CONSIDERATIONS ON TEACHING/LEARNING LEGAL ENGLISH VOCABULARY AND A CASE STUDY

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Abstract: The paper presents a case study that underlines the importance vocabulary plays in the acquisition of a language. Providing a good theoretical background and defining the terms used, the paper aims at incorporating the experiment carried out during an academic year into the rich world of legal English instruction, especially teaching/learning legal vocabulary.

Keywords: legal English, questionnaire, self-assessment, vocabulary,word knowledge

Introduction

Many years ago the most important purpose of language teaching was the acquisition of grammatical knowledge. In consequence, vocabulary was a kind of helper for learning structures. Lately, more and more methodologists and linguists have turned their attention to vocabulary, emphasizing its importance in the study of a foreign language. Learning a second language means learning its vocabulary and knowing a lexical item means knowing a number of things. (Gass, 1999) Acquisition of vocabulary is a gradual process involving the integration of various kinds of knowledge along with gaining different levels of ability to make use of that knowledge in communication.

Let's stop for a moment and define the main terms our paper and experiment are based on with the help of a dictionary. *Collins English Dictionary* (2014)defines vocabulary as 'the aggregate of words in the use or comprehension of a specified person, class, profession, etc' and the term 'comprehension' as full knowledge and understanding of the meaning of something, for example, a word. Now what shall we understand by 'knowledge of a word'? Being able to recognize one? Or being able to use one? Very often, not only for specialists, but for the general public also, to know a word means to know its definition. Nevertheless, knowing a definition is not the same thing as being able to use that word orally and in writing or to understand the text in which that word appears. Perhaps the long answer is that when someone really knows a word, they know not only the definition of the word, but they also know how that word functions in different contexts. Juel and Deffes (2004) consider that knowledge of a word includes knowing how it sounds, how it is written, how it is used as a part of speech, and its multiple meanings. For Stahl (2005, p. 55) 'vocabulary knowledge is knowledge; the knowledge of a word not only implies a definition, but also implies how that word fits into the world'. Dale and O'Rourke (1986) designed a model of four levels of word knowledge, each level being characterized by a statement: 1. I never saw it before 2. I've heard of it, but I don't know what it means 3. I recognize it in context and I can tell you what it is related to 4. I know it well.

Is "knowing" general vocabulary different from "knowing" legal vocabulary? We consider that a student needs multiple exposures to a word in different reading contexts in order to fully learn the word and its connotations. No matter if a word is part of the general or legal vocabulary, 'word meanings are not just unrelated bits of information, but are part of larger knowledge structures' (Stahl, 1999) after all.

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General English vs. Legal English

We will further define some terms and make a distinction between general vocabulary and English Language Teaching (ELT) and legal vocabulary and English for Specific Purposes.

General vocabulary is made up of all the words of a language, the lexis. Barcroft, Sunderman and Schmitt (2011, p. 571) contend that lexis 'refers to all the words in a language, the entire vocabulary of a language'. Specialists state that vocabulary also includes lexical chunks, phrases of two or more words, such as *Good afternoon* and *Here you are*, which are essential for everyone who tries learning a language, be it a native or a second language. In fact, it takes a great deal of practice after acquiring words and lexical chunks (and some grammar, we agree) to achieve fluency in a language so teachers should be teaching students how they can manage words and use language effectively to achieve their aims. (Munteanu, 2018)

The teaching of English to people whose native or first language is not English is called English Language Teaching. Vocabulary learning involves the learning of new concepts or new labels for already known concepts. Today there is general agreement that vocabulary is better learned if taught in contexts. We know that this applies not only to general lexis, but also to specialized lexis due to the fact that both are better acquired if taught in contexts, according to the needs of mastering a particular subject. Content areas are distinguishable by the terminology and language they use, particularly the labels they use to identify important concepts.

Legal vocabulary is part of Legal English, which is the style of English used by legal professionals in their work in native English speaking countries as well as internationally, for example, the language used in international contracts and statutes, which can also be referred to as "legalese". Traditionally, the law has always had its own "language" used and understood by legal professionals, such as Latin, French or English. This legal language has changed and adapted with the various conquering countries in the past. Every and each factor has had an enormous impact on the international language called Legal English today.

Legal English has been referred to as a 'sublanguage' by some linguists, as legal English differs from ordinary English from several points of view, for example, the use of certain specialized terms and the use of certain linguistic patterns. Therefore, 'we study legal language as a kind of second language, a specialized use of vocabulary, phrases, and syntax that helps us to communicate more easily with each other'. (Ramsfield, 2005, p.145) There are different kinds of legal English and learners should focus both on vocabulary, phrases and the language used by lawyers to communicate with clients and on legal writing, for example, academic legal writing as in law journals, juridical legal writing as in court judgments, legislative legal writing as in laws, regulations, contracts, and treaties.

Legal English is part of English for Specific Purposes (ESP). ESP is a term that refers to teaching or learning English for a particular career. Dudley-Evans (1997) defines ESP in terms of absolute characteristics (ESP is defined to meet specific needs of the learners; it makes use of underlying methodology and activities of the discipline it serves; it is centred on the language appropriate to these activities in terms of grammar, lexis, register, study skills, discourse and genre) and variable characteristics (ESP may be related to or designed for specific disciplines; it may use, in specific teaching situations, a different methodology from that of General English; it is likely to be designed for adult learners; it is generally designed for intermediate or advanced students; most ESP courses assume some basic knowledge of the language systems), which helps understanding ESP better.

Legal English involves a specific language corpus. For example, there are words that are used only in an international legal context and would not be used or understood in everyday life by persons without legal training, such as "tort" and "restrictive covenant".

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Legal English emphasises on specific types of communication in a specific context. Law students learning English need to concentrate on vocabulary and phrases which are used in formal letters/emails, contracts, etc and, also, on the (lack of) punctuation and (differing) word order used in legal documents as they would cause great confusion to a person who has only taken a general English course and has no understanding of legal English.

A case study

The purpose of this experiment was twofold: to receive feedback on teaching legal English vocabulary (mainly through reading) and to let students self-assess their "knowledge" of legal vocabulary. We wanted to know how many students out of the 25 students chosen from those enrolled on the Legal English course "know" legal words or legal phrases, hereinafter called "terms", at the beginning, at an intermediate stage and at the end of the course. In fact, we were interested in what students understand by "knowing" a term and if our teaching methods were adapted to our learners. The course lasted one academic year, i.e. 28 weeks. We introduced specialized vocabulary by using it in context, that is by reading a text and by involving students in a conversation, because, as Thornbury (2002, p. 53) says, it seems that 'for vocabulary building purposes, texts – whether spoken or written – have enormous advantages. [...] The fact that words are in context increases the chances of learners appreciating not only their meaning but their typical environments, such as their associated collocations or grammatical structures'. We did not use specially designed listening exercises, just the normal listening students are exposed to during a class, such as listening to the teacher or to their partners/colleagues. This was another important part of our experiment – teaching vocabulary only through reading and speaking (limited listening, as we have just explained above), but we will write another paper on this. Most of the materials used during the Legal English course were directly related to the students' main subject or future profession thus integrating 'the learning of language with the learning of some other content, often academic subject matter'. (Larsen-Freeman, 2000, p.137) We used several methods (sometimes one or two of them, sometimes all of them) in order to clarify the meaning(s) of a new term which was met in the context provided: giving synonyms and/or antonyms, giving a full definition, providing another example situation, giving one or two example sentences, giving the corresponding translation of the word into the students' native language. A variety of vocabulary exercises was provided in order to optimize vocabulary learning.

The second aim of the experiment was to let learners self-assess their knowledge of legal vocabulary. It is known that self-assessment is beneficial to learning for several reasons: being able to know what you know helps you in the learning process and makes you more responsible; you can also assess the effort you are putting in so you may try harder next time; it increases your self-confidence as you can understand that you really know what you know. The students self-assessed three times: at the beginning of the course, when the learners measure their level of competence and perhaps compare it with their target level; at an intermediate stage, when the learners can 'think about their present level in relation to both their starting level and their target level' (Blue, 1994, p. 20); at the end of the course, when the learners 'need to have a fairly clear idea of what they are capable of in the language and of their limitations'(Blue, 1994, p. 20), but, in our case study, the aim is narrower: the learners have a good idea of how many legal terms out of the sample they 'know'.

The subjects of this case study were selected from the subject pool of 75 Law students from the first year of study. We chose 25 students with ages ranged from 22 to 49, because they met the criterion considered for the purpose of this study: their English level was similar, i.e. low-intermediate. Before and during the whole period of the course, none of the students knew they were under experiment.

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During the course we used a legal English course book, authentic materials (newspaper and magazine articles, advertisements, official documents, www information) and test papers; all of the materials were on legal topics.

Dale and O'Rourke's (1986) model of four levels of word knowledge was used and we asked our students to tick the statement they mostly agree with after reading 15 sentences containing 20 legal terms. The 20 legal terms were chosen at random from all the legal terms to be taught during the course. This questionnaire was given to our students before, in the middle and at the end of the Legal English course.

Before the course started, the students took a placement test so that only the low-intermediate ones were chosen for this experiment. After that, the 25 chosen students were asked to do a questionnaire: to tick the statement they mostly agree with after reading sentences with 20 legal terms. The results can be seen in Chart 1; further, we will briefly summarise them:

Statement 1. I never saw it before.

- 3 legal terms have got 100%; 2 legal terms got 80%, other two legal terms got 76%, 2 others 72%, 2 others 60%, 2 others 40%; 1 legal term got 92%, 88%, 56%, 52%, 48%, 36%, 28%. In conclusion, more than 50 % of the students have never seen 15 legal terms before. In fact, 68% of the students' answers say they have never seen the legal terms before.

Statement 2. I've heard of it, but I don't know what it means.

- 3 legal terms have got: 36%, 20% and 8%; 2 legal terms have got: 12% and 4%; 1 legal term got 28 %, 24% and 16%; no legal term – 4%. In conclusion, less than 36% of the students have heard of 16 legal terms before, but they don't know what they mean. Actually, 15% of all the students' answers say they have heard of the legal terms before, but they don't know what they mean.

Statement 3. I recognize it in context and I can tell you what it is related to

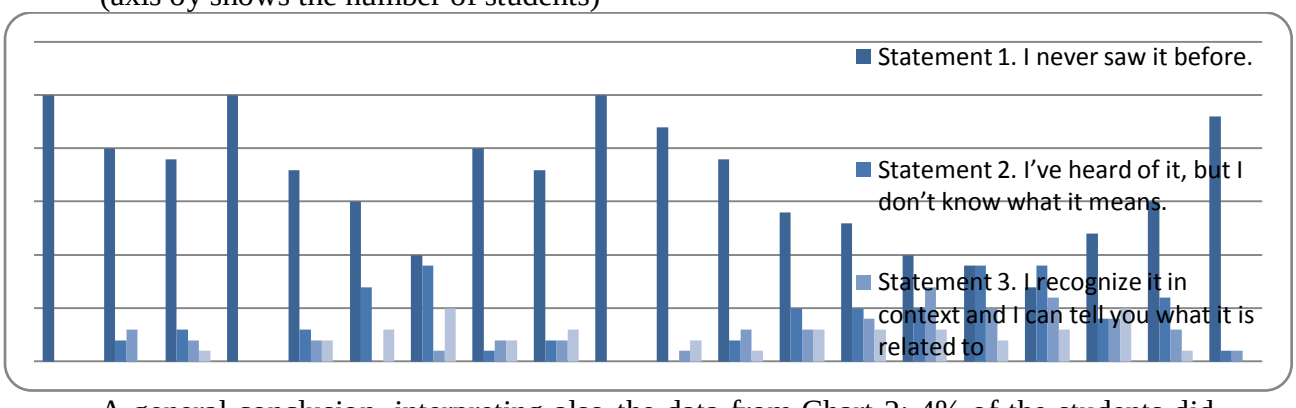
- 4 legal terms have got 12% and 8%; 3 legal terms have got 4%; 2 legal terms have got 16%; 1 legal term: 28%, 24% and 20 %; no legal term – 4%. In conclusion, less than 28% of the students could recognize 16 legal terms in context and they could tell somebody what they were related to. All in all, 10% of all the students' answers say they could recognize the legal terms in context and they could tell somebody what the terms were related to.

Statement 4. I know it well.

- 6 legal terms have got 12%; 4 legal terms – 8%; 3 legal terms – 4%; 2 legal terms – 20%; no legal term – 5%. To conclude, less than 20% of the students know 15 legal terms well. All in all, 8% of all the students' answers say they know the legal terms well.

Chart 1: Learners' self-assessment of knowledge of legal vocabulary at the beginning of the course

(axis oy shows the number of students)

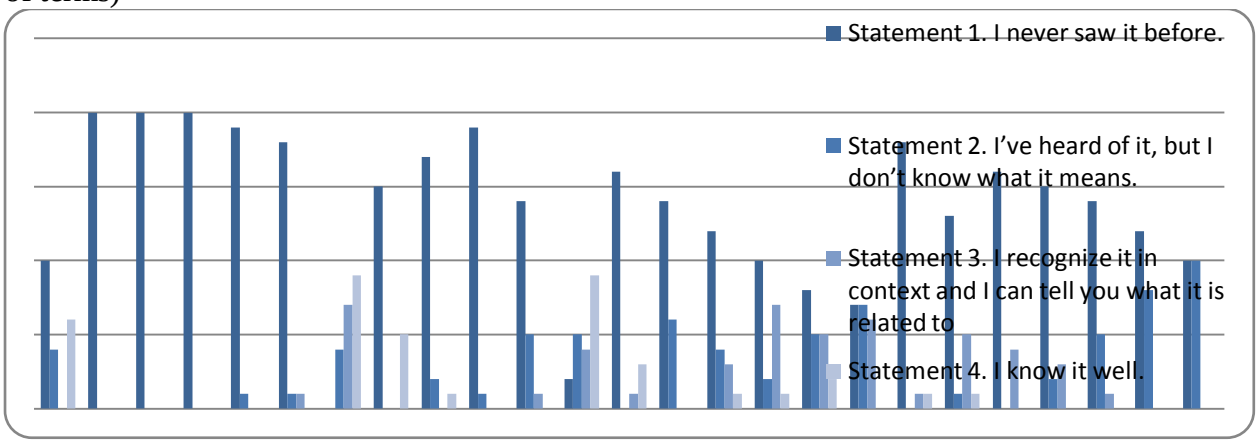


A general conclusion, interpreting also the data from Chart 2: 4% of the students did not choose the statement 'I never saw it before'; 96% of the students chose statement 1 for at least one legal term while 12% of the students had never seen a legal term before; 44% of the

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students knew at least one legal term well while 8% of the students knew 45% of the terms. The students knew neither more than half of the legal terms nor all the legal terms at the beginning of the course.

Chart 2: Learners' answers at the beginning of the course (axis oy shows the number of terms)



In the middle of the course, which was at the end of the first semester, the 25 students had to tick again the statement they mostly agree with after reading some sentences containing the 20 legal terms they learnt during the English classes (the same 20 legal terms from the first questionnaire). Below you can find a brief summary of the results:

Statement 1. I never saw it before.

- 4 legal terms have got 4% of the total answers.

Statement 2. I've heard of it, but I don't know what it means.

- 5 legal terms have got 20%; 3 legal terms – 24%; 2 legal terms – 48%; 1 legal term: 72%, 60%, 40%, 36%, 32%, 28%, 16%, 12%, 8%, 4%.

Statement 3. I recognize it in context and I can tell you what it is related to.

- 3 legal terms have got 56% and 40%; 2 legal terms – 52%, 48%, 36%, 24%, 20%; 1 legal term: 60%, 44%, 28% and 16%.

Statement 4. I know it well.

- 4 legal terms have got 24% and 20%; 3 legal terms – 28%; 2 legal terms – 44%; 1 legal term: 68%, 60%, 48%, 40%, 32%, 12% and 4%.

We appreciate the results as being good as only 1% of the students' answers say that they have never seen one legal term before, 34% of the students' answers say that they can recognize at least 4 legal terms in context and they can tell us what they are related to, while 36% of the students' answers say that the students know the word well.

During the course, specialized vocabulary in context was introduced with the help of a Legal English course book and authentic materials. Several methods were used to clarify the meaning of the new terms: example situations, example sentences, synonyms and/or antonyms, a full definition, the translation of the word into Romanian, i.e. students' mother tongue. A variety of vocabulary exercises was provided before, during and after the reading of the text. All the 20 legal terms from the questionnaire given to the students before the course were taught during the English classes so that, at the end of the course, all the students were, theoretically, managing them efficiently. Several formative assessments tests were administered during the course, seeking to determine how students are progressing through a certain learning goal, and at the end of units and of the year summative tests assessed students' mastery of the topic, especially the mastery of the vocabulary.

At the end of the course, we asked, again, the 25 students to do the questionnaire based on Dale and O'Rourke's (1986) model of four levels of word knowledge, ticking the statement they mostly agree with after reading the statements with the 20 legal terms. The results can be seen in Chart 3; further, we will briefly summarise them:

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Statement 1. I never saw it before.

- no legal term was ticked. In conclusion, 100% of the students acquired the 20 legal terms.

Statement 2. I've heard of it, but I don't know what it means.

- 4 legal terms: 20% and 4%; 3 legal terms: 16% and 12%; 2 legal terms 8%; no legal term 4%. As a result, 10% of the students' answers say they heard of 16 legal terms.

Statement 3. I recognize it in context and I can tell you what it is related to.

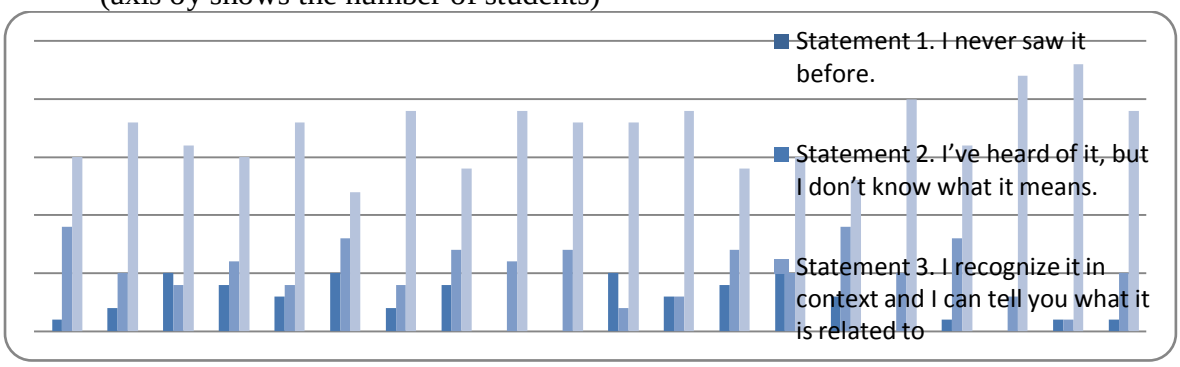
- 4 legal terms: 20%; 3 legal terms: 28% and 16%; 2 legal terms: 36%, 32%, 24% and 12%; 1 legal term 8% and 4%. In conclusion, all students recognized at least one legal term in context and 22% of the students' answers say they recognized legal terms in context.

Statement 4. I know it well.

- 4 legal terms: 76% and 72%; 3 legal terms: 60%; 2 legal terms: 64% and 56%; 1 legal term: 92%, 88%, 80%, 52% and 48%. As a result, all students knew at least one legal term and 69% of the students' answers say they knew more than half of the legal terms.

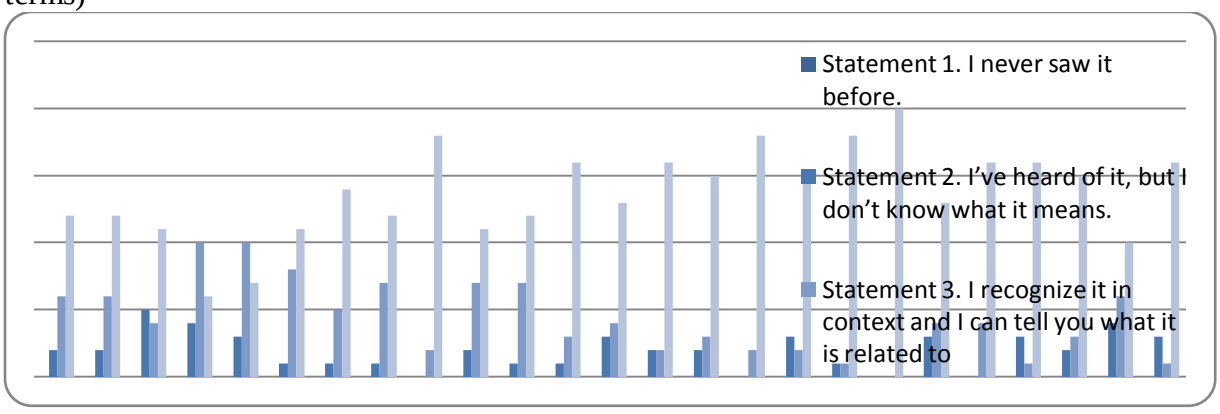
Chart 3: Learners' self-assessment of knowledge of legal vocabulary at the end of the course

(axis oy shows the number of students)



As a general conclusion of the case study, we believe that it is a good thing that, at the end of the course, 16% of the students have zero answers for the first two statements, which means they recognized all the terms in the context and/or knew them as you can see in Chart 4. In fact, 52% of the students knew more than 65% of the legal terms and 88% of the learners knew more than half of the legal terms. Only 2 students, i.e. 8% of the students, knew less than half of the legal terms, but they can recognize half of the terms in context.

Chart 4: Learners' answers at the end of the course (axis oy shows the number of terms)



Conclusions

Not unexpectedly, only a few students knew several legal terms before the Legal English course as both the placement test and the first questionnaire showed. To master legal vocabulary means to use legal terms in a professional context. For that, we used the explicit vocabulary instruction as it is more effective in vocabulary acquisition than incidental

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learning. Many specialists, Schmitt (2008) among them, conclude that this way of teaching vocabulary results in greater and faster gains and better retention. In our case, this proved to be true. At the end of the course, both the third questionnaire and the summative test had satisfactory results. The statement 'I never saw the word before' got 100% of the students' answers, while all the students chose statement 4: 'I know the word well' for at least 6 legal terms, that is 30% of all the terms. 88% of the students know more than half of the legal terms at the end of the term.

Building vocabulary is a 21st century skills that helps students develop other 21st century skills, such as literacy skills. And how teachers teach vocabulary is also important because critical thinking, for example, is empowered by the learners' size of vocabulary and their ability of making connections. It is vital to help students explore the vast network of meaning in many contexts. Literacy skills, critical thinking and developed vocabulary skills give legal people an advantage. In maintaining high competence and efficiency as a communicator, enriching vocabulary should be regarded as one of the winning strategies. Lawyers should convey their message in an effective and efficient way on the basis of their rich vocabulary, so that they can guide successfully their clients towards the accomplishment of their goals.

Teachers should focus on teaching legal vocabulary especially through direct vocabulary instruction as it improves comprehension and, as we could show, helps learners acquire it in an effective way. The data analysis of our experiment supports the findings in the literature: knowing a word is something complex in that it involves not only the ability to recognize its form, or to provide its definition, but it also includes the knowledge of using it correctly and appropriately in a certain context. To acquire vocabulary means to integrate different kinds of knowledge along with gaining different levels of ability to make use of that knowledge in communication.

The conclusion drawn with regard to self-assessment: learners that assess themselves are more aware of what they know and how well they know it, meaning that they become more autonomous learners, that they are more motivated to see their strengths and weaknesses and think about the efficiency of the learning process and they may even want to review the way they learn.

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