, as well as theoretical foundations of knowledge in key areas of law.

The intention is to equip those students who want to join English language moot court competitions with sufficient legal knowledge and English language enhancements to give them the confidence and ability to “take the plunge”. Examples of work include enhancements to reading and writing, research and advocacy skills of a form that are given in international universities — where there are differences to what they might have experienced thus far in their training. One example is the “essay” form of end of year examination assessment, which is very different to the “ticket” type of assessment where the questions are known in advance. The essay type of assessment is founded in a different system of law — the common law system — where a significant portion of the study time is devoted to understanding the facts and reasons that exist in a family of cases upon a particular topic of law. Assessments are based on questions that explore these reasons with a series of facts or propositions — and the student meets the questions only on the day of the examination — and has 30 minutes per question to demonstrate mastery of the topic being examined.

There is no suggestion that either system is better or worse — they are simply different. Students from one system, meeting students from another system should have an appreciation of how they were trained, for it will give insights into their approach to problem solving and team working with professionals from a background different to theirs. These are two core skills needed in the professional workplace. Thus, students joining the programme of lectures and practical work in English on Friday nights are taken very quickly out of their “comfort zone”. The lectures are not only in English

from a native speaker at native speed (perhaps the first time they will have had this), they also cover materials that will be largely unfamiliar to them, with challenges and interactions in English. They are supported with a closed VKontakte group, where materials are posted, and they can interact with them and each other. The lectures are by no means passive — where students can simply switch themselves to “receive”, and settle back to play with their smartphones. Each week they have to present interesting topics of law they have found during the week, and they tell us about the chapter of the law reader with which we are working. At the time of writing, this is “The Rule of Law” by Lord Bingham, former Lord Chief Justice of England and Wales.

Often, we move into debates on legal topics, encouraging legal thinking —with questions designed to make them think in ways they might not have imagined. Recent topics have included discussions on Theft under English law (followed with a real life example, which they had to analyse) and what regulations (if any) should apply to gyroscope hoverboards and kick-scooters on pavements. It is surprising how fast our students improve with this immersive approach to training, and evenings fly by thanks to an atmosphere of enjoyment in exploring the law together.

The English language law journal of the University — Kutafin Law Review Journal — encourages academic grade scholarship where students and academics at a senior level can submit academic papers for publication. Generally, we seek papers from Candidates or Doctors, but we now permit shorter contributions of case reports or book reviews from less advanced authors. These are more suited to the student beginning to get to grips with new language, thinking in English (not translating) and different subjects of law. There is no charge for publishing papers or reviews, and we do all proof reading free as well, using native speakers. We will also give you help, support and guidance — so if you have an idea of something you would like to do, we will be pleased to talk to you further. You can contact us through the university website, or through the journal office in room 234.

We have been successful in attracting some new and highly distinguished people to our Editorial Team of Academic Consultants because of our vision of using our Journal to support Legal English studies in our university. Full details are on our website — but we are now joined by the Professors of Jurisprudence and International Private Law from Oxford University, the Professor of Real Property Law from Cambridge University, and the Professors of International Private Law and European Law from the London School of Economics, which is part of London University.

There are therefore no obstacles whatsoever to any student who wishes to upgrade their Legal English capabilities to professional grade ability. If you are reading this, by all means, come along and join in on Friday nights in Hall 3 at 6pm. We will be delighted to welcome you.