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Складнощі викладання юридичної англійської мови в українських університетах

У даній статті проаналізовані особливості навчання ESP (англійської мови за професійним спрямуванням) і проблеми викладання юридичної англійської мови в університетах України. Представлені різні визначення терміна ESP. У роботі викладено результати опитування, проведеного автором, і дослідження, проведеного Британською Радою в Україні. Юридична англійська мова має особливості, які ускладнюють навчання. Ці проблеми висвітлені в даній статті. Надані рекомендації, як справлятися з існуючими проблемами у викладанні юридичної англійської мови.

Ключові слова: *англійська мова за професійним спрямуванням, юридична англійська мова, Британська рада.*

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Сложности преподавания юридического английского языка в украинских университетах

В данной статье проанализированы особенности обучения ESP (английскому языку для профессиональных целей) и проблемы преподавания юридического английского языка в университетах Украины. Представлены различные определения термина ESP. В работе изложены результаты опроса, проведенного автором, и исследования, проведенного Британским Советом в Украине. Юридический английский язык имеет особенности, которые затрудняют обучение. Эти проблемы освещены в данной статье. Представлены рекомендации, как справляться с существующими проблемами при преподавании юридического английского языка.

Ключевые слова: *английский язык для профессиональных целей, юридический английский язык, Британский совет.*

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Challenges of teaching legal English at Ukrainian universities

This article presents the peculiarities of teaching ESP (English for specific purposes) and challenges of teaching legal English in Universities of Ukraine. Different definitions of the term ESP are introduced in this paper. The results of the survey conducted by the author and the results of the research done by the British Council Ukraine are discussed in this work. Legal English has its specific characteristics which make it difficult to teach. These features are introduced in the article. Some advice how to deal with existing problems while teaching legal English is presented in this work.

Keywords: *English for specific purposes, legal English, the British Council.*

Introduction

English is currently acknowledged to be the lingua franca (common language used as a means of communication among speakers of other languages) of international commercial and legal transactions. Teaching English for Specific Purposes (ESP) has gained its importance as students are prepared for their future work in different spheres: engineering, technology, law, economy, management and so on. Our country is determined to join the EU hence there will be more opportunities for Ukrainians to work in international organisations where the high level (at least B2) of English is the must.

The **objective** of this article is to introduce the challenges of teaching legal English at Ukrainian higher educational institutions and discuss their possible solutions.

Literature Review

Different definitions of the term ESP exist in scientific literature. Hutchinson and Waters [3] wrote that "ESP must be seen as an approach not as a product. ESP is not a particular kind of language or methodology, nor does it consist of a particular type of teaching material. Understood properly, it is an approach to language learning, which is based on learner need".

Dudley-Evans and St John [2] identified the following characteristics of ESP:

- ESP is designed to meet specific needs of the learner.
- ESP makes use of underlying methodology and activities of the disciplines it serves.
- ESP is centered on the language (grammar, lexis, register), skills, discourse and genres appropriate to these activities.

Summing up the definitions, ESP involves training learners in the particular skills and language they need in order to function in a particular set of professional situations in English. Learners should be grouped according to their needs (not just their language level).

The specifics of teaching ESP and problems which teachers of higher educational institutions face with in their work were described in the research done by The British Council Ukraine, Rod Bolitho and Richard West [6]. The challenges of teaching legal English and the peculiarities of the legal language itself were studied by Christopher Williams [5] and Jill Northcott [4].

Methods

To identify the problems professors of Ukrainian universities face teaching ESP, the author of this article conducted a survey, using the questionnaires for teachers (containing six questions). The aim of the first question for the teachers is to identify the opinion of the respondents if an ESP teacher has to be a specialist in the subject (law etc.).

Next respondents have to agree or disagree with the statement that an ESP teacher teaches the language of the specialty not the specialty itself. The purpose of the third question is to find out the point of view of teachers if they can ask their students to help with specific terms of the subject. For the fourth question teachers have to agree or disagree with the point that it is unacceptable when the teacher cannot answer his/her students' questions. In the fifth item respondents have to react positively or negatively to the statement: "If an ESP teacher cannot explain the specific terms or answer students' questions, he/she will look incompetent and lose respect". The aim of the last sixth point is to identify the teachers' feelings if they find it difficult to confess to students whether they do not know the answer to the question of the speciality despite the fact that they are teachers of English.

More global research was conducted by The British Council Ukraine [6]. Starting in 2014 up to 2017 in partnership with the Ministry of Education and Science of Ukraine, the British Council conducted in-depth studies of universities across the country to evaluate the current English provision as well as the role and status of the English language. Various questionnaires, observation and Aptis test were used. One of the focuses was teachers of English for Specific Purposes (ESP).

Results

The following results were received in our research: 23% of the interviewed think that a teacher who teaches ESP should be an expert in the relevant disciplines (law etc.), 42% disagree with this idea. The respondents gave such comments: the knowledge of a definite speciality would be useful; it is not necessary, but desirable; the teacher should have the basic knowledge of the speciality and understand terms, but it is not obligatory to be an expert in the field. The majority of the respondents emphasized the importance of the basic knowledge of the speciality. 77% of ESP teachers agree that ESP teachers teach the language of the speciality not the speciality itself. 68% of surveyed teachers agree that they can ask the students to help with specific terms of the subject. But the problems can arise in some universities where ESP is taught during the first year, when students don't have any knowledge in special disciplines.

90% of university teachers who took part in the research disagree with the point that it is unacceptable when the teacher cannot answer the students' questions. They comment the point in the following way: "nobody knows everything", and the way out in such situations can be to give the home task to find the answer to the problematic question.

6% of the respondents agree, but 77% disagree that if an ESP teacher cannot explain the specific terms or answer students' questions, he/she will look incompetent and lose respect. Some interviewees gave such comments: "the teacher will not lose respect unless such thing happens all the time", but in any case the teacher should promise to find out the answer and inform about the results during the next lesson.

26% find it difficult to confess to students when they do not know the answer to the question of the speciality despite the fact that they are teachers of English, but 61% of teachers disagree with this statement. The teachers think that it is better to confess sincerely than not to be able to accept your weak sides or lack of knowledge. Some think that it depends on the question, but the whole situation is unpleasant.

In the research conducted by the British Council the teachers of English from the fifteen participating universities were tested, using the British Council's Aptis test, which provides results aligned to the CEFR (Common European Framework of Reference for Languages). The results demonstrated that, while a majority (61 per cent) of those tested reached level C, a significant proportion (39 per cent) did not and a few (4 per cent) were assessed at only B1 or A2 levels. This weakness is likely to affect the quality of the English teaching in universities [6, p.32].

The observed lessons in those universities tended to be grammar-translation rather than communicative, with a lot of use of L1 (language one), teacher-centered with few interactive activities, immediate error correction, and high levels of teacher talking time. The practice shows that most ESP lessons in

Ukrainian universities mainly consist of read-translate activities and learning hundreds of terms in English. Very little time was devoted to group or pair work. One more problem arose: most English teachers are frustrated by the lack of sufficient class time to bring their students up to a good level of English proficiency.

Discussions

The results of the survey, personal experience and the responses of ESP teachers in informal conversations prove the existence of numerous problems in the teaching process. The lack of knowledge has a side effect on teachers' confidence (especially among inexperienced teachers).

Teachers of legal English face even wider range of challenges in addition to those mentioned above, as legal English has its specific characteristics:

- the inclusion of archaic or rarely used words or expressions;
- the inclusion of foreign words and expressions, especially from Latin and French;
- the frequent repetition of particular words, expressions and syntactic structures;
- long, complex sentences, with intricate patterns of coordination and subordination;
- the frequent use of passive constructions.

Written legal texts do not necessarily contain all the features outlined, though many of them do, and the compound effect often makes them extremely difficult without specific training [5, p.111-113]. Each national legal system uses terminology that does not necessarily correspond with the legal languages of other countries. Concepts vary to such an extent in different legal systems that a literal translation is misleading. Legal translation creates some problems that only legally qualified translators are fully competent in this area [4, p.220].

Therefore the situation with teaching ESP in Ukrainian universities and the problems ESP teachers face in their work have been discussed. The pieces of advice for ESP teachers as for dealing with some typical problems will follow.

There is a need to recognize the value of English in academic institutions and to include the promoting of the teaching and learning of English as part of a national strategy. There is a need for each university to develop and implement a CPD (Continuing Professional Development) policy for teachers of English with a requirement for regular updates in teaching methodology and professional trips to other countries [6].

There should be smaller class size for English courses, with a maximum of 15 in each class. The curriculum should include more ESP in all years. More modern international ESP materials should be used, with the accompanying technological support and aids available from international publishers. Teachers need to develop more autonomous learning strategies in their students in order to make more exposure to English outside the contact hours available. Universities and teachers need to explore ways of making contact with other speakers of English (not necessarily native speakers) through English clubs and the use of technology such as Skype. In particular, contact with students of the same discipline in other countries should be encouraged [6].

The focus of teaching legal English should be on relating country specific authentic materials to students' own jurisdiction. Thus, activities aimed at describing their own legal system as well as comparing and contrasting it to those

of the UK or US should be used as frequently as possible.

Some practitioners have taken the view that obtaining a legal qualification is the best solution. No lawyer will give an answer to a question outside his/her narrow area of specialization, although ESP teachers often feel that they must be able to answer every question a learner asks. ESP methods involving a learner- centered approach, which uses the knowledge of the learners and works in partnership with them to develop their competence in using the language of the law in the target contexts of use can provide a better solution. However, the need for authenticity and validity, particularly in relation to the production of Legal English materials, requires some understanding of the law [4, p.223].

If the teacher is new to legal English, it's easier to start with a course book (if it is available). They are written by experienced writers (often with subject specialists). The teachers can cooperate to help each other prepare lessons, share materials. More experienced colleagues can create their own courses based on syllabus and students' needs. If the teacher is skilled and experienced, he/she has enough knowledge to make the course effective. After a few years of teaching a legal English course, the teacher feels more confident. The key to overcome incompetence is preparation. Before every lesson a teacher should study the course materials thoroughly, do every exercise and try to predict what might cause problems and provoke difficult discussions. It is advisable to take time to research the relevant topics in the Internet.

One more solution could be to collaborate with subject teachers. Teachers have to take part in different trainings (for instance, organized by the British Council in Ukraine), visit conferences, workshops, seminars on the topic of teaching ESP (legal English). In the article "Teaching English for specific purposes and teaching training" the author Morena Bracaj [1] argues that training of the teachers is very important for ESP courses because teachers should be well specialized so that they can meet students' needs.

The use of Internet sites is vital. On youtube.com, ted.com the wide range of videos on different topics is available. Teachers can find the lectures of professors from famous British or American universities on law themes. On site www.edx.org teachers can take courses and get certificates in any subject including jurisprudence.

Conclusion

The article introduced theoretical background and different approaches to defining and explaining the peculiarities of teaching ESP. The specifics and problems of teaching legal English at Ukrainian higher educational institutions were described in this work. The results of the survey, conducted by the author, and the results of the research, done by the British Council Ukraine in universities among ESP teachers, were presented and discussed here. The pieces of advice for teachers of legal English as for dealing with some typical problems in their work were introduced in this work.

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