

Способствуя созданию условий для творческого труда, обеспечивая правовое признание и охрану творческих наработок, закрепляя за авторами права, на использование созданных ими достижений и получения доходов от их использования, авторское право одновременно создает условия для использования интеллектуальных достижений в интересах общества, с просветительской и познавательной целью. Обеспечение надлежащего уровня охраны авторского права будет способствовать повышению уровня доверия к средствам массовой информации, как распространителя культурологической и образовательной информации в обществе, и стимулировать не только творческую деятельность, но и ответственность за ее результаты.

Література:

1. Закон України «Про авторське право та суміжні права» [Електронний ресурс]. – Режим доступу: zakon.rada.gov.ua
2. Конституція України [Електронний ресурс]. – Режим доступу: zakon.rada.gov.ua
3. Кримінальний кодекс України [Електронний ресурс]. – Режим доступу: zakon.rada.gov.ua
4. Серебровский В. Вопросы авторского права. – М.: Издательство Академии наук СССР, 1956. – 283 с.

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WAYS OF EXPRESSING OPPOSITION IN THE DISCOURSE OF CONFRONTATION

In modern society there is a constant confrontation in the information area. It turns the process of communication into confrontation. The author submits that confrontation is expressed by certain language means, the choice of which depends on extralinguistic factors. According to the investigation, such an extralinguistic factor as the illocutive goal of the sender of speech determines the choice of linguistic means. If the purpose of the addressee is persuasion, so it is possible to allocate sentences with the same structure; nominalisation; double negation or neg raising; extraposition; sentences with the introductory there. Suggestive means, which were used in order to influence the recipient, include expressively coloured adjectives and nouns as well as sentences with introductory nouns. The language means that convey the conflict are represented by direct or contextual antonyms. This research is a long-term study because it entails a further investigation of the judicial discourse, for example, closing statements of lawyers, as well as the texts of judicial discourse in writing.

Key words: discourse of confrontation, illocutive objectives, extralinguistic factor, persuasive discourse, suggestion, language means.

The processes taking place in society certainly influence the language processes, which causes the emergence of new areas of research. In modern society there is a constant confrontation in the information area. At the time of such an opposition an attack tactic is often used. It turns the process of communication into confrontation. It should be noted that all this leads to the emergence of a new type of discourse – the discourse of confrontation. Scientific uncertainty in new linguistic concepts and directions of research is an indication of the relevance of the topic. Let us hypothesize that confrontation is expressed by certain linguistic means, the choice of which depends on extralinguistic factors.

It should be noted that until recently the word was analyzed from the point of view of its orientation towards the interlocutor, and today – from the point of view of the impact of the word on the interlocutor. And communication, in its turn, was considered as communication: "Communication is a communication of people understood in the broadest sense of the word, not only as a talk, conversation, but as any interaction for the purpose of information exchange" [6, p.8]. The code word in this definition is interaction. Let us compare with the statement by V. Sidorov: "The most important characteristic of communication in the system integrative aspect is the phenomenon of manipulating" [5, p.107], that is, the view of communication only as a process of transmitting a message becomes incomplete, since any

information "is reported to the recipient... with the purpose of a certain organization of his activities" [5, p.108]. Under a certain organization is meant primarily the manipulating of the recipient. Obviously, the society influences the processes occurring in communication. In the public interest, there has been a shift from the orientation towards the interlocutor to the impact on the interlocutor and on the interaction with the interlocutor – to the management of the interlocutor. Based on the foregoing, let us dwell on various approaches and classifications of communication. Communication can be verbal and non-verbal (depending on the sign systems used); internal and external (depending on the direction); mass, intergroup, intragroup, interpersonal (depending on the number of persons involved in the communication process); direct and indirect (by the method of establishing contact); active and passive (by degree of initiative); random and nonrandom (depending on the moment of occurrence); horizontal and vertical (depending on the direction of the information); monologue, dialogue, polylogue (by the number of participants); official and everyday (on the style of communication). Let's dwell separately on classification for the purpose of communication: information, persuasion, entertainment. Such a classification is suggested, for example, E. Chernogradova [6]. In our opinion, an obvious question arises: is there any information or entertainment in its pure form, if any information and entertainment has a definite purpose? Thus, the goal of communication cannot be separated from the impact, and in the case of judicial consideration of trial – from confrontation, a confrontational type of communication. The texts of judicial discourse have a pronounced pragmatic potential, which is represented in a certain psychological patterns that are realized in certain language means.

The intent of the sender to affect the addressee is traced at all levels of the language. The representative of the Georgian psychological school R.G. Mshvidobadze also notes it. She asserts that information about the positive and negative attitudes of the individual is transmitted through the language channel, not only with the help of lexical and semantic means, but also with formal language parameters that do not carry such a load in the speaker's consciousness. The speaker uses syntactic and morphological parameters not consciously to express a positive attitude, but unconsciously, at a mindset [4].

Thus, the goal of our paper was the language means in the discourse of confrontation (on the example of legal texts of the judicial sphere). To achieve this goal, we consider it necessary to fulfill the following tasks: 1) to establish a link between language means and extralinguistic factors; 2) to identify specific language means of the discourse of confrontation in the judicial sphere of activity (on the example of legal texts).

Judicial discourse belongs to a confrontational type of communication and can be defined as a discourse of confrontation. The discourse of confrontation is a broader concept, from our point of view, because it includes persuasive discourse, suggestive discourse and discourse of conflict. Each of these types of discourses has a certain illocutive goal. For persuasive discourse, the goal is to convince the recipient of the correctness of one or another point of view, to incline him to his side; the purpose of the discourse of suggestion is the impact on the recipient, the change in his mental and emotional state; the purpose of the conflict discourse is to change the situation in a favorable way for this or that opponent. The method of achieving illocutive goals is the argumentation, if it is a question of a persuasive discourse; manipulation, if this is a suggestive discourse or polemic in the case of a conflict discourse. In the judicial discourse, all these goals are pursued, the achievement of which is carried out through argumentation, manipulation and direct dispute. Obviously, to achieve this or that illocutive goal, determined by extralinguistic factors, the speaker will use certain language means. Let us consider on a specific linguistic material the language means that are characteristic for judicial discourse and analyze their conditionality by extralinguistic factors. To confirm the hypothesis, consider the following resonant case: Dan White Trial (1979) [8].

The first speech was on the part of the prosecution. The aim of the prosecutor, Mr. T. Norman, is to convince the addressees of the deliberate actions of the accused: Mr. White, before leaving his home, armed himself with a .38 Smith and Wesson revolver, which is commonly called a Chiefs Special. The gun was loaded when he took it, put it in a holster, strapped it in his belt. In addition to the gun being loaded, Mr. White took ten extra loaded cartridges, put them in his pocket before leaving his home. When he was driven to the City Hall, he got out of the vehicle...and he appeared, at the McAllister

Street entrance to the City Hall. The prosecutor just enumerates the defendant's actions but such an enumeration convinces the recipients that the actions were not accidental. The Prosecutor explicitly states the awareness of the decision of the accused: Instead of going around to the front door on Polk Street, or another main door on Van Ness Avenue, Mr. White remained outside the door at the basement level on the McAllister Street side for a few minutes, and then he entered the building through the window of an engineer's office. Now, this is not a regular way to enter the building. Further, the prosecutor continues the narration, using the homogeneous parts of the sentence: Mr. White drew out his .38 special revolver and he fired two shots into the Mayor's body; then he discharged two more .38 special rounds into the Mayor's head, on the right side, about the area of the right ear, at very close range, which were not unlike coup de grace shots. Here we note the double negation not unlike. A double negation in English conveys the doubt of the speaker, that is, the expression "not unlike coup de grace shots" by double negation turns into an indirect statement that it was a control shot. In addition, double negation acts as a rhetorical device, expressively reinforcing the utterance, and in this case accentuating this premeditation of D. White's actions. You can even highlight the phrase coup de grace shots as such, which becomes the culmination of the prosecutor's speech. The sender continues to describe the events, listing the sequence of actions of the accused, but already says directly that the defendant did the same in the second case: Harvey Milk was shot three times in the body with that same .38 Smith and Wesson Chief Special revolver, five shot. He took three shots to the body and when he fell to the floor, he was shot twice in the back of the head [8].

The sender, in our case, is the prosecutor, pursues the goal of persuasion, therefore does not use emotionally colored adjectives at all, preferring the means of expressing persuasiveness: nominalization, extraposition, sentences with an introductory pronoun there. Let us consider in more detail the allocated means of persuasiveness. Thus, J. Thompson [9, p.250] argues that nominalization plays a significant role in the implementation of the text's persuasiveness, since by means of nominalization information appears more objective and factual [9, p. 250]. By means of nominalization, the addressee passes from the performer of the action to the result [7, c. 111]. We can observe this in the texts discussed in the article, especially in the speech of the prosecutor: There being a vacancy on the Board of Supervisors, in District Number 8, the Mayor had the right to appoint a Supervisor to fill that particular vacancy; Mr. Daniel James White, had resorted to the courts in an effort to withdraw his written resignation; A discussion took place between the Mayor and between Mr. White; where his presence was observed by a member of the staff at City Hal [8]. It should be noted that the prosecutor uses both nominalization and Nominative Absolute Participial Construction.

Often, for the purpose of persuasion, the prosecutor and the lawyer apply an extraposition which, from the point of view of the communicative division of the sentence, is a special, internally dissected structure, where the "theme" is the name of the secondary (linguistic) referent, and "rema" is the author's intention. Such a transformation serves to uniformly distribute information, on the one hand, and, on the other hand, performs a volitional function. Extraposition can be found both in the speech the prosecutor (1) and the lawyer (2): (1) ...it became a matter of somewhat common knowledge that the Mayor was not going to appoint Daniel White, but that he was, rather, going to appoint someone else; (2)...it is very difficult for a man of Dan White's background to be elected to any position [8].

The above mentioned sentences with the introductory there can be found both in the speech of the prosecutor and the speech of the lawyer. In addition to the expressive goal, these sentences are also assertive in the speech of the accuser (1) and declarative in the speech of the lawyer (2): (1) There is a hallway that-there are numerous hallways in the City Hall, but there is a hallway generally between the Mayor's office and the chambers of the Board of Supervisors; (2) There was a settlement pending with the police officers' association which was important to the police department, and it was brought home to him [8].

In both speeches there are suggestive means. However, there are few of them in the speech of the prosecutor. We have already noted that there are few adjectives in his speech. The lawyer, on the contrary, uses adjectives that become expressively colored in this context, accentuating this unintentional action of the accused, on the one hand: They are very large windows, and are large, wide sills, and it's quite easy to step into the building through those windows; in the same state of rage, emotional

upheaval; usual threats to public officials; The impulsive nature of this resignation; the stressful factors [8]. On the other hand, they affect the emotional state of the recipient and become also a means of expressing confrontation, when the sender of speech seeks to change the situation in a favorable direction: Harvey Milk was a homosexual leader and politician, and Dan White...tried to be tolerant and protective of the issues that his constituency felt were important, and those issues were the traditional values of family and home [8].

As a means of suggestion, we also singled out the noun. So, the prosecutor describes the gait of the accused by the phrase: He went down this hallway in a rather fast gait; Mr. White traveled on foot at a rather rapid gait [8]. The noun gait becomes in this context an emotionally colored and thus suggestive means.

To suggestive means, we can also refer sentences with introductory nouns. They represent the further statement as significant and important: The irony is that the young man was so much promised in seek-difficulty coping with procedural aspects of legislation; the answer to that simply is, as indicated previously; The issue in this trial is properly to understand why that happened [8]. The fact that there are few such sentences in the prosecutor's speech is explained, in our view, by the fact that facts that the prosecutor speak for themselves and do not need accentuation. To the means expressing conflict, we can, in addition to the selected adjectives, refer the following: murder in the first degree – tragedy; homosexual leader and politician – an army veteran who served in Vietnam was married in December of 1976, and he fathered the child in July 1978. D; not a regular way – it is not uncommon for people to enter and exit there; Mr. White, before leaving his home, armed himself with a .38 Smith and Wesson revolver – a policeman one is required to carry, off-duty, a gun, and as an ex-policeman-well, I think it's common practice; liberal wing – conservative politician [8]. In the judicial discourse, the conflict is expressed by unextended sentences of the following type I believe; As I said; I think it's significant [8] with a declarative aim.

Extralinguistic factors, in our case, the illocutive goals of the sender of speech determine the choice of language means at all levels. So, the prosecutor pursues primarily a persuasive goal, which affects the selection of linguistic material. At the syntactic level, it is possible to single out one-type constructed sentences, in which the sequence of events is fairly stated. In addition, the sender of speech uses nominalization, through which information is more objective and actual, the focus is not on the performer, but on the result. Rhetorical device – double negation – conveys the doubt of the speaker, becoming an indirect statement.

In addition, double negation acts expressively reinforcing the statement and in this case accentuates this intentionality of the actions of the accused. For persuasive discourse such phenomena are typical: a) extraposition, which serves to distribute information evenly, on the one hand, and on the other hand, performs a volitional function; and b) sentences with the introductory there performing, in addition to the expressive purpose, an assertive one in the speech of the prosecutor and a declarative goal in the speech of the lawyer.

To the suggestive language means, we refer, firstly, expressively colored adjectives and nouns. And they are such only in this context; secondly, sentences with introductory nouns, representing a further statement as essential and important. Language means that convey conflict can be expressed both with the help of direct antonyms, and with the help of contextual ones. In addition, it is necessary to note the abundance of unextended narrative sentences, the purpose of which is to present their point of view as an axiomatic utterance that is accepted for granted.

We believe that this study is forward-looking, since it implies further study of the texts of judicial discourse, for example, the final statements by lawyers, as well as the texts of judicial discourse in writing.

Literature:

1. Бахтин М. М. Фрейдизм. Формальный метод в литературоведении. Марксизм и философия языка. Статьи (2000) / М. М. Бахтин. – М.: Лабиринт, 2000. – 640 с.
2. Бахтин М. М. Эстетика словесного творчества / М. М. Бахтин. – М.: Искусство, 1986. – 445 с.
3. Зайцева М. А. Языковые средства в создании дискурса полемики : дис. канд. фил. наук : 10. 02. 02 / Зайцева М. А. – Харьков, 2004. – 194 с.

4. Мшвидобадзе Р. Г. Распознавание социальных установок через грамматические параметры речи: дис. канд. псих. наук : 19.00.05 / Р. Г. Мшвидобадзе. – Тбилиси, 1984. – 167 с.
5. Сидоров Е. В. Онтология дискурса. Изд. 2-е. / Е. В. Сидоров. – М.: Либроком, 2009. – 232 с.
6. Черногрудова Е. П. Основы речевой коммуникации: учебное пособие / Е. П. Черногрудова. – М.: Экзамен, 2008. – 126 с.
7. Huddleston, R., Pullum, G. (2002) The Cambridge Grammar of the English Language. Beccles: William Clowes Ltd. from <http://bookre.org/reader?file=2234794>
8. Opening Statements. The Dan White Trial [Электронный ресурс] – Режим доступа: <http://www.famous-trials.com/danwhite>
9. Thompson, G. (2014) Introducing Functional Grammar. Third edition. London; New York: Routledge from http://www.academia.edu/10910807/Thompson_Introducing_Functional_Grammar

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«ЖИВОЙ ТРУП» Л. Н. ТОЛСТОГО: К ИСТОРИИ ПЕРВЫХ ПОСТАНОВОК В ХАРЬКОВЕ

В статье исследованы отклики критиков ведущих харьковских газет на первые постановки пьесы Л. Н. Толстого «Живой труп», состоявшиеся осенью 1911 г. в Городском театре и театре Грикке. Анализ рецензий позволяет сделать выводы о том, что русско-украинская труппа Б. А. Бродерова сосредоточилась, прежде всего, на внешней событийной канве, не уделяя внимания духовным терзаниям Ф. Протасова. Труппа Н. Н. Синельникова, ориентируясь на постановку московского Художественного театра, показала жизнь и духовные поиски главного героя во всей полноте, но тем, не менее, не до конца удовлетворила критиков, поскольку трактовала образ Протасова только как «лишнего человека».

Ключевые слова: Л. Н. Толстой, драматургия, «Живой труп», режиссерское решение, актерская игра, театральная критика.

Драматургия Л. Н. Толстого является не только важной частью его творческого наследия, но и своеобразным нравственным камертоном, сверяясь с которым общество находило свои болевые точки. Пьесы Толстого вызывали споры как при жизни автора, так и после его смерти. Особенно резонансными стали постановки пьесы «Живой труп», текст которой был опубликован через год после смерти Толстого. Истории создания пьес Толстого посвящено немало исследований (в частности, работы М. М. Бахтина, К. Н. Ломунова, Е. И. Поляковой), но никто из авторов не пишет о первых постановках пьесы на провинциальной сцене. Задача данной статьи: проанализировать отклики критиков ведущих харьковских газет на спектакли по пьесе «Живой труп» и и соотнести их с культурной и общественно-политической жизнью города.

Как известно, Толстой работал над драмой до 1900 г., но так и не завершил ее. В основу сюжета пьесы было положено судебное дело супругов Николая и Екатерины Гимеров. Известно, что Толстой воспользовался только внешними его обстоятельствами: историей ложной смерти Николая Гимера и его последующего разоблачения.

Корыстолюбивый и недалекий мещанин превратился под пером Толстого в нового «героя нашего времени», в человека, который не может найти себе места в существующей действительности. Неслучайно пьеса состоит из ряда коротких картин, быстро сменяющих друг друга: действие происходит то в аристократических домах, то в наемной квартире, то в жилище цыган, то в убогом трактире, то в здании окружного суда. Автор создает тем самым ощущение стремительного потока жизни, уносящего главного героя. Стержнем пьесы становится обаяние беспутной натуры главного героя – Федора Протасова, который, бросив службу, проматывает семейное состояние и проводит все время у цыган, заслушиваясь их песнями, в которых видит великую правду искусства: «Это степь, это десятый век, это не свобода, а воля...» [20, с. 138]. «Естественная», по его мнению, жизнь цыган, становится для него убежищем, целомудренная