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### **Prerequisites for the creation of foreign language communicative competence of lawyers in the system of postgraduate education**

The article deals with theoretical and empirical preconditions of foreign language communicative competence of lawyers in the system of postgraduate education, due to a new social situation, dynamism and intensity of inter-state exchanges of information and diverse insufficiently developed this issue in the theory and practice of postgraduate education. The authors have attempted to discover the essence of the concept of foreign language communicative competence of lawyers in the context of intercultural communicative paradigm of continuous foreign language education.

*Key words:* prerequisite, foreign language, communication, competence, lawyer, law, education, legal, scientific, postgraduate.

It is well known that the structure and content of education, including postgraduate, are determined by socio-economic aspirations of society and its value orientation. Seamless integration of Kazakhstan into the international community and implement long-term social development priorities, development of civil society and building the rule of law urgently require a fundamental change in educational content. Particularly it relates to foreign language education.

Kazakhstan's joining the world community of democratic values and the development of market economies confront the education system a complex task of preparing a competitive specialist, able to creatively interpret the processes occurring in the socio-professional life, navigate the rapidly expanding flow of scientific information.

In accordance with the Concept of Education of the Republic of Kazakhstan up to 2015, involving the identification of strategic priorities in the development of national model for multi-level continuing education, the modern Kazakh lawyer should obtain not only legal expertise but also opportunities for the development of tactical communication and psychological skills in the context of a larger international cooperation and cultural globalization. It is these processes have dictated the need to develop a concept of life-long learning, involves regular updating and expanding the knowledge base throughout their lives. This concept has been adopted by the Commission of the Council of Europe on issues of higher education and scientific research in the framework of the «University of Tomorrow: The Politics of Higher Education in Europe». Connected it with the ever-increasing and improving professional development.

Analysis of several Council of Europe documents on education and professional training indicates that the pan European Community carried out a deliberate policy, focused on the formation and development of skills of specialists to communicate in a foreign language in professional activities [1].

The term general Eurasian processes of cultural integration, which recognizes the basic postulate massive multilingualism, as well as the initiation of processes to global legal and regulatory standards and the expansion of intercultural communication in the field of law making and enforcement is a tendency to increase requirements for the training of lawyers, in particular to the level of their foreign language communicative competence. In 2001, UNESCO declared the European Year of Languages in Vienna (Austria) hosted an international conference «The price of monolingualism» and «The future of a

multilingual Europe», the leitmotif which was a statement of the fact that multilingualism is an integral part of the present and the future of Europe and that speak several foreign languages due to the present time, not only economic, but more general educational moments, as a factor in the overall political and cultural development of the individual.

The starting point for disclosing entity concept foreign language communicative competence we have chosen tactics to identify theoretical and empirical prerequisites for the formation of foreign language communicative competence of lawyers in the system of postgraduate education [2].

In the first row of data is a prerequisite for the theory of competence-based approach in teaching, according to which competence in the most generalized form is considered as a set of specific knowledge, skills and personal qualities of students. The general nature of this concept every time a concrete context of the studied problem. Thus, the study of relevant scientific literature has allowed us to establish that the essence of foreign language communicative competence is defined by its basic components (Figure) to what is included:

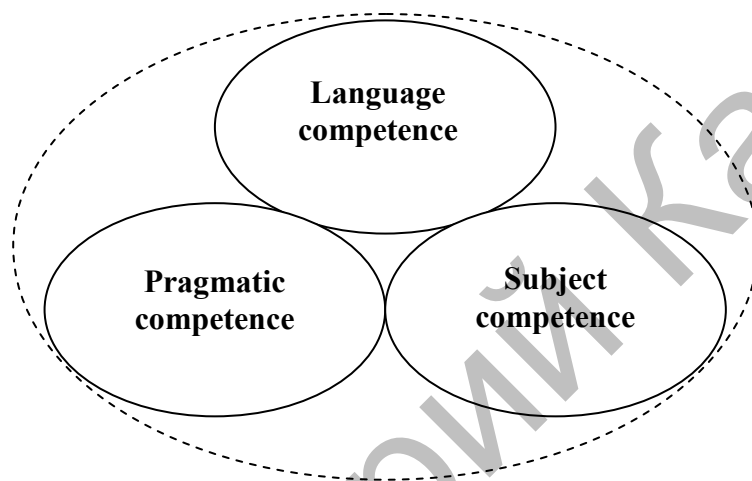


Figure. The structure of foreign language communicative competence

- 1) *language competence* (the ability to build ensures the formation of grammatically correct and meaningful expression);
- 2) *subject competence* (provides knowledge about the fragment of the world, which serves the subject of speech);
- 3) *pragmatic competence* (opens communicative intention).

It should be noted that in the scientific literature and found the notion of *linguistic competence*, which in our opinion, is identical to the language, since it involves knowledge of the language information, the ability to relate linguistic resources to the tasks and conditions of communication, understanding of the relationship between the communicants and etc.

Therefore, we felt it appropriate to focus on three structural components, attributes that fully disclose the nature of foreign language communicative competence of lawyers in the system of postgraduate education:

- signs of *language competence* — the ability to extract information from the connected text orientation law, to construct grammatically correct, meaningful syntactic entire set of lexical structures, designed as a scientific text;
- signs of *subject competence* — the knowledge of the cumulative component of native and foreign languages in the sphere of legal terminology, interpretation and enforcement practices, the ability to establish focused and interdisciplinary connections studied foreign language in the field of jurisprudence, to compare the conceptual field of legal language of the native and foreign languages;
- signs of *pragmatic competence* — the knowledge of correspondences between communicative intentions and implemented by their statements, knowledge of correspondences between the divergent forms of statements that implement the same intent, and situational conditions of the speech act, the ability to realize a communicative intention by selecting a speech act in accordance with the requirements of situation and the logic flow of the speech act.

Based upon these signs, we have identified the following criteria and indicators of formation of foreign language communicative competence:

*Reconstructive divergent:* 1) the ability to listen to the information; 2) the ability to adequately respond to the questions; 3) the skills to establish contact with colleagues in a foreign language for the organization of joint activities; 4) ability to correctly expound listen to or read information; 5) the ability to identify the main idea of information when the viewing reading scientific law books in a foreign language; 6) the skills to identify the word based on knowledge of legal terminology;

*Partially-search:* 1) listen to the scientific legal information to identify and abstracted; 2) to be able to isolate the key information in the text; 3) the ability to allocate additional information in the message; 4) to be able to clarify the main points of listening (Reading), 5) to be able to analyze the contents of scientific legal text of the schemes, figures, statistics; 6) to be able to select the proposals that contain key information; 7) the ability to distinguish sentences containing additional information; 8) to be able to single out key words from the text, 9) to be able to distinguish legal from scientific articles to compile information on the topic in a foreign language;

*Transformation:* 1) the ability to find a scientific and legal text confirmation of certain facts, events; 2) the ability to find a scientific refutation of the legal text of certain facts, events; 3) to be able to offer a rationale suggested adjoint legal title to the article; 4) to be able to modify the proposed plan to the article; 5) to be able to draw up a plan to the text in the form of affirmative or interrogative sentences; 6) to be able to make abstracts of scientific articles; 7) to able to transmit the content of scientific articles, using the reconstructed sentence; 8) to be able to make up their own community of a research topic using information from several academic legal articles; 9) to be able to lead the discussion on the subject.

*Professionally important qualities:* 1) to develop skills of independent work; 2) the ability to work both individually and in teams; 3) the possession of the formulas of politeness, the ability to self-evaluation, ability to operate in abnormal situations; 4) the tolerance; 5) the ability to listen to others; behave politely, tactfully, diplomatically; 6) the ability to build their report, thesis, the message to the conference; 7) to develop the skill in collecting material in science theme; 8) to be able to argue.

*Motives of educational activity:* 1) to be qualified as a lawyer with knowledge of a foreign language; 2) the knowledge of a foreign language gives you access to new professional legal information; 3) the desire to post graduate work with foreigners without an interpreter or abroad; 4) like to do a foreign language; 5) successfully pass a qualifying exam in a foreign language; 6) a desire to know a foreign language in any case; 8) succeed in school and raise the professional level; 9) to obtain approval guidelines and others [3, 4].

The totality of the above motifs is the result of the objectification of needs, focused on a) the object and purpose of interaction; b) the interests of another person or society in general; c) the interests of the communicator and aimed at a) the establishment of business relations for the implementation of joint activities; b) communicating with another person or group of people to influence a person (or group of persons); c) the production of communicability.

Given the criteria and indicators of formation of foreign language communicative competence for undergraduates, we have identified three levels of modification:

- *Low*, when the subject does not have professional communication skills and has no conscious understanding of them, or has, but has no need to update them;
- *The average*, when the subject is conscious understanding of complex skills, merged the concept of «professional communicative competence», but it can not apply them to real work;
- *High*, when the subject uses professional communication skills in all situations of scientific and business communication, as mentioned skills adequate to the situation of communication.

The transformation of aims to result suggests a number of actions associated with the formulation of objectives, approaches and determination of the principles of content selection, the choice of means, using the methods and planning stages. All activities are carried out with specific desired competencies, which we nominate as dual communicative — learner in the learning process provides bi-directional communication: communicant ↔ text communicant ↔ situation.

«Current global trends in the global community, consideration of language as a translator, a global human culture, the expansion of international integration and intercultural cooperation, strengthening and cognitive-communicative functions of language... — emphasizes by doctor of philological science, Professor S.Kunanbayev — led to a radical revision of the methodology foreign language education... [5]. In connection with the modern European generators of culture concept of teaching foreign languages at the present time there is a departure from the absolutism of the communicative approach and a purely communicative

competence as learning objectives and only refers to the communicative orientation of the educational process. As an intercultural learning objectives put forward (social) skills. The result of learning a foreign language must be not only and not so much communicative competence, as the socio-professional competence, and the process of learning a foreign language should become a cross-cultural training, «teaching the understanding of others», fostering the student tolerance of socio-economic, managerial, scientific and theoretical and cultural innovations offered by the world community. Such cross-cultural training involves six sub-levels of proficiency.

Comparing the requirements of a model program in foreign languages for universities MIA of RK with these levels of proficiency, we conclude that at the end of high school knowledge and skills the student must meet the sublevel B<sub>1</sub> level — advanced ownership.

In our case, the foreign language communicative competence is considered in the aspect of a complex set of interpersonal interaction, aimed at achieving professional goals, so as part of this competence must be designated requirements, focusing on: a) the object and purpose of interaction, b) the interests of another person or society in general, c) the interests of the communicator, which is objectified in the motives, aimed at: 1) establishment of business relations for the implementation of joint activities, 2) communication with another person or group of people to influence a person or group of persons, and 3) the production of communicability.

Thus, the essence of foreign language communicative competence is the basic theoretical premise for solving problems related to its formation [6].

No less important theoretical prerequisite for the formation of foreign language communicative competence is a consistent correlation of its components with universal hermeneutical principle: «the whole and parts», or «hermeneutical circle», the principle of understanding the meaning of the text, based on the specific situation that produced the statement, the principle of comprehension, based on of himself, «productive» principle, etc.

Natural relationship of hermeneutics and theories of teaching foreign languages can be traced to the theoretical understanding and creative use of the latest techniques and tools specific knowledge of the meaning of cultural phenomena, including tutorials. In our opinion, the broad and consistent application of these principles to develop a methodology for teaching foreign languages, selection and arrangement of training texts and tasks can significantly increase the efficiency of formation of foreign language communicative competence of trainees in the system of postgraduate education.

Another theoretical premise of forming a foreign language communicative competence of lawyers in the system of postgraduate education is the fullness of communicative competence in its own methodological content, which is predetermined by the development of modern linguistic theories. Virtually all research on methods of teaching languages adhere to the tradition of forming communicative competence only through conscious assimilation of lexico-grammatical system of language. Language learning is a complex psychophysiological process, emerging from the implementation of two different methodological problems, which in the reduced form can be formulated as follows: learning the language system (in the unity of grammatical and lexical manifestations), training implementation language competence through the formation of certain speech skills [7, 8].

No less important prerequisite for the formation of foreign language communicative competence is the theoretical position of linguistics according to which the language of law is defined as a sublanguage, which is a system of artificially cultivated, thematically organized specialized language means. Unlike other sublanguages, the language of rights inherent in a merger of the scientific style of business, as expressed in legal texts of the facts and circumstances have a formal orientation. In addition, professional activity lawyer assumes knowledge of not only scientific and official-business style, but also knowledge of literary spoken language, as some activities require the use of clear and precise language that are understandable and accessible to persons involved in the process of communication. Therefore of great importance in the study of language in the legal purchase of speech and language norms.

In traditional courses related to the study of language norms, language is considered in the social context of legal regulation of social relations: as a means of expression and legal information as an attribute of a person acting in the legal field.

Variety of communicative situations determines the need for ownership of a lawyer broad spectrum of functional styles. So the written language of lawyers, calculated on the pre-deliberation, the preferred official-business style, while in oral monologic speech, for example, on the court, used the means of journalistic style. The absence of a date prior thinking about the choice of language means and emotional

stress causes the appearance of features characteristic of oral speech. Culture of Speech includes normative, that is, the ability to accurately and in accordance with the norms of literary language to transmit thoughts, verbal skills, which consists in a simple, logical and appropriate speech, diversity of grammar and syntax, expressiveness.

Awareness of the inextricable link of law and language, law making and enforcement, on the one hand, and the level of communicative competence of the legislator and the law enforcer, on the other hand, contributed to the fact that currently in legal science of the CIS (Commonwealth of Independent States) countries were actively developing new ones («Edge») branch: linguistic- juris and juris linguistics, considering the language of native speakers, first, respectively, as subject and object of law, and secondly, as a means, on the one hand, the creation and understanding of the law (legislative and interpretational features of natural language in law) and, on the other hand, — the law is enforced, where the language — a subject (or agent) examination (linguistic expert function of practical language skills and theoretical knowledge about language, requiring recourse to special linguistic competence).

Understanding the domestic legislator close relationship of law and language from the rule 1, art. 6 of the Civil Code of Kazakhstan («Interpretation of the rules of civil law»), which noted that rules of civil law shall be construed in accordance with the literal meaning of their verbal expression. Sometimes «simple» and «clear» law requires grammatical (linguistic) interpretation, which suggests a high level of competence in the law enforcer [9].

Moreover, consolidation in the art. 4–7 of the Law of RK «About languages in the Republic of Kazakhstan» functional bilingualism enhances the requirements for communicative competence law enforcement officer, in general, and foreign language communicative competence, in particular.

On this basis, as a prerequisite for the formation of the empirical foreign language communicative competence of lawyers, we recognize the obvious connection between language and law, and its actualization in the context of globalization of social and cultural processes [10].

Thus, the essential prerequisites for the formation of the desired competencies are: developed of the concept of competence as the basic concept of the theory of competence-based approach to pedagogy; interpretation of the essence of foreign language communicative competence as an organic unity and systematic collection of language, subject and pragmatic competence, recognition of its correlation with the universal hermeneutical principles; fullness of communicative competence own methodological content, specific language rights as a sublanguage in linguistics. So, the identified positive trends in shaping the foreign language communicative competence in the system of postgraduate education indicate the need for further development of problems both on theoretical and practical levels. Thus, further research is subject to development of methodical support of the formation of foreign language communicative competence of undergraduates of all non-linguistic disciplines, presupposes, in our opinion, the creation of a basic English course for students in the system of postgraduate education, and a number of thematic special courses aimed at optimizing the interdisciplinary connections and professional communication skills.

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## Жоғары оқу орнынан кейінгі білім жүйесінде заңгерлердің шетелдік коммуникативтік құзыреттілігін құрастырудың алғы шарттары

Мақалада жоғары оқу орнынан кейінгі білім жүйесінде заңгерлердің шетелдік коммуникативтік құзыреттілігін құрастырудың алғы шарттары мен бастапқы жолдары айқындалған. Сонымен қатар авторлар шетел тілінің ерекшелігін ескере отырып, жоғары оқу орнынан кейінгі білім алушылардың құзыреттілігін дамытатын іс-әрекеттерді саралап, тұлғаның белсенділігін жандандыру түрі, жоғары оқу орнын бітірушінің оқу-танымдық іс-әрекетінен жеке кәсіптік іс-әрекетке көшуіне жағдай жасайтын құрал болып саналатындығын ерекше атап өткен.

В статье рассматриваются теоретические и эмпирические предпосылки формирования иноязычной коммуникативной компетенции юристов в системе послевузовского образования, обусловленные новой социальной ситуацией; динамичностью и интенсивностью межгосударственных обменов; разноплановой информацией и недостаточной разработанностью данного вопроса в теории и практике послевузовского образования. Авторами сделана попытка раскрыть сущность понятия иноязычной коммуникативной компетенции юристов в контексте межкультурно-коммуникативной парадигмы непрерывного иноязычного образования.

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## Кәсіби оқыту педагогтарын бейіндік мектепте кәсіпкерлік іс-әрекет негіздерін оқытуға даярлау

Мақалада мамандарды бейіндік мектеп жағдайында кәсіпкерлік іс-әрекет негіздерін оқытуға даярлау мәселелері қарастырылған. Бұл жағдай жалпы білім берудің жоғары сатысында бейіндік оқытуға көшіп отырған бүгінгі таңда өте көкейтесті. Кәсіпкерлік іс-әрекет түрлері талданған. «Бейіндік оқыту», «бейіндік мектеп» ұғымдарының мағынасы ашылған. Бейіндік мектепте кәсіпкерлік негіздерді ұйымдастырудың кейбір өзекті бағыттарын жетілдіру тәсілдерінің мазмұны айқындалған.

*Кілтті сөздер:* болашақ мамандар, жобалау әдісі, жобалау мәдениетін қалыптастыру, кәсіби қызмет, педагогикалық технологиялар, еңбек нарығының талаптары, оқыту технологиясы, бейіндік мектеп, кәсіпкерлік іс-әрекет, кәсіби оқыту педагогтары.

Алдыңғы қатарлы дамыған мемлекет пен азаматтық қоғам құруға ұмтылыс жасалып отырған қазіргі кезде еліміз үшін оның теориялық негіздерін айқындап, нақты іс-қимыл стратегиясын жасау маңызды мәселе болып отыр. Кез келген әрекет ғылыми тұрғыда негізделіп, мақсатты, жоспарлы түрде іске асырылса ғана тиімді нәтиже беретіні анық.

2008 жылғы 1 шілдеде ел Президентінің № 626 Жарлығымен «Қазақстан Республикасында техникалық және кәсіптік білім беруді дамытудың 2008–2012 жылдарға арналған мемлекеттік бағдарламасы» бекітілді. Онда бағдарламаның «адам ресурстарын дамыту, жастарды жұмыспен қамтамасыз ету мүмкіндігін кеңейту, білім берудің үздіксіздігін қамтамасыз ету, мемлекеттің, бизнестің, қызмет саласының ұмтылыс жобалары үшін бәсекеге қабілетті күрделі құзыреттерімен және іргелі білімдермен кадрларды даярлайтын техникалық және кәсіптік білім беру жүйесін құру жөнінде мемлекет өткізетін жұмыстың бір бөлігі болып табылатындығы» көрсетілген [1].

Әлемдік білім беру кеңістігінде бәсекеге қабілетті және экономиканы индустриялық-инновациялық дамытудың қазіргі заманғы талаптарына жауап беретін, тиімділігі жоғары білім беру жүйесін қалыптастыру мақсаты ел Президентінің жыл сайынғы Қазақстан халқына жолдауларында үнемі қойылып келеді [2, 3].