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**ENGLISH FOR ACADEMIC LEGAL PURPOSES
(HUMANIZATION APPROACH)**

The actuality of the problem. In the former Soviet republics where law was long regarded as merely a function of political power, ordinary citizens nowadays challenge the decisions of their governments in courts of law. And at a time when workers, refugees,

commodities and environmental pollution are traveling around the world faster than ever before, there are increasing attempts to internationalize legal standards.

Thus modern community has provided a great deal of work for lawyers. The number of people entering the legal profession has been increasing, but the demand for lawyers has increased even faster, especially for those who can speak English.

The development of the problem. English for Specific Purposes was the study subject for many scientists [Dudley-Evans, St. John 1998; Hutchinson, Waters 1987; Robinson 1991; Strevens 1988]. But English for Academic Legal Purposes is still undeveloped side of this field. More and more universities are launching programs for their pre-service students in order to prepare them for the professional world in terms of language and specialty; to prepare them for future contacts beyond their national borders; this study may be the gateway to promotion, the requirement for an international posting.

The purpose of this article is to investigate a number of parameters in making decisions about the course design in English for Academic Legal Purposes.

Let's look at definitions of English for Specific Purposes (ESP) found in the literature. Hutchinson and Waters [Hutchinson and Waters 1987, c. 36] see ESP as an *approach* rather than a *product*, by which they mean that ESP does not involve a particular kind of language, teaching material and methodology. Strevens' [Strevens 1988, c. 60] definition of ESP makes a distinction between four *absolute characteristics* and two *variable characteristics*. Robinson [Robinson 1991, c. 3] accepts the primacy of needs analysis in defining ESP. Her definition is based on two key defining criteria and a number of characteristics that are generally found to be true of ESP. Her key criteria are that ESP is "normally goal-directed" and that ESP courses develop from a needs analysis, which "aims to specify as closely as possible what exactly it is that students have to do through the medium of English" [Robinson 1991, c. 3]. The definition of Dudley-Evans and St. John [Dudley-Evans, St. John 1998, c. 22] is accepted in this article. They believe that a definition of ESP should reflect the fact that much ESP teaching, especially where it is specifically linked to a particular profession or discipline, makes use of a methodology that differs from that used in General Purpose English teaching. By methodology they refer to the nature of the interaction between the ESP teacher and the learners. In more general ESP classes the interaction may be similar to that in a General Purpose English class; in the more specific ESP classes, however, the teacher sometimes becomes more like a language consultant, enjoying equal status with the learners who have their own expertise in the subject matter.

English for Academic Legal Purposes (EALP) is an important but relatively uncultivated corner of the ESP field. There are a number of parameters that need to be investigated in making decisions about this course design:

- Why should we develop this course?
- How should we teach?
- Should the role of the teacher be that of the provider of knowledge and activities, or should it be as a facilitator of activities arising from learners' wants?
- What is the role of materials?
- What should we teach?

The first question is quickly answered. The continuing differences among legal systems seem to be a major barrier to the internationalization of the legal profession. Nevertheless such barriers are breaking down. International business requires contracts that are internationally valid and lawyers who can argue cases in the courts of different countries.

How should we teach? The list of technological innovations we have accepted into our daily lives goes on and on. But technology seldom plays the same natural role in classrooms that it does in other areas of our daily lives. There is a tremendous need for practical, understandable information about integrating technology in classroom instruction.

It is helpful to propose a simple structure learners can use to organize and carefully examine a large amount of information. Such organizational structure can be called the **ACTIVE** learning environment [Dorda 2004, c.166]. The word **ACTIVE** is an acronym for the characteristics of technology-facilitated learning, environments that are most beneficial to students. The classroom tasks should be:

Active – tasks require cognitive behavior that emphasizes the transformation of information into personal knowledge.

Cooperative – tasks require meaningful interaction among students.

Theme-based – tasks are flexible and multidisciplinary based on an organizing theme.

Integrated – tasks emphasize content area knowledge and use technology tools to encourage learning this content in ways that are meaningful.

Versatile – tasks make efficient use of technology skills and develop those that can be applied repeatedly.

Evaluative – tasks allow the assessment of the student's ability to use the knowledge and skills we want them to learn.

The danger in committing to a convenient organizational structure or to a single model of instruction must be recognized. Effective educational practice is much too complicated to be characterized by any recipe and the types of learning students must accomplish cannot be addressed in any one way. How can we increase the probability that certain productive classroom practices and beyond involving technology be employed? Students should experience **ACTIVE** learning environments more frequently.

The question of the role of the EALP teacher is a very important and a controversial one. In many situations the teacher expects, or is expected, to control the class, to provide information about skills and language, to control the activities, possibly moving into pair or group work for part of the class, but always at the suggestion of the teacher. In these situations the role for the teacher generally matches the expectations of the learners. This teacher role can be defined as teacher as provider of input and activities.

In other situations the EALP teacher manages rather than controls. S/he may not make decisions about the course design but will negotiate with the learners about what is most appropriate to include, and when to include it. S/he will often get members of the class to bring material for exploitation in class. We see this role as teacher as facilitator or teacher as consultant. A development of this is where the teacher knows relatively little about the content or the skill that is being taught in the EALP class, and proceeds by pulling together and organizing the information that the learners, and – if possible – their lecturers or instructors, are able to provide about the language or skill.

The two teacher roles that have been described are at opposite ends of a continuum that goes from teacher as total "controller" to one as a total facilitator. There are many positions on the continuum between these two ends. In many situations the role of the teacher may constantly move between that as "provider of knowledge" and that as "facilitator" or "consultant". A good EALP teacher will have certain information to impart to the students; there is no harm in sometimes doing this in a traditional way, provided that room is also allowed for less teacher-centered activities, such as pair or group writing, or problem-solving activities. At other times the teacher may move towards a stance in which s/he as an equal works out a strategy for a reading or a writing task together with the students. The expectations of the learners must be taken into account. One group of learners may welcome the teacher's adoption of a facilitator role, another may find it completely alien; but this does not mean that attitudes cannot change or be changed.

What is the role of materials? Materials are used in all teaching. Four reasons for using materials which seem significant in the USP context are:

- as a source of language;
- as a learning support;

- for motivation and stimulation;
- for reference.

In the situations, where English is a foreign not a second language, the EALP classroom may be almost the only *source* of English. Materials then play a crucial role in exposing learners to the language, which implies that the materials need to present real language, as it is used, and the full range that learners require.

As a *learning support*, materials need to be reliable, that is, to work, to be consistent and to have some recognizable pattern. This need not mean a rigid unit structure; there wouldn't be a fixed format. To enhance learning, materials must involve learners in thinking about and using the language. The activities need to stimulate cognitive not mechanical processes. The learners also need a sense of progression.

To *stimulate and motivate*, materials need to be challenging yet achievable; to offer new ideas and information whilst being grounded in the learners' experience and knowledge; to *encourage fun and creativity*. The input must contain concepts and/or knowledge that are familiar but it must also offer something new, a reason to communicate, to get involved. The exploitation needs to match how the input would be used outside the learning situation and take account of language learning needs. The purpose and the connection to the learners' reality need to be clear.

For *self-study or reference purposes*, materials need to be complete, well laid out and self-explanatory. The learner will want explanations, examples and practice activities that have answer and discussion keys. All this places high demands on the materials and great pressure on materials developers. Not surprisingly, producing one hour of good learning material gobbles up hours of preparation time. Each stage of finding suitable carrier content, matching real content to learning and real world activities, composing clear rubrics, planning an effective layout, is time-consuming.

And here the most serious question is arisen: *What should we teach?*

In general the course aims to:

- present students with the legal language and general concepts on law;
- to improve their ability to write common legal text types in English, such as letters or memoranda;
- to improve students' ability to read and understand legal texts, such as legal periodicals, commercial legislation, legal correspondence and other commercial law documents;
- to increase their comprehension of spoken English when it is used to speak about legal topics in meetings, presentations, interviews, discussions, etc.
- to strengthen their speaking skills and to enable them to engage more effectively in a range of speaking situations typical of legal practice, such as client interviews, discussions with colleagues and contract negotiations.

Further developments. At the present time the greatest problem of English for Academic Legal Purposes is that the lack of research into its language and discourse means that it is not yet possible to design a curriculum which is as academically defensible as that for, say, economics. Should the language teacher take the first year law course or should s/he work in collaboration with colleagues from the law school or faculty? Colleagues in the law school can be helpful but they are not language teachers and cannot appreciate language problems. Who should suggest teaching materials?

Should the syllabus remain constant or flexible? Could it be supplemented by authentic material and what will be the source of it? Should we divide material into two groups: primary source materials and secondary source materials? Since the majority of practicing lawyers in Europe and in the world deal with commercial law, should we focus on the use of English only for these purposes? Where should we place particular emphasis:

on the areas of company law and contracts, real property law, employment law or sale of goods? How can we foster an international perspective in this course?

In **conclusion** we must admit that in planning a course, EALP teachers should first be aware of the options and of the limitations arising from institutional and learner expectations. In some circumstances, course design may be carried out before the course takes place and the details may be revised either during the course or after the course has been run. Initial revisions may be major, but thereafter the details may only need fine-tuning. In other circumstances the teacher may be designing the course while teaching takes place or negotiating the course with the learners and reacting quickly to the needs as expressed at the beginning of the course and as they change over the period of the course. It is generally important in such situations that the EALP teacher has a good deal of experience in both teaching, materials provision and writing. It is also important to have a range of materials available.

References

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