Communicative Approaches to Teaching Legal English

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Abstract: The free movement of graduates and undergraduates within the European borders and beyond, as well as the implementation of Erasmus program in Romanian universities, private and state-owned ones, have created a huge demand for English, so students of different specializations (legal, medical, technical etc) have become increasingly interested in acquiring the necessary skills in order to compete on international markets. The internationalization of commerce has also established English as an international language both at European and global level, determining non-native English speakers to specialize in what is commonly defined as ESP. Consequently, the needs to understand the requirements of other professions and willingness to adapt to these requirements make a specific group of learners prepare differently from those learning general English, because they need English for specific purposes rather than using it in daily life. As a result, the worldwide request for English has created an enormous demand for quality language teaching and language teaching materials and resources. Therefore, English for law students and legal professionals, as other varieties of ESP, implies the definition of a specific language corpus, usages of various teaching strategies and emphasis on particular kinds of activities in a specific context.

The aim of this paper is to highlight some communicative techniques and approaches in teaching English for law students, focusing on those strategies meant to develop the most relevant communication skills thus enabling language learners to improve their accuracy and fluency.

Keywords: language acquisition, context, teaching strategies, specific communication

The word communication is used in daily contexts, usually, to mean speaking or writing or sending a message to another person. It involves ensuring that your message has reached the target audience and that the receiver understands and responds accordingly. It also involves ensuring that you are able to understand, interpret, and respond to messages. Communication is an important aspect of behavior. Human communication is affected by all factors that influence our environment. In the last sixty to seventy years, the study of human communication has been strengthened by contribution from many disciplines. Definitions, descriptions of the process, and analyses of the elements of communication have been developed by many scholars.

Communication is central to everything we do (in organizations, family, school/college, office, hobby group, community group, city /town). Consequently, our activities succeed or fail,

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and our goals are achieved or not achieved, according to our ability to communicate effectively with other members. It can strengthen a mutual sense of commitment; it also helps to bridge the gap between people who have misunderstandings. Indeed, communication plays a critical role in all phases of interpersonal relations, from creating relationships to maintaining them.

The continuous growing need for acquiring good communication skills in English has created a huge demand for worldwide English teaching. More and more learners wish to be able to master English to a high level of accuracy and fluency, thus enabling them to deal with a wide range of communicative situations and contexts. This has impacted on the quality of language teaching generating a diversification of language teaching resources, materials and strategies.

The teaching of ESP has generally been perceived as a separate field within ELT. Nevertheless, it has incorporated the emphasis on practical outcomes. Need is defined by the reasons which determine learners to acquire the desired language competences. From this perspective, ESP should take into consideration some important factors: ESP courses are designed to meet learners' specific needs and must be related in content to particular disciplines, professions/ occupations and activities. ESP is the language need for a particular academic subject and it includes the language structure, vocabulary, the particular skills needed.[1]

In Robinson's opinion,[2] ESP courses are generally constraint by a limited time period in which the learners' goals have to be achieved and are taught in homogeneous classes in terms of the work or specialist studies that the students are involved in. The academic study of law, business, finance, public relations, etc. has become increasingly important nowadays, so minute attention should be paid to skills that are highly connect with their work environment. For example, some legal professionals need to read or write journal articles, to draft contracts, others need oral skills to plead in court or talk with a wider range of clients. So, ESP teaching strategies and methods must be designed to address the students' language difficulties and real-life situations; consequently, the teaching becomes more specific and the teacher is no longer the primary carrier content, but a facilitator. In many cases, especially when the course is specifically oriented towards the subject content, the students may be familiar with more about the topic than the teacher. It is often stated that this provides the ESP teacher with the opportunity to draw on students' knowledge of the content in order to generate authentic communication. ESP courses should involve small groups of learners, good time management and a maximization of classroom activities. Each session needs to be well paced, with continuous momentum and clear objectives. Teaching strategies need to be carefully selected and tailored to the students' needs involving them in the learning process. They should benefit from various activities that place them in different roles and interactions. On the other hand, different learners favour different techniques so it is important that the teacher encourages learners to discover their learning style. The raising of students' self-awareness of their learning styles and various

[1] R.R.Jordan, English for Academic Purposes. A guide and resource book for teachers, CUP, 2012
[2] Robinson, P. ESP Today: a Practitioner's Guide. Hemel Hempstead: Prentice Hall International, 1991

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methods are meant to help students to consider factors which may affect their progress and to enable them to become more effective and independent language users. Motivation is important because it provides specific work on a particular subject.

Communicative language teaching sets as its goal the teaching of communicative compaired with the concept of grammatical competence. Grammatical Communicative Language Teaching competence refers to the knowledge we have of a language that accounts for our ability to produce sentences in a language. It refers to our knowledge of building blocks of sentences (e.g., parts of speech, tenses, phrases, clauses, sentence patterns) and how sentences are formed. Grammatical competence is the focus of many grammar practice books, which typically present grammar rules along with and exercises to practice that particular rule or set of rules. While grammatical competence is an important tool of language learning, it is clearly not all that is involved in learning a language since one can master the grammar rules of sentence formation in a language and still not be very successful at being able to use the language for meaningful communication. It is the latter capacity which is understood by the term communicative competence. Communicative competence includes the following aspects of language acquisition:

- how to use language for a range of different purposes and functions
- how to vary our use of language according to the context and the participants (choosing the right register and style)
- how produce and understand different types of texts (e.g., narratives, reports, interviews, conversations)
- how to maintain communication despite having limitations in language acqusition (e.g., through using different kinds of communication strategies.

Nowadays learners have to actively get involved in classroom activities designed to provide a cooperative rather than individualistic approach to learning. Students have to familiarise with listening to their peers in group work or pair work tasks, rather than relying on the teacher for a model and they are expected to take on a greater degree of responsibility for their own learning. In turn, teachers have to assume the role of facilitator and monitor. Rather than being a model for correct speech and writing and one with the primary responsibility of making students produce plenty of error-free sentences, the teacher has to develop a different view of learners' errors and of their role in facilitating language learning. Communicative competence enables us to use language communicatively. This broader concept presuposes to know what to say and how to say it appropriately based on the situation, the participants and their roles and intentions. Traditional grammatical and vocabulary syllabuses and teaching methods did not include information of this kind. The notion of communicative competence was developed within the discipline of linguistics (or more accurately, the subdiscipline of

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sociolinguistics) and appealed to many within the language teaching profession, who argued that communicative competence, and not simply grammatical competence, should be the goal of language teaching. Rather than simply specifying the grammar and vocabulary learners needed to master, it has been argued that a syllabus should identify the following aspects of language use in order to be able to develop the learner's communicative competence:

- the possible purposes for which the learner wishes to acquire the target language;
- some clues of the setting in which they will want to use the target language; for example, in court, in a conference, on an airplane, in a store, etc.
- the social role the learners will assume in the target language, (a barrister, a solicitor, a doctor, a patient,a student etc) as well as the role of their interlocutors;
- the communicative situations in which the learners will participate: everyday situations, vocational or professional situations, academic situations, and so on;
- the language functions involved in those events, or what the learner will be able to do with or through the language; for example, pleading, drafting contracts, making introductions, giving explanations, or describing plans)
- the notions or concepts involved, or what the learner will need to be able to talk about (law, public relations, leisure, finance, history, religion)
- the skills involved
- the variety or varieties of the target language that will be needed, and the levels in the spoken and written language which the learners will need to reach
- the grammatical content that will be needed
- the lexical content or vocabulary be needed/required[3]

It is also widely recognized that many learners need English in order to use it in specific occupational or educational settings so it would be far more efficient to teach them the specific kinds of language and communicative skills needed for particular roles, rather than just to concentrate on more general English. So, the best way to determine the types of communication learners would need to master if they were in specific occupational or educational roles and the language features of particular environment is the use observation, surveys, interviews, situation analysis and analysis of language samples collected in different settings. A greater attention must be paid to the specific characteristics of a language when it is used for specific rather than

[3] Van Ek, J. and L.G. Alexander, Threshold Level English, Oxford, Pergamon, 1980

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general purposes. Such differences might focus on: lexical choice, grammar, texts, functions, skills). As a result, ESP courses soon began to appear addressing the language needs of university students, nurses, engineers, restaurant staff, doctors, hotel staff, airline pilots, and so on pinpointing the following aspects:

- real communication should be the focus of language learning
- learners should be provided with opportunities to experiment what they know
- teachers should be tolerant of learners' errors as they indicate that the learner is building up his/her communicative competence
- learners should be provided with opportunities to develop both accuracy and fluency
- mix the different skills such as speaking, reading, and listening together, since they usually occur so in the real world
- use the inductive approach when dealing with grammar rules

One of the aims of CLT is to develop fluency in language use. Fluency is natural language use occurring when a speaker engages in meaningful interaction and maintains comprehensible and ongoing communication despite limitations in his/ her communicative competence. Fluency is developed and achieved by creating classroom activities in which learners must negotiate meaning, use communication strategies, correct misunderstandings, and aim to avoid communication breakdowns and gaps. Fluency practice differs from accuracy practice, which focuses on creating correct examples of language use. In a nutshell, differences between activities that concentrate on fluency and those that focus on accuracy can be seen as follows:

Activities focusing on fluency:

- mirror natural use of language
- focus on achieving communication
- presuppose meaningful use of language
- require the use of communication strategies
- produce language that may not be predictable
- aim at connecting language use to context

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Activities focusing on accuracy:

- reflect classroom use of language
- focus on the formation of correct examples of language
- use language out of context
- do not require meaningful communication
- control choice of language.[4]

Learning a language involves a communication process; it includes not only linguistic skills (acquiring the skill to build grammatical sentences), but also communicative skills (producing utterances appropriate to communication situations). The study of learning a language can be done only by taking into account all its contextual, social and cultural factors or, as shown by Guberman , the acquisition of a foreign language requires the cooperation of factors related to linguistics, psychology, pedagogy and sociology.[5]

In conclusion, teaching language for specific purposes enables teachers to identify the real needs of the language learners, thus, helping them achieve effective communication which is essential to be successful in their future professions or studies. Effective lanɪguage teaching anɪd learning canɪ only be achieved when teachers are aware of their learners' needs, capaƄilities, potentials, and preferences in meeting these needs. So it is necessary to gain deep insight into study needs of the ESP students.

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