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Perspectives of Bilingual Training of Lawyers in Russia: The Demands of Time and Society

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Abstract: The paper is devoted to analyzing the necessity to teach law students legal rhetoric in two languages: in Russian and in English, with the purpose to facilitate constructive international cooperation for the conservation of historical and cultural heritage in the modern world, which corresponds to the priorities of the Concept of Foreign Policy of the Russian Federation at present. The bilingual study of legal rhetoric, as any other curriculum discipline, will contribute to the education transition to a qualitatively new level. The term "bilingual training" began to be widely used in the 1990s. It used to be defined as "a purposeful process in which two languages are used when the second language becomes a means of training rather than the subject." It is in the course of bilingual training that conditions are created for the formation of inter-subject integration, thought flexibility in relation to intercultural communication and the development of linguistic abilities in future lawyers, which is extremely important for professional activities in the field of jurisprudence. The bilingual course of rhetoric serves as a good example of developing professional competences and intercommunication pragmatic skills encouraging students to enhance their key professional competences along with deepening their awareness of procedural and substantive areas of law. The authors also dwell on the key elements of rhetorical analysis applicable to main professional

competences in the context of the tertiary educational paradigm based on the accomplishments of domestic methodologists.

Keywords: Concept of the Foreign Policy of the Russian Federation; rhetoric; oratory; intercultural communication; lawyer; bilingual education; bilingual training

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I. Introduction

Modern educational processes in tertiary education are aimed at developing the students' personal capacities, expanding opportunities for in-depth education through "individual educational trajectories" (Klimova et al., 2023), including linguistic ones. Along with traditional forms and methods, alternative educational technologies are intensively integrated, including bilingual training (Tatkalo and Sarkisyan, 2021; Batalshchikova and Gridneva, 2022; Urusova and Kodzokova, 2023; Bryksina, 2016).

The Concept of the Foreign Policy of the Russian Federation was approved by the Decree of the President of the Russian Federation on 31 March 2023. As specified in Para. 1 of the General Provisions of the Concept, the Concept is "a strategic planning document that provides

a systemic vision of national interests of the Russian Federation in the domain of foreign policy, fundamental principles, strategic goals, major objectives and priority areas of the Russian Foreign Policy."[1]

One of the priorities stated in the Concept is to enhance Russia's role in the global humanitarian space, consolidate the position of the Russian language in the world. In this regard, it is important to pay special attention to training lawyers in communication skills, including training in a foreign language, to facilitate a constructive international cooperation aimed at preservation of historical and cultural heritage as stated in the Concept. Thus, we agree with Dezhneva that "a communicative element based on the foreign language of the educational process should be harmoniously linked with the future profession of a graduate" (Dezhneva, 2008, p. 76).

For this purpose, in many universities students are required to master a foreign language along with curriculum subjects (Marcheva and Kholina, 2021, p. 690). For example, in Kutafin Moscow State Law University (MSAL) the Department of Legal Translation, the Department of the English Language, the Department of Foreign Languages and the Department of International Moot Court Competitions have been founded and are operating with the purpose to encourage studying foreign languages in the context of future careers in law. First, these departments assist students in studying curriculum legal subjects in a foreign language, offering the courses in legal translation, practical courses of foreign languages for lawyers, courses in translation of legal documents, etc. Second, through participating in and organizing moot courts and ADR competitions in foreign languages the acquired knowledge and skills are integrated in practical skills when participating in events held in a non-native language students acquire knowledge in procedural and substantive legal issues. Third, language departments assist in the development and implementation of the curricula and syllabi for Master's Courses held in English.

[1] The Concept of the Foreign Policy of the Russian Federation (as approved by the President of the Russian Federation dated 31 March 2023. Available at: https://mid.ru/ru/foreign_policy/official_documents/1860586/ [Accessed 07.06.2023]. (In Russ.).

This work is also connected with other departments developing bilingual tutorials, course books and textbooks to help Russian and foreign students master the law subjects in a foreign language. Bilingual course books and textbooks implement the methodology of bilingual vocational training that, on the one hand, helps students better understand the subject and, on the other hand, help them master a foreign language quicker due to enhanced motivation. As an example, we will refer in our paper to the outcomes of the use of the textbook entitled "Rhetoric for Lawyers: A Bilingual Course" (Abramova et al., 2023, p. 376) co-authored by professors of three departments: the Department of Philosophy and Sociology, the Department of Advocacy and the Department of International Moot Court Competitions. The textbook was prepared in accordance with the requirements of the Federal State Educational Standard of Higher Education in the areas of Jurisprudence (40.03.01, Bachelor's Degree), Legal Safeguards of National Security (40.05.01, Specialist's Degree) and Forensic Examination (40.05.03, Specialist's Degree). The expected audience for this textbook is students studying at the law faculties and departments.

Today, legal relationships are deemed as first-priority relationships in the design of the state and society at both national and international levels. The interpretation of legislative activities in the media and the access of mass audience to the activities carried out by law-upholders and law-enforces require the lawyers to comply with the highest standards of professional communication skills. The skills that are more acute for members of the legal community include a good command of the language of the law-making procedure and the ability to correctly formulate and define ideas and thoughts in order to make them clear not only to the professional community, but also to ordinary citizens. Rhetoric as an academic subject is the discipline that is able to form in would-be lawyers' critical skills of professional public speaking and the ability to use them in a variety of professional multilingual situations (institutional discourses).

The material presented in bilingual course books and textbooks should be aimed at the development of rhetorical skills of the students that are necessary to create an effective argument, to improve their ability to speak in public and influence the audience and decision-

makers, as well as to provide Russian-speaking students with the language training. Their purpose is to provide assistance to students in their study of the laws of public speech preparation and making an expected impact on the audience in typical communicative speech situations in two languages: Russian and English.

II. Methodology

Bilingual teaching and training have been used in various fields for quite a long time. However, the teaching methodology itself has undergone qualitative changes. The changes were aimed at making students feel more comfortable and confident not only in the educational environment, but also after starting their professional activities.

In this regard, the use of the interdisciplinary approach in the development and further use of bilingual teaching methods in relation to a particular professional activity is of particular importance. The methodology of bilingual teaching of legal rhetoric has been successfully tested among students of Kutafin Moscow State Law University (MSAL). It has helped future lawyers to acquire the necessary knowledge and skills for successful online and offline communication and functioning in various legal professional activities as in-house lawyers, attorneys, legal advisers, etc.

The modern method of bilingual teaching is based not only on providing educational material in two languages, but also through the transfer of customs, traditions and values of different nations. Due to the use of integrated approaches students do not currently need to accumulate knowledge obtained as a result of mastering individual subjects (foreign language, regional studies, specialized subjects, etc.). The methodology currently used develops students' complexity and scale of thinking, encourages them to acquire tolerance and multicultural skills in a significantly shorter time.

As a result, based on this study, a conclusion was formulated that the synthesis of the linguistic, subject and intercultural component contributes to the formation of bilingual-communicative professionally oriented competence. Moreover, it is aimed at developing the ability and

readiness to use a foreign language as a means of obtaining information on the specialty from different areas of its authentic functioning.

The methodology of teaching rofessional activities differs due to the need to master certain knowledge, skills and abilities, but the general modern approaches used at present certainly help to reduce the amount of time required for immersion in a foreign cultural environment, and most importantly, allow one to avoid "biases in the study of language or culture in favor of a foreign one." Bilingual professional training itself contributes to the expansion of the information and educational space of students, the development of the personality of a future lawyer in an intercultural and interlingual context (Urusova and Kodzokov, 2023, p. 216).

The authors focus on the thesis that understanding of the subject matter and intercultural components of two different legal cultures having comprehensive and independent rhetorical foundations contribute to the formation of the bilingual communicative professional competence in addition to the development of the ability and willingness of the students to use a foreign language as a means to obtain relevant information from different areas of authentic functioning of a foreign language. Thus, the authors attempt to provide a comprehensive comparative analysis of different schools of business communication in order to draft recommendations regarding bilingual teaching of rhetoric to law students and elucidate main provisions substantiating rhetorical analysis of public speaking in the domestic school of rhetoric.

III. Features of Intercultural Communication of a Lawyer

Communication (from French "communication;" Latin "communication," i.e., *message transmission*) is commonly understood as a socially constructed process of transmission and perception of information in terms of interpersonal and mass communication. Whereas *professional communication* means a specific form of human interaction, assuming people to communicate, share thoughts, information, ideas, etc., in the process of employment in a particular subject area" (Nemytina, 2014, pp. 53–54). In the process of professional communi-

cation, the lawyer consults clients, helps negotiate and talk business, represents and defends clients in court.

Of course, when any verbal interaction to a lawyer is taking place, one must take into account national peculiarities of his client and interlocutor, because approving the stance of Roy L. Lewicki, David M. Saunders, Bruce Barry and John W. Minton (Lewicki et al., 2015, p. 37), we believe that culture affects the style of our communications, both verbal and non-verbal. Depending on culture, there are differences in body language: the same behavior can be considered offensive in one culture and completely harmless in another.

"In Russian society, there is an acute problem of finding ways of harmonious development and conflict-free coexistence of various cultures for the upbringing and education of a citizen of a single cultural society" (Mayorova, 2010). The same is true for foreign students, since in the process of studying they should form an idea of the brilliant school of Russian business rhetoric, both in practical and theoretical terms. Rhetoric is not abstract and not universal. It is always national, since it is based on the national language. Thus, within the scope of this paper we can speak about Russian, German, American, Japanese rhetoric, but not about universal rhetoric. General rhetoric means the principles of the prose texts construction, but these principles are always applied in a particular culture in a particular national language. Therefore, "the national personality characteristics of a business partner should also be taken into account in business communication" (Samygin, 2021, p. 120).

Many researchers, including Samygin and Stolyarenko, define the following national styles of business relationships: American, French, German, English, Chinese, Japanese, South Korean, Arabic (Samygin and Stolyarenko, 2007, pp. 173–181).

In the process of training lawyers, it is necessary to take into consideration the main trends and prospects in the development of the modern world, namely, that in the first place university or law school graduates will have to interact with the representatives of the BRICS,[2]

[2] BRICS — Brazil, Russia, India, China, and South Africa.

SCO,[3] and CSTO countries.[4] Thus, it is important that academic curricula provide the students with the opportunity to study the specifics of communication and peculiarities of business ethics of the residents of these countries.

In this regard, the national styles of business relations in India, South Africa, Brazil, etc., are of particular research interest. For example, Sergey Frank (Frank, 2008, pp. 59–67), who studied the features of business communication in India, South Africa and Brazil, believes that students need to know that **in India,** it is important to communicate politely with people of all ages and to build business relationships based on trust. In India, an ancient tradition to shake hands remains, but a more common greeting now is a friendly nod. If a person to whom you are speaking slightly shakes his head from one side to another during a conversation, his gesture should not be confused with European gesture of denial. Such a gesture in India means attention and understanding.

The South Africans tend to slow the pace of the business communication. They believe that professional success, privacy and the ability to enjoy free time should not contradict each other. When contacting a partner at the first time, you must use the full name. Strong British roots give the South Africans the ability to play by the rules, they can be tough in business relationships. At the same time, the South Africans are often inclined to choose such a decision when although the host is the winner, her opponent does not suffer defeat.

The Brazilians are gifted with eloquence from nature. They are endowed with the talent to immediately establish warm relations, they know how to choose the right tone when discussing difficult topics, and they tend to bypass sharp corners. The golden rule of business meetings in Brazil says that the position and manner of a business partner is fruitful and capable of creating mutual understanding as long as there is an atmosphere of friendliness and harmony at the negotiating table.

Therefore, it is of particular importance to design pedagogical technologies in such a way that knowledge about national characteristics of the peoples of any country is formed not in parallel with the study of

[3] SCO — Shanghai cooperation organization that includes the Russian Federation, Tajikistan, Kyrgyzstan, China, Kazakhstan, Uzbekistan, India, and Pakistan.

[4] CSTO stands for the Collective Security Treaty Organization that includes Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russian Federation, and Tajikistan.

a foreign language and the disciplines necessary for the implementation of professional activities, but in a way of a bilingual course. Training and apprenticeship programs within the programs of student exchange and "studying abroad" programs broaden the opportunities, knowledge, life experience of future specialists. They also contribute to their comprehensive training (Shtokman and Shtokman, 2005, p. 23). However, such practice is not available to all students due to various reasons. In this regard, it is important and necessary to introduce new technologies and teaching methods for training competitive specialists that will allow students to obtain the necessary knowledge and skills in their native educational environment. But only a comprehensive and interdisciplinary approach will allow students to master the knowledge in the shortest possible time, and will also allow them to feel harmonious and confident in the modern educational environment.

Thus, we can conclude that awareness of the culture, etiquette and national characteristics of the representative of a country will help the lawyer to be more successful in business communication. Substantive elements of this knowledge can be taught to law students within the framework of the bilingual course of rhetoric, when two languages can serve as the means for gaining information from foreign sources, demonstrating the outcomes of educational procedure and implementing the outcomes in professional competences. At the same time, interdisciplinarity and comprehensiveness of training will help to reduce the duration of training.

IV. Features of Intercultural Communication of a Lawyer on the Internet and their Relevance for Bilingual Teaching

Currently, digitalization and informatization continues. Due to shortage of time, people are less likely to meet in person; they have to communicate remotely, which has become widespread. Lawyers are not an exception. They communicate on the Internet through chat rooms, forums, webinars, and online conferences.

Communication in the Internet is mediated through a computer or a special device. It is only possible if the sender and the recipient have access to the Internet, they have the skills to operate a computer,

they are able to read and create telecommunication texts. But if we are talking about intercultural communication, lawyers are expected to know a foreign language or several languages.

We should mention the existence of the point of view that the knowledge of a foreign language is not necessary for communication on the Internet since there is always the opportunity to use online machine translation tools. However, we do not share this point of view, as we believe that relying on an online translation tool does not result in effective communication. Effective communication is possible only when the participants of the conversation know the language of each other at least to the extent that facilitates collaboration.

Communication on the Internet is performed using both verbal and non-verbal means of communication and specific vocabulary, the composition of which is constantly updated and is characterized by blurring of the essential differences between communication (interpersonal, group, mass and intrapersonal types of communication).

"The Internet as a means of intercultural communication has its advantages and disadvantages. As an advantage, it should be noted that through communication with representatives of other cultures, people could broaden their horizons, form an idea about a particular culture that differs from their culture. However, there are also disadvantages that include the risks of dissemination of information on racism, incitement to ethnic hatred and recruiting for terrorist organizations" (Galyashina and Nikishin, 2021, p. 160).

Intercultural communication on the Internet occurs both online and offline, the participants of the communication can communicate both orally and through the exchange of messages. To save time, the participants of communication can ignore the spelling rules, put words together and come up with new words (Abramova, 2021).

Thus, it is safe to say that a system of graphical tools has been formed, and, as a result, a new symbolic meaning of a written text has developed.

Another example of intercultural communication on the Internet is an international scientific and practical conferences that are currently widespread. Participants of such conferences can make presentations and engage in discussions with the participants, share experiences and knowledge. And bilingual communicative competence of a lawyer in this case is extremely relevant.

Understanding the issues associated with online communication should be a priority (Turaev, 2021, p. 1512). Similar to any relatively new phenomenon, the Internet is generating many conflicting expectations ranging from unfounded fears to false hopes, which leads to ambiguity of assessments of this phenomenon. Therefore, there is a necessity to create virtual ethics. The objectives of virtual ethics are to include a moral evaluation of the process of virtual communication, theoretical justification of ethical norms and principles governing the conduct in this field, and, finally, the creation of mechanisms to ensure adherence to these standards and principles.

Features of virtual ethics are defined in accordance with the specificity of the object of study. The Internet belongs to no one; it is not controlled by anyone, and it is therefore not controlled by the participants of virtual communication. Virtual communication is generally anonymous and participants may at any time evade contacting, while the possibility of legislative regulation of this area is relatively small, at least at the moment. This gives the user an illusory sense of unlimited freedom to the point of permissiveness (Larionova and Gorchakova, 2021, p. 58). However, as in any social environment, the Internet has its own unwritten rules and norms that define the rights and obligations of participants of the interaction and enable it to maintain its own existence without any external power regulation. These rules are called netiket (net — network and etiquette — etiquette) and they are international. The importance of this knowledge is difficult to overestimate, because on the one hand, there is the mediatization of legal discourse (Nadeina and Chubina, 2023, p. 58). On the other hand, legal discourse actively affects everyday speech and, in the media, professional look from the point of view of rhetoric is very important to form a proper understanding of these processes among young audiences.

V. Public Speaking in Lawyer's Work

For the legal profession based on the "man-to-man" model, communication skills form an important element of professional competence. A lawyer must be able to transmit and receive significant and relevant information in order to achieve the goals of interpersonal

relations, to influence the consciousness and behavior of people using words. In the context of increasing globalization, a lawyer is expected to be able to communicate professionally both in a native and a foreign language.

Professional legal communication, the objective of which is to provide interaction among persons participating in transfer, exchange, and perception of information, combines legal and communicative elements. The legal element provides for deliberating legally significant information, legal opinions, solutions to problems using legal tools and legal implications of the chosen strategy. The communicative element involves the knowledge of different methods, techniques and rules of communication. Only a comprehensive and skillful combination of legal and communicative elements can lead to a successful outcome for the protection and restoration of violated rights and interests of an individual.

The public speaking skill is one of the most important elements of the communicative competence in professional interaction. Many legal practitioners are also engaged in the activities of educational institutions, in the system of training of professional communities, they have their blogs, speak to the media, participate in academic and practical conferences, congresses, and round tables. To succeed as public speakers, they need to employ a compilation of rhetorical and practical experience.

Success of a lawyer in public speaking depends on many factors. First, a speaker needs a clear understanding of the topic of public speaking, he needs to determine the purpose that will penetrate and guide the whole speaking and determine the type of the speech: whether it is informative, persuasive, entertaining, or etiquette. In a multilingual environment, a speaker choses the means of persuasion that comply with the determined purpose of the speech.

The second factor of success is the richness, scrutiny, and relevance of the presented material. Therefore, it is extremely important to search and, which is more important today, select arguments for statements from reliable and reputable sources based on critical thinking.

The third element determining perceptability of public speaking is its clarity and, as a consequence, effectiveness, which is predetermined

by a clear structure of a statement, logical construction of arguments and reasoning. A lawyer should be not only an expert in the field of law, but he should also be good at logical thinking, i.e., be able to consistently build his statement, to reason and justify the statement made, persuasively refute the opinion of an adversary, to explain the conceptual nature of the processes and phenomena, to make logical conclusions. It is well known that the structure of any presentation consists of three stages: an introduction, a main part, and a conclusion. Unfortunately, many speakers make such mistakes as composite heterogeneity, lack of logic, inability to finalize the statement, proving a well-known proverb that says "You started speaking with delight and finished with a sorry sight!"

The success of public speaking largely depends upon how skillful a speaker uses a toolkit of logical and psychological persuasion, awakening the inner voice of the audience, forcing the audience to engage in an internal dialogue with the speaker, encouraging them to make decisions based on internal beliefs. A lawyer should remember that an argument is always targeted at a specific audience in a specific situation and take into account the specific purpose.

Much of the perception of public speaking depends upon how perfect the forms of the language are, upon the style, creativeness, emotionality, and suggestive potential of the speech. A lawyer violating the rules of the native and foreign languages speaking in monotonous, unemotional manner, loses the trust and sympathy of the audience.

Among the reasons why public speaking is often ineffective we can name the lack of the speaker's ability to achieve reciprocity in communication with the audience, establish rapport, follow the audience's reaction, and adjust the dialogue to the audience's expectations during the speech presentation depending on the reaction of the audience. Each speaker should remember that public speaking is a monologue only in form. In fact, it is the dialogic interaction with the listener, and if not, then there is no effectiveness. To this end, public speech should be reasonably rich in vocal techniques of dialogization in order to contribute to an active interaction with the audience.

Indeed, the most important factor for successful public speaking is the impact the personality of the speaker makes on the audience. "We do not listen to the speech; we listen to the person" is one of the

basic premises of rhetoric. Therefore, attractiveness of the speaker is largely determined by the image of a lawyer, his popularity, reliability, credibility, and demeanor.

Studying of the foundations of public speaking skills in both native and foreign language paradigms allows students to develop expressiveness, clarity, and precision of their style, creates and widens proper mindset, awareness and knowledge resulting in developing public speaking skills in the context of the study of legal subjects and their application in practice.

VI. Statements of a Lawyer in Court

Professional work of a lawyer is associated, in particular, with the statements made by a lawyer in court (or any other forum deemed to be the place where justice is administered, e.g., an arbitration tribunal or mediation center). Of course, this applies, in particular, to advocates representing their clients in court and out of court, and the prosecutor.

A court-room lawyer in any jurisdiction where he is practicing, must be familiar with the substantive and procedural law, to be able to analyze, draft and submit procedural documents, and work with the case. Also, a courtroom lawyer will need to acquire the knowledge and skills in the field of courtroom eloquence in order to be able to make his speech persuasive.

A court-room lawyer needs skills of courtroom eloquence at the final stage of the hearings, at the stage of oral arguments, as it is at this stage that the lawyer has the opportunity to provide the court and other parties to the proceedings with the result of his work conducted at the pre-trial stage and in the course of the trial.

The stage of oral arguments is the final part of the trial when, exchanging the statements, the participants involved in the case sum up the results of the evidence examination and the court is provided with the grounds on how the case should be resolved on the merits.

Professional communication of persons participating in oral arguments is regulated by the rules of procedural law that prescribes the sequence of speeches, but does not regulate either the structure or the content of the speeches themselves. Thus, the task of a courtroom

lawyer is to work scrupulously both on the content (the legal element), on the form (the linguistic element), and on ethics (the ethical element) of his speech.

The legal element of courtroom arguments provides an analysis of the evidence, the standings of the parties to the case, the facts given, the characteristics of the accused and witnesses, as well as the reference to and analysis of legislative norms, jurisprudence and case law. Of course, the courtroom speech of a lawyer in civil proceedings differs from the speech of a lawyer in criminal proceedings. Thus, the objective of the lawyer representing a claimant or a defendant in a civil case is to persuade the court of the validity of the claims or objections, while the prosecutor's objective and the objective of the defense lawyer is to substantiate the guilt or innocence of the defendant.

The linguistic element of courtroom arguments is determined by the structure of the speech itself and the linguistic devices used. Thus, Professor Sergeev draws attention to the accuracy and purity of the style, diversity of words, decency, simplicity and strength, euphony and other features of oral arguments. At the same time, in order to effectively convince the court, Professor Sergeev advises using imagery, metaphors and comparisons, antitheses, and other rhetorical devices. According to him, a speech made up of reasoning alone cannot stay in the minds of people who are not used to this (Sergeev, 2019, pp. 13–18).

The ethical element of courtroom arguments, despite being subjected to numerous studies and contemplations, still leaves much to research**.** The ethics of court arguments includes a set of rules of conduct that participants of the court session should adhere to when delivering their speech (oral arguments). If *ethics* is a set of rules of conduct (usually in relation to a certain social group), we are talking about professional ethics, we refer to moral requirements related to the specifics of a certain profession, for example, the ethics of judges, advocates or prosecutors.

Let us consider what ethical requirements are imposed on judges, lawyers and public prosecutors in the Russian Federation.

Judges in their professional activities are guided by the Code of Judicial Ethics approved by the 8th All-Russian Congress of Judges held on 19 December 2012. The principles and rules of professional conduct

of judges are set out in Chapter 3 of the Code. Thus, the Code of Judicial Ethics enshrines the obligation of a judge to adhere to highest cultural standards in proceedings, to maintain order during the court session, to behave in dignified, patient, polite manner towards all the participants of court proceedings (Cause 7 Art. 11).

Advocates in their professional activities must comply with the rules set forth in the Code of Professional Ethics of the Advocate adopted by the 1st All-Russian Congress of Advocates on 31 January 2003. The preamble of the Code states that "the existence and activity of the Bar community is impossible without observance of corporate discipline and professional ethics, concerns of advocates for their honor and dignity and the authority of the Bar."

The principles and rules of professional conduct of an advocate are set out in the first Section of the Code of Professional Ethics of the Advocate. Thus, a lawyer has no right to make statements derogating the honor and dignity of other participants, even if those participants behave themselves improperly and impolitely (Para. 7 Clause 1 Art. 9). Objecting to the action (inaction) of judges and persons participating in the proceedings, an advocate must object in a proper manner and in accordance with the law (Art. 12).

State prosecutors, as well as advocates, must comply with ethical standards enshrined in the Code of Ethics of the Prosecutor of the Russian Federation approved by Order No. 114 of the Prosecutor General's Office of the Russian Federation dated 17 March 2010. Thus, a prosecutor, in his formal and informal capacity is obliged to strive in any situation to preserve personal dignity and not to commit acts that give reason to doubt his honesty and decency (Clause 1.3 Art. 1). During the proceedings, the court refrains from actions that can be regarded as actions exerting undue influence on the process of administration of justice (Art. 2.1.11). In relations with other participants in the judicial process, a prosecutor shall adhere to the formal business style, demonstrate integrity, politeness, impartiality and respect for all participants of the court session (Art. 2.1.12). Also, a prosecutor should adhere to the business style of clothing corresponding to the status of a public official, comply with etiquette rules regarding jewelry (2.1.17).

Thus, lawyers who speak in the courtroom, especially judges, advocates and public prosecutors, must comply with the established ethical rules and regulations. Disrespect, offensive and insulting statements and other manifestations of unethical behavior are unacceptable.

During the proceedings in criminal and civil cases, disagreements between the participants, including disagreements between the advocate and the public prosecutor or between lawyers representing the parties, are certainly "not only possible, but sometimes inevitable, and, therefore, disputes are inevitable" (Revina, 2016, p. 37). During a dispute it is difficult to maintain composure and behave in an ethical manner. However, it should be noted that a dispute that is taking place in the courtroom is not just a dispute the participants of which can use any words and expressions in order to win. The argument that is being conducted in the courtroom "requires great tact and the ability to use its techniques, taking into account the situation prevailing in the courtroom as a result of the trial" (Sapozhnikov, 1971, p. 73). Only in this case, the judge, after analyzing the arguments given by the parties, analyzing the arguments heard, will be able to establish the truth in the case and make a reasoned and fair decision.

Therefore, a controversy between the parties in the courtroom should be formal and restrained. In this regard, it is worth agreeing with S. Aria who argued that "criticism of the rival will become much more effective if it is calm and reasoned, i.e., ethical. A courtroom speaker may seek to evoke the emotions of judges, but not to demonstrate his own." (Aria, 1996, p. 50). Both the judge and the parties, being in the courtroom, should demonstrate compliance with high culture standards and not allow disrespect for themselves, since, as Boikov notes, "the legal maturity of a specialist cannot be characterized only by a certain amount of knowledge and skills. It includes the appropriate level of moral development of an individual, mastering ethical requirements of this profession." (Kolokolova, 2010, p. 301).

Thus, in order to successfully perform in the courtroom, a lawyer must elucidate the legal, linguistic and ethical elements of the speech, he has to possess knowledge in the field of judicial eloquence, and scrupulously prepare for speeches, especially for speeches to be pronounced in court arguments.

VII. Rhetorical Analysis of Courtroom Disputes in the Lawyer's Work

A legal dispute constitutes the foundation of a lawyer's professional work, i.e., a process where each party proves its own standing and provides its own interpretation of the situation, criticizing the arguments of an adversary. The interaction between adversarial parties allows us to see a variety of points of view on the same problem, provides additional information, helps to clarify the positions of those who are involved in a dispute.

Therefore, for any practicing lawyer it is important to understand the nature of speaking in court arguments, types of dispute adherent to different legal cultures, rules of their implementation, depending on national specifics and purpose.

During a dispute, there is always a contradiction in an explicit or implicit form**,** which helps us define a problem and clarify the positions of the parties. In the course of collective discussion, the problem is either resolved (dispute, discussion, argument) or each of the opposing parties remains of the same opinion (discussion, controversy).

Depending on the intentions of the adversaries and the purpose of the dispute, arguments can be constructively aimed at developing a common position, discussing solutions to the problem, refuting an incompetent approach, etc. It can also be destructive, turning the discussion into a scholastic dispute, discrediting the opponent and the idea underlying the dispute, etc. It is very important for a lawyer to understand the true reasons for entering into a dispute and court arguments in order not to succumb to provocations.

For the dispute to proceed rationally, it is necessary to observe the logical and moral and ethical rules of conducting a dispute, discussion, and court arguments. They include: 1. a clear understanding of the subject matter of the dispute by each of the parties; 2. a clear understanding of the purpose of the discussion-dispute and the strategy for achieving the purpose of the dispute; 3. preparation of a credible argument; 4. respect for the opponent; 5. unacceptability of social or physical pressure.

In the majority of cases, arguments forming the subject matter of the dispute can be both correct and incorrect, depending on the purpose,

provided information, a source and method of presentation. A lawyer should have an idea about acceptable (loyal) and unacceptable (disloyal) methods of conducting a dispute in order to conduct a discussion tactfully and meaningfully (Abramova et al., 2023, p. 53). A dispute or discussion can quite often turn into a conflict situation, where one of the adversaries demonstrates incorrect behavior or makes incorrect judgments in relation to the opponent. To prevent a dispute from escalating into a conflict, it is necessary to remain calm and maintain composure and resort to a counter against every unacceptable behavior.

As practice shows, legal dialogue can be conflict and conflict-free in nature. In various areas of legal relations, the conflict situation can manifest itself in different ways and, consequently, it can be resolved logically and ethically in different forms. For example, in the process of conflict-free legal consultation, interviewing, mediation, or in discussions on legal issues in a soft-conflict mode, the priority cross-coefficient of ethical evaluation of a dialogue is whether it is logical or illogical, whether provided argumentation is an evidentiary statement or a sophistic speculation.

If a legal controversy is taking place in the mode of acute conflict, for example, in the interrogation of the accused for convicting him of a crime, then logic alone is not enough, because. it is not always effective. In such cases, it is important to take into account tactics, ethics, psychology, pragmatic and communicative expediency of communication.

In order to make professional communication held in the form a discussion effective, it is important to learn how to behave in a dispute properly and analyze the behavior of partners. The success in the dispute can be affected by extralinguistic factors, such as the volume and height of the voice, the tone of the voice, intonation, tempo, gaze, facial expressions, gestures, demonstration of attitude towards the opponent.

Along with logical and ethical elements, a legal dispute also has aesthetic, psychological, rhetorical and other elements, the knowledge and application of which encourages a lawyer as a professional communicator to conduct a dialogue more effectively, avoiding errors and revealing errors in the arguments of opponents.

The persuasiveness of a lawyer's standing during a dispute directly depends on the quality of the arguments, they must be true, reliable, they must not contradict each other and be sufficient to prove the claimed point.

There are two types of arguments: arguments "for" (for the premise) and arguments "against" (against the premise). Describing the arguments "for," it should be noted that they should be truthful, based on authoritative sources, available, simple and understandable, as close as possible to the opinions of the audience; reflecting objective reality, corresponding to common sense. The arguments "against" should persuade the audience that the provisions cited in support of the criticized premise are very dubious, they do not stand the critical argumentation. The systematic presentation of arguments gives them strength and persuasiveness.

During the dispute, the lawyer, justifying the thesis, can use direct or indirect evidence. The direct proving is conducted with the help of strong arguments, without involving any assumptions that contradict the thesis: a direct reference to arguments, facts confirming the premise, a reference to a law rule.

The indirect proving is provided by putting forward an antithesis (assumption) and establishing its falsity. On the basis of the law of excluded middle, a conclusion is drawn: since the thesis and the antithesis exclude each other, the falsity of the antithesis means the truth of the thesis.

Lawyers often use a special form of proving — refutation — in their court argumentation. In court proceedings, proving by the defense of the defendant's innocence and the refusal of the prosecutor to bring a charge serve as the refutation.

In different audiences and legal situations, various types of refutation are effective: refutation of a thesis, criticism of arguments, failure of demonstration. For example, criticism of the arguments of a procedural opponent is important in court proceedings, since the unfounded nature of the crime serves as a reason for the acquittal of the accused by virtue of the presumption of innocence.

The argumentation used by a lawyer in a discussion and court argumentation is always focused on a specific audience with its mental

representations of good and evil, the world order, justice and the current legal situation.

Despite universal and doctrinal considerations regarding issues referred to the field of rhetoric, their examination based on bilingual materials will result in better understanding of the complex legal discourse, which will be advantageous for law students due to the complex nature of many legal disputes involving foreign element.

VIII. Conclusion

In the paper, the authors have analyzed the problems of developing students' motivation to study a foreign language in interaction with professional training in legal rhetoric. Synthesis of the language elements, subject matter and the intercultural element contributes to the formation of bilingual communicative professional competence, in addition to the development of the ability and willingness to use a foreign language as a means to obtain information from different areas of the authentic functioning of the relevant legal information. Bilingual vocational training contributes to the expansion of the information and educational space for students, development of the personality of a future lawyer in cross-cultural and cross-language contexts.

However, we need to keep in mind that foreign students coming to Russia to study law will also need comprehensive and reliable bilingual course books and textbooks. "In Russian society, there is an acute problem of finding ways of harmonious development and non-conflict coexistence of various cultures in the education and training of a person of a monocultural society" (Mayorova, 2010). Understanding of this premise is of particular importance for foreign students studying in Russian law schools and faculties, since, during their studies, they will have to scrutinize an outstanding school of Russian rhetoric, both practical and theoretical, mastering of which is not possible without understanding the origins of its formation.

The authors substantiate the need to develop bilingual textbooks with the aim of strengthening the role of Russia in the global humanitarian space, strengthening of the Russian language in the world. The Russian language is of great importance not only for the Russian Federation, but

for the world civilization, because it is one of the world's languages and the most important tool for other Nations to understand humanistic values of Russian culture, education and science, thereby increasing the authority and protection of Russia's geopolitical interests.

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