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ДЕБАТИ ЯК ІНТЕРАКТИВНИЙ МЕТОД НАВЧАННЯ СУДДІВ

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Анотація. У статті актуалізується рольове значення реформування суддівської освіти, яка повинна містити не лише знання матеріального та процесуального права, але повинна допомагати суддям розуміти соціальний контекст справ, які вони розглядають, передбачати наслідки своїх рішень як для окремої людини, так і для суспільства загалом. Автором зауважено, що заміна традиційних академічних методик викладання у формі лекцій на сучасні інтерактивні методи навчання серед яких важливе місце займають дебати сприяє фронетичному осмиленню права, розумінню його як живого міжособистісного спілкування, комплексної соціальної системи, що базується на взаємних комунікаціях між учасниками такого спілкування. У такому процесі правовий текст стає матерією, що живе у спілкуванні між людьми, він здатен набувати таку ж нескінченну кількість різновидів, скільки існує думок, емоційних переживань, світоглядів. Наративність дебатів як інтерактивного методу навчання у підготовці суддів, на думку автора, постає складовою практичного досвіду, який, з одного боку, охоплює знання, уміння, навички та настанови, а з іншого боку, є дискурсивно-інтерсуб'єктивним – потребує постійної комунікації викладача з аудиторією, характеризується готовністю почути інших і змінити себе, підвищити свій кваліфікаційно-професійний рівень. Дебати, які спрямовані на уточнення змістів і вироблення спільної позиції, думки, оцінки чи норми, у свою чергу, формують досвідні форми комунікації, які дозволяють під час навчання виробити колективні рішення, обов'язковість котрих сприймається кожним учасником осмислено і добровільно.

Ключові слова: дебати; інтерактивні методи навчання; суддівська освіта; комунікація; досвід.

DEBATE AS AN INTERACTIVE TEACHING METHOD IN TRAINING OF JUDGES

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Abstract. The article highlights the role of the reform of judicial education, which should contain not only knowledge of material and procedural law, but should help judges understand the social context of the cases they are hearing, foresee the consequences of their decisions for both – the individual and the society as a whole. The author notes that the replacement of traditional academic teaching methods in the form of lectures on modern interactive teaching methods, among which the debate takes place, promotes the phronetic understanding of law, its understanding as a living interpersonal communication, an integrated social system based on mutual communication between the participants of such communication. In such a process, the legal text becomes a matter that lives in communicating between people; it is able to acquire the same infinite number of varieties, as there are thoughts, emotional experiences and worldviews.

In the author's opinion, the narrativity of the debate as an interactive method in training of judges is a part of practical experience, which, on the one hand, encompasses knowledge, skills and instructions, but on the other hand, it is discursive and intersubjective – it requires a constant communication between the teacher and the audience, characterized by the willingness to hear others and change oneself, to improve one's qualification and professional level. Debates which are aimed at clarifying the content and developing a common position, opinion, assessment or norm, in turn, form experiential forms of communication that allow during the learning to develop collective decisions, the commitment of which is perceived by each participant meaningfully and voluntarily.

Keywords: debate; interactive teaching methods; judge education; communication; experience.

Being a judge is a huge responsibility, it is staying on the brink of conflict and under the watchful eye of society, constant control over your own behavior, not only in professional but also in everyday life [2, 72]. The integral components of professional requirements for a judge should be the knowledge of law, the ability to manage the dialogue, to mitigate the contradictions, masterfully control verbal and nonverbal speech, understand and consciously adjust their own psychological state. In view of the above, in the fair comment of Strashun, "the rules of admission to the judiciary, obviously, should be complicated, paying particular attention to checking not only professional but also, maybe, especially the mental qualities of the applicant" [7]. To a graduate of a law school, who has expressed a desire to become a judge, the most strict, in fact, etalon requirements should be presented. People of the new formation must come to court offices.

Integration of the state into the European community requires the creation and functioning of an independent, accessible, professional judicial system capable of ensuring a fair and efficient solution to any legal conflict that arises between members of society. At the same time, most of the proposals for reforming the judicial system generally concern either organizational (judicial) or procedural aspects. These questions, of course, are very relevant, but we must take into account: no matter how perfect the judicial system model was chosen, no matter how unified and harmonized were procedural norms that establish the procedure for the administration of justice, the achievement of the desired effect of judicial reform will depend on the professionalism, skills of those people, who will directly apply the rules and decide the court cases, that is, judges [7, 201].

Throughout the years of independence, judges witnessed two-fold changes to the Constitution of Ukraine and two judicial reforms, they had to accept the creation of new jurisdictions and new instances, the change of two litigations – civil and criminal, the introduction of new ones – commercial and administrative, the formation of the Unified State Register of Judicial Decisions and the automated system of distribution of cases. The court session or court decision remains the culmination of many political and socially significant processes – elections, privatization, urban development, housing construction, pension payments, etc. Awareness of this gives an understanding of the level of physical and psychological pressure experienced by the judge. That is why an important requirement so far is the introduction of a thorough, with the participation of experienced teachers and psychologists, professional selection of entrants who enter the educational institutions. Part of them should be prepared from the student's bench to perform difficult judicial duties. The specialization of future judges, who will be acquainted in depth with juridical ethics and psychology, legal sociology and deontology, the theory of analysis of judicial activity, must be considerably strengthened. At the same time, such category of people needs to be taught the principles of organization of the judiciary, so that, becoming judges, they must be clear on the role of the court in the mechanism of protection of human rights and freedoms, as well as the essence of its communication interaction with other authorities. Thus, the role of the reform of judicial education is that it should contain not only knowledge of material and procedural law, but should help judges understand the social context of the cases they are hearing, foresee the consequences of their decisions for both – the individual and the society as a whole.

In the history of legal science, there are many examples of the justification of sociologization of law, but the origins of the desire to study law in terms of its role in the social mechanism are found in the scientific heritage of Eugen Ehrlich.

In the process of cognition the true nature of the law, the Austrian scholar constantly reflected not on the contemplative, ideal models and constructions of law, as it was accepted everywhere long before him and reached its apogee in his time, but about a truly living legal reality in all its versatility, uniqueness and richness, dynamism and statics.

The basic principles of the Ehrlich's approach to the understanding of law not only criticize the logical justification of "formal" law enforcement, but also emphasize the more complex idea of integrated knowledge of such a process as a complicated, multidimensional, complex, creative, cognition of which is associated with the identification of not only legal, but also related non-legal patterns. In this process, in addition to purely legal, normative mechanisms determined by the specifics of judicial activity, there are also non-normative mechanisms, arising from the psychological characteristics of the judge. Taking this into account, it can be stated that the essential factor of the finding of law is the personality of the judge, his position as free and creative, but connected with the practice (including the legislative) of the subject's dispositive position [3, 110]. Such a "personality" comprehensively examines all factors – written law, historical and social context, sees in the legal norms "living energy, and in the case of legislative miscalculations and gaps, he can "seize "the law from the specific content of the case itself. It is the "personality" of the judge, says Ehrlich, deciding whether to adhere to the "letter of the law". Its imperfection is the probability of abuse.

Considering that "there is no other guarantee of justice, except for the personality of a judge," the scientist notes that only by giving the judge freedom, endowing the judge with freedom, one can expect from him responsibility for "injustice", the arbitrariness of his decisions [13, 345]. Only within the framework of such a modification formal basics will be subject to further "specialization" within the real necessity, and the center of gravity will be transferred from the "abstract rule" to "living reality".

Only a highly moral person with the highest level of axiointence of legal consciousness and adequate thinking is worthy of making court verdicts. Therefore, judicial reform should start not from discussions about the ideal structure of the judicial system, but from the real improvement of the qualitative level of the educational-qualified potential of the judicial personnel. The judiciary elite is called on to think systematically, combining the "spirit" of law and the "letter" of law, to have a differentiated sense of significance of the performed official functions and maximum responsibility for their unlawful performance.

In accordance with the draft Concept on the improvement of legal education for the professional training of a jurist according to the European standards of higher education and the legal profession, the standard of law education should ensure the formation of integrated, general and special competencies in the applicants of legal education. General competencies include the perception of worldview and moral and ethical values, broad social and humanitarian erudition and awareness of the multicultural diversity of modern life, in particular:

– ability to abstract, logical and critical thinking, to creative thinking and the generation of new ideas, to analysis and synthesis;

– ability to plan, organize and control one's activities;

– knowledge and understanding of the nature of ethical standards, including ethical standards of the legal profession and ability to act on their basis;

– ability to formulate and express one's positions competently and precisely, justify them properly;

– skills in collecting and analyzing information;

– ability to work independently, work in a team of colleagues in the specialty, as well as with the involvement of experts from other fields of knowledge;

– ability to take impartial and motivated decisions;

– ability to determine the interests and motives of other people's behavior;

– ability to reconcile parties with opposing interests;

– ability to study;

– desire to assert academic integrity.

The training of judges must be coherent, practical, systemic and comprehensive, built with the use of innovative methodological approaches to ensure the effectiveness of the educational process and the achievement of educational objectives, the main one among which is the acquisition and development of

judicial skills. The use of the Convention for the Protection of Human Rights and Fundamental Freedoms and the practice of the European Court of Human Rights, the principles of judicial ethics and the social context of the administration of justice (including the gender dimension, taking into account the needs of people with disabilities) should be integrated into the content of each training course. As V.M. Simonenko correctly noted "the use of innovative teaching methods for judges is a way to improve not only their knowledge, but also to provide them with the skills which they did not get in the previous training or got ones, but have forgotten" [4]. In the course of training, interactive methods are widely used, in which there are two important elements: activity and cooperation.

Interactive learning is learning in the process of practice. But this is more than just a practice. This learning takes the form of reflection of one's own actions, because in the process of action, analysis takes place, and people think what they are doing and how, and also through the analysis of their actions they learn something new about themselves and their own behavior [3]. All participants of the training interact with each other, exchange information, analyze, simulate situations, and jointly seek solutions to problems. Interactive methods make it possible to engage not only the mind, as well as feelings, emotions, volitional qualities, creativity, thus the potential of a coherent person is included in the process of training.

Arguments that will help to find out the benefits of interactive learning methods include: firstly, the basis of interactive methods lies in the involvement of participants of training to educational activities; secondly, interactive methods provide the possibility of group training; thirdly, the participants of the study come to classes with huge luggage of practical experience (even the most experienced teacher will not have a clue about its significant part), and interactive methods allow both the teacher and the group to use this experience in the common good; fourthly, training should prepare participants for solving problems which may arise outside the classroom – interactive methods are much better than traditional methods of teaching in training for an independent solution of problems.

Replacement of traditional academic teaching methods in the form of lectures on modern interactive teaching methods promotes the phronetic understanding of law, its understanding as a living interpersonal communication, an integrated social system based on mutual communication between the participants of such communication.

Actualizing, on the one hand, the sociological precondition of legal content, and on the other hand, the sociological precondition of the effectiveness of law, a prominent Austrian sociologist of law Eugen Ehrlich introduced his seminars of the "living law" at the Law Department of the Chernivtsi University to explore the legal reality and taught the results in his lectures and published works.

For the successful critique of the dogma of law, Ehrlich, with the help of his organized seminar of "living law", collected numerous factual materials, which served as evidence of the inappropriate restriction of academic education by classical study of the text of the law and its technical and legal application. Using the obtained data, the scientist proved that the so-called science of law, developed by jurists is simply a "technique" aimed at the temporary practical goal and, through artificial systematization, is capable of perceiving nothing but the most superficial shell of the existing realities of law [5, 669].

According to Ehrlich, the use of such a communicative component in conducting seminars of "living law" gives "the opportunity for students to learn the scientific method" and awakens in them the consciousness of reality. "It was enough for me," writes the sociologist of law, "to talk with the student for five minutes in order to notice how a new world opens up to him ... Thousands of cases on which he has not paid any attention to this day, received a new life for him, became to him witnesses of the living law "[14].

A peculiar "business card" of the seminars of "living law" was the introduction of interactive teaching methods, among which a significant place took the debate.

Debate is a structured and specially organized public exchange of views, a discussion between the two sides on an actual topic. The two most important characteristics of the debate that distinguish it from the dispute are publicity (presence of the audience) and argumentation. Considering the discussion problem, each side, opposing the opinion of the interlocutor, argues his position. Debate is an important instrument of developing critical thinking and reasoning skills. According to S. Scott, the debate is a pedagogical technology, since it contributes to the development of critical thinking based on studying arguments, conducting research, collecting information, analyzing, evaluating arguments, examining assumptions, and interpersonal communication [8].The purpose of the dissemination of this pedagogical technology is to teach future jurists-practitioners to find contradictions in the topics, to build proofs against attacks, to support them with examples, to defend their position, to seek a compromise in communication, to justify tolerantly their

persuasiveness, etc. Debates as an interactive learning method also forms the ability to listen to counterarguments carefully, ask questions and analyze responses.

Debate as an interactive method of teaching implies the division of participants into the main speakers and the public. The role of "public", which can be quite active, is very limited.

The most important thing in the application of interactive teaching methods is the division of participants into two teams – the side of the proposal (for the discussed thesis) and the opposition (against the discussed thesis). This division should be clear, which is reflected in the formulation of the thesis, it should be comprehensible (better provocative).

Debate is an excellent training for public speaking; participants learn the principles of constructing speeches, techniques and the appropriate use of non-verbal communication. The debate helps in learning, a little debate experience will immediately help to feel more confident in any audience, quickly navigate in any topic, correctly ask questions and determine the essence of the problem.

Debate as an interactive method of learning is designed to solve problems of communication, of clarifying and explaining different (and sometimes opposing) points of view on a given subject, finding a common ground for the exchange of opinions and understanding the crux of the matter. In the future, such skills are reflected in the court process, because the latter is always a contest of opposing or even contradictory explanations of the same group of legally significant facts. For a judge to resolve a conflict by legal instruments means to bring in a situation something that did not exist before – an interpretation which is authoritative and has social consequences. And the development of this interpretation often appears as a "dispute about words," which is at the same time a "dispute on the merits".

Text communication in the field of law is always conditioned not only by the interpretative "game of meanings", but also by the game moment in the very ways of legal objectivity. Thus, in the communication of participants in the judicial process appears their interaction which leads to the result of the corresponding type (legal or non-legal). This eventually defines both the form and the content of the judicial process. Essential dimension of the latter is determined by the legal consciousness of the subjects of the judicial process, as well as by other social and value orientations: moral, ethical, spiritual, cultural (secondary to the legal form of communication). The communicative interaction of participants in the judicial process as a whole is also determined by a number of objective factors: its legal basis; organizational and administrative acts; the level of legal culture; socio-economic and politico-ideological conditions within which the court functions, the system of spiritual and moral values adopted in society.

The requirements for judicial decisions made by the legislation and legal tradition provide the reasoning for such choice, which should be rational-logical. However, back in 1960 in the works of H. Perelman, it was substantiated that a rational explanation of value choice is impossible [7]. Instead, scientists were advised to follow the rules of Aristotle's rhetoric. Later this approach was developed in the works of J. Habermas (and in the legal theory – R. Alexi [1]) in the concept of rational discourse.

The concept of rational discourse opens up, makes the trial procedure generally accessible and publicly available. This contributes to the increasing separation of judicial procedures from irrational systems of knowledge and attitude towards the court as to an instance, in front of which a system of forms of representation unfolds, which is based not on a ritual demonstration of a claim, but on the rational basis laid down in procedural positive law. In this respect, the court instance is an open space, where rhetoric and argumentation are used, and knowledge of procedural law, legal capacity and its proper application by the court and the persons participating in the case, become the way by which a fair decision is achieved.

The concept of rational discourse actualizes that any topic and judgment have the right to exist, and all opinions can not only be discussed, but also have strengths and weaknesses. It helps to look at things from different sides, ask questions about the solution of the case, find facts and develop intelligence, logic and argumentation to convince others of the correctness of their position.

In this process, the issue of the proper conduct of the debate concerning the linguistic culture and the psychology of discussion is becoming important. Not so many opponents are able to resist temptations and follow the rules of diplomatic language, the ethical requirements of conducting polemic. In any case, one should not use illicit methods of conducting disputes: insult, hint at the negative sides of each other which do not have concrete evidences, refer things to the dispute that have no logical connection with the issues under consideration.

The most important thing in the debate is the ability to think analytically. Analytical thinking is a process of formulating a clear definition, the ability to find productive ideas and opinions.

The dynamics and contradictions of legal reality, the constant change in the attitude of the person towards it, the emergence of new goals bringing to justice – all this requires the continuous work of consciousness and thought, comprehension and rethinking. The blocking of such an operation will inevitably lead to the leveling of the appropriate mechanisms of lawmaking and law enforcement. In the course of a public exchange of opinions, the need for a critical reflection of the situation always arises in cases of specifying the general legal norm; the presence of a contradiction between two or more ways of behavior in a new, changed or unfamiliar situation; cognition of significant situational, normative, behavioral phenomena.

In the educational process, the debate can take a very arbitrary form. Observing from the side, it may seem that everything goes perfectly by itself, that the group is ideally integrated and that the lead teacher is no longer needed. The lead teacher does not need to be seen, instead he must check that all elements of the debate (content, participants' activity, order) have been used and involved. The teacher is responsible for the content of the discussion during the debate, as well as for ensuring that all necessary material is discussed and for the process, that is, how this content will be discussed. The teacher should pay special attention to the following four questions:

firstly, understanding, or as participants of the public exchange of thoughts/views communicate with each other (Are all members of the group able to speak and take advantage of this right? Don't they interrupt each other? Do they apply the principle of active listening? Do they formulate their thoughts briefly and unambiguously?);

secondly, membership, that is, how much the group listens to the opinion of each participant in the discussion (when certain individuals feel excluded and feel that they do not belong to the group, we lose the opportunity of their contribution to the general discussion, because they do not take part in the discussion and together with others are isolated from work and even worse, badly influence the atmosphere in the group, increasing apathy and/or aggression);

thirdly, the atmosphere, that is, how the participants treat each other, express their emotions, how well and safely each participant works;

fourthly, the norms (procedures), that is, the principles according to which the participants of the process decided to exchange ideas (for example, time for individual speeches, sequence of speeches, ways of expressing consent or disagreement).

During the debate, the work of the opponents is to unite the elements of "conversations" into a complex "story", which one opponent must interpret, and the other – understand and, as a result, agree with the above arguments, refute or simply reject them (guided not only and not always strictly by normative arguments, but also by ethical and emotional experiences). The legal text becomes a matter that lives in communication between the participants of the training; it acquires the same infinite number of varieties, as there are thoughts, emotional experiences and worldviews. At the same time, the work of the opponents is not reduced to bogus, because in their "conversations" about the law the panelists speak about the same object – the law. Similarly, in the judicial debate, each party receives an opportunity to tell a "story" based on well-known facts relating to a particular case from its point of view in order to present its own arguments in a favorable light [1, 33 – 36].

The narrativity of the debate as an interactive method in training of judges arises as a component of practical experience, which, on the one hand, encompasses knowledge, skills and instructions, but on the other hand, is discursive and intersubjective – it requires a constant communication between the teacher and the audience, is characterized by the readiness to hear others and change oneself, to improve one's qualification and professional level.

Debates which are aimed at clarifying the content and developing a common position, opinion, assessment or norm, in turn, form experiential forms of communication that allow during the training to develop collective decisions, the commitment of which is perceived by each participant meaningfully and voluntarily. Therefore, the issue of mutual understanding, support, good tone in interpersonal communication, the creation of a proper microclimate, and the sphere of effective interpersonal communication of the participants in the debate – judges colleagues – acquires special significance in this context.

Consequently, the important objective of the debate as an interactive method of training highly qualified judges is the exchange of experience. This goal is better achieved during the improvement of judges' qualification.

In the process of qualification development judges of all ages with different experience can participate; it is therefore quite natural that judges who have more experience during the debate share it with the later

assigned ones (this may concern a wide variety of issues – from the general aspects of work organization to a particular legal problem, the practice of applying legal norms at solving a particular case). In this way the structure of experiential knowledge is formed, which begins to contain new knowledge, skills and abilities, that is, the components of a person's preparedness for the administration of justice. The importance of these substructures, formed during the debate, must not be underestimated in the process of implementation of further professional activities.

The acquired knowledge allows an expert judge to become an even better specialist in his field, to transform the "judicial craft" into methodology, and the profession of the judge into a vocation.

The consolidation of knowledge accumulated during debates and forms of effective behavior will serve as a starting point for the judge to the search for law, and first of all, for judicial practice [6]. The latter is conditioned by the fact that the real being is constantly being modified, complicated and requires a relevant legal determination that would provide a historically concrete explication of the constructive possibilities of social development. At the time, an outstanding representative of the sociological direction in jurisprudence – Ehrlich warned "the constant change in the real situation in society does not fit into the dry formal mechanism of deductive thinking from the larger basis, which forms a static legal norm, through a specific "living" case, which due to their combination becomes a legal fiction. Deduction from the principles of positive material cannot provide a solution to the incident, the actual composition of which is not foreseen in positive law because of its non-compliance with the needs of social development [14, 655]. After having analyzed the scientific and practical literature, such a pattern can be traced also in the decisions of the European Court of Human Rights adopted in order to ensure the "vitality" of the Convention for the Protection of Human Rights and Fundamental Freedoms, maintaining its effectiveness.

In its activities, the European Court of Human Rights uses the so-called model of a convincing precedent, that is, the Court follows its preliminary interpretation in all cases if there is no good reason to refuse it. Such a position was announced by former Head of the Court L. Wildhaber: "precedents should be kept regularly, but not inevitable". The European Court of Human Rights here describes its attitude to previous decisions: "Although the Court is not formally obliged to observe previous precedents, but in the interests of legal certainty, predictability and equality before the law, it tries not to deviate from the previous precedent in the absence of the proper ground for this. But since the Convention is primarily and essentially a system of human rights protection, the Court must monitor the changes in the conditions in the respondent State and in the Contracting States and respond, in particular, to any agreement on the achieved standards."

In the case of human rights, the European Court of Human Rights from time to time, as is known, allows itself to renounce openly its previous precedent-significant legal positions enshrined in its decisions, and to formulate new, opposite in content, legal positions. For example, in Rees v. the United Kingdom (1986) the Court unanimously held that the concept of marriage covers only the traditional marriage between a man and a woman. The man who changed the sex did not get the right to marry another man. This decision was successfully canceled in sixteen years, when the attitude to the issue changed not only within the framework of the Council of Europe but also beyond its borders.

Thus, analyzing the aforementioned judicial practice, it is possible to state the fact that the one-sided approach of reducing the essence and content of law to a static, formally determined norm does not always correspond to the requirements of the progressive, spontaneously changing dynamics of social life.

In a public exchange of opinions, activity is not only a guarantee of successful work, an opportunity to increase its own professional level, but also the prevention of professional deformation and the opportunity not to interrupt itself.

In a public exchange of opinions, activity is not only a pledge of successful work, a possibility of increasing one's own professional level, but also the prevention of professional deformation and the opportunity not to withdraw into oneself. An active judge is not afraid to act decisively and at the same time avoids unconstructive and unreasonable criticism of his colleagues, expresses a separate opinion and convinces other judges of its correctness.

The debate is a so-called theater, a special type of communication technology, simulation of the game. The technique of communicative action during the debate is represented within the framework of a regulated interactive game accepted by both sides. The style of legal scuffles using this method of interactive training shows with what sporting enthusiasm opponents load each other with arguments and counterarguments, turning the auditorium into a playing field, dividing the accusation and the defense into two teams, each of which strives to win such a "duel". The debate is forcing of one's own position, "war with words", the desire

to win and to show oneself to advantage in front of the third parties.In the debate participants listen to a partner (in a certain sense, an opponent) in order to find the best argument against his thesis, refining and honing own position, trying to show the absurdity of the statements of the other party, pointing out all the weaknesses of its argumentation.

The debate is not just about the opponent's conviction – the rate here is the thinking and the choice made by the listeners. There are provocative debates in which the opponent tries to speak out sharply against the thesis only so that the defense, the supporters of the thesis, can throw them away and thereby strengthen the thesis even more.

The game-by-content procedure of the debate is a civilized form and a specific type of legal communication of the participants-opponents. The basis of the debate speaking is the system of linguistic conventions between the participants of communication, and the process itself is transformed into "narrative". The language form of presenting information about the circumstances of the case is based on figures of legal rhetoric (common sense and legal presumptions).

Debates turn into linguistic art; a communicative model, the basis of which is the technique of verbal communication and the relations between the participants in the dialogue. The place of the "law here" as an improvised means – the meeting of the urgent need is determined by the speech of each of the opponents, and the order of the discourse is expressed by the synchrony existing in the language. At the same time, the course of the debate, caused by the struggle between the parties in the case for the interpretation result, comes down to skillful application of textual and non-textual means for designing artifacts.

The game-by-content procedure of the debate is based on the following: regarding the statements and affirmations of the language game, the participants in the debate verify their statements and affirmations with material and symbolic means that can help them, while trying to deny these to opponents, by breaking the connections between the opposing statements and their own means. At the same time, it should be remembered that an excessive language game between the participants of the debate can play tricks with them. It should not be forgotten about the hidden danger of the subject's absorption by symbolic images and metaphors, if it is deprived of its permanent and sacred place – the establishment of truth in the case under consideration. The process may never end, but it may stop long before it begins. And then the question arises: will such a language inversion help the participant to reveal his dignity in the struggle for the law or lead to its loss? Are there any abuses in the actions of the participant – continuous imitation, theater, ideological liturgy, or vice versa, deliberate creation of obstacles to the conflict's transition to the territory of law. It's worth remembering that a full-fledged game can only unfold in a free space limited by a symbolic framework, where no surrogates are applied, and rules are accepted and executed by both opponents.

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