



On the Use of Authentic Materials in a Legal English Class

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Abstract

The use of textbooks and/or authentic materials in an ESP class has been debated over decades. In the context of learning languages at the tertiary level, the use of authentic materials related to students' disciplinary areas does not need any justification, the benefits of their use, in terms of professional development and motivation, are recognised by theoreticians and practitioners. In the digitized global world, the overwhelming amount, availability and accessibility of authentic materials (e-files, audio and visual sources, etc.) and students' overall exposure to the information sources in English, which dominates in most areas of academic studies, highlight the necessity to raise the effectiveness of authentic materials in language acquisition progress in general, as well as what regards specific learning environments (classroom, blended, self-studies). The present paper has been triggered by the results of the on-line questionnaire offered to the teachers of language for specific purposes who teach at several universities of Lithuania. The research incorporates the analysis of the collected 'field data' (63 respondents) regarding LSP teachers' attitudes and preferences in terms of textbooks and other teaching aids, including authentic materials, the most common practices in using authentic materials, their advantages and drawbacks, as well as the authors' conclusions on the effective ways of the use of authentic materials in a legal English class, specifically while applying the task-based approach to language teaching. Although the presented courses and activities are mostly based on the authentic materials from the legal area of knowledge (laws and legal acts, lawyers' and judges' opinions, academic articles on legal research etc.), the recommendations on the use of authentic materials in LSP classes and other learning environments at universities go beyond studying law and law-related disciplines; they will be of use to teachers of languages for other professional areas, course developers and material designers.

Keywords: *Authentic materials, languages for specific purposes, effectiveness, learning environment, course development, material design.*

1. Introduction

The use of textbooks and / or authentic materials in an ESP class has been debated over decades [1],[2],[3]. The design and production of textbooks flourish due to the creative synergy of scholars, who specialize not only in language teaching methods, but also in cognitive linguistics, psychology and pedagogy, as well as of most experienced practitioners, who provide indispensable and varied classroom data. The choice of teaching aids depends on a range of factors, such as accessibility and affordability, teachers' and /or students' preferences, school and country policies, to name just a few.

The impact of a well-chosen teaching aid is far from being unambiguous; there are side-aspects to be considered to ensure its maximum effectiveness. The present research deals with teaching languages for specific purposes at the tertiary level; the area is well-catered for by such famous publishers as Cambridge university press, CRC Press, Caslon Press Inc., etc. The authors will abstain from criticizing or advertising of the available textbooks; their purpose is to demonstrate how textbooks can and should be complemented with authentic materials to raise the effectiveness and quality of language learning.

2. Background

According to Hutchinson and Torres, a well-chosen and appropriately used textbook provides "an excellent vehicle for effective and long-lasting change" [2: 323]. The successful management of change, which may be viewed as a crucial part of development in general and education in particular, is facilitated by the structured and consistent approach to the learning and teaching process; with coherent structure and consistency being obligatory features of a good text-book.

Regardless of the availability of quality textbooks, ESP teachers, especially those in tertiary education, seldom work without additional teaching aids, mostly authentic materials (see the results of the Survey below). What makes them resort to additional time and energy investment required for selecting



materials and designing special “tailor-made” activities? What might quality ESP textbooks lack to satisfy this particular class, in this particular environment? Hyland [4] underlines the specificity of literary skills acquired in ESP classes that are appropriate to the purposes and understandings of particular academic and professional communities. The need for and applicability of the specific skills and rhetoric in a certain subject/knowledge area and for a particular audience is supported by other scholars [5],[6],[7]. Thus, ready-made learning/teaching materials or course books may not satisfy our students’ specific needs as they represent very different and often very narrow disciplinary areas. The use of authentic materials in teaching ESP can, therefore, hardly be argued, and one of the roles ESP practitioners are believed to assume is that of a course designer and materials provider [8], [9]. As authentic materials have to be selected and adjusted to the needs and potential of the learners by designing specific tasks and activities. Authenticity in language studies has been researched by Daly, Gilmore, Tarnopolsky, Williams and others [10],[11],[12],[13]. We will use the definition of authentic materials suggested by Morrow: “An authentic text is a stretch of real language, produced by a real speaker or writer for a real audience and designed to convey a real message of some sort” [1:13], e. g. judicial opinions for legal professionals or a contract clause construed by the lawyer to a client. Alongside the content (information) value of authentic materials, there are at least three layers of learning embedded within them: language learning (the structure and vocabulary), cultural insights, which international course books might be lacking in, and practical application, i.e. using the item in the way it was intended [3]. Related to a specific area of knowledge, authentic ESP materials are often term-dense, i.e. having a high ratio of technical or subject-specific terms to general language words and structures, and thus posing a challenge to students. Although this may be true, it was rightly pointed out by Swales (quoted in [13]) that non-native learners of ESP, who are usually university students, may already possess a certain degree of technical knowledge about the subject in their native language, and even with their relatively limited English language skills they may well find that highly subject-specific texts in English are easier to understand than their popularized equivalents written in a less formal, more idiomatic style using terms and expressions that could cause difficulties to non-native speakers. This “background awareness” of the subject matter and recognizable international terms does not undermine the importance of studying the peculiarities of content organization, structure and precise expressive means specific to the target language discourse.

The aim of the research is to present our approach to the selection and application of authentic materials in a legal English class. Although the presented courses and activities are mostly based on the authentic materials from the legal area of knowledge (laws and legal acts, lawyers’ and judges’ opinions, academic articles on legal research, etc.), the recommendations on the use of authentic materials in LSP classes and other learning environments at universities go beyond studying law and law-related disciplines and may be of use to teachers of languages for other professional areas, course developers and material designers.

3. Methods and Tools

The present paper is based on the research undertaken by a VU team to investigate the current practice and perspectives of teaching ESP at several Lithuanian universities and colleges. The research data was collected through the on-line questionnaire addressed to language teachers, particularly those who teach languages to other than philology students. The anonymous questionnaire was freely accessed at the e-platform of Vilnius University; potential respondents were informed and invited to participate in the survey through the university exchange mail, via administration channels, via the mailing lists of the Lithuanian Association of Language Teachers. 89 language teachers responded, 65 % of the respondents completed the questionnaire, that is answered all the questions. The participants of this research study included lecturers of differing academic rank and experience who teach languages at various tertiary education institutions in Lithuania. All of them have the teaching experience of 2 and more years. 13.79 % of respondents have been teaching ESP for less than 10 years, 86.21% - for the period over 10 years. Most of them (82.76%) have experience of teaching general English as well. The questions fall into three groups, namely: seven questions to gain general information (teaching experience, preferences, problems, etc.), ten questions about various aspects of ESP (textbooks and authentic materials, subject awareness, cooperation with subject teachers, etc.), and five questions about assessment (including self-assessment).

The survey questions were of three types: close-ended, open-ended (19 out of 22), and graded questions. Although the responses to open-ended questions are more difficult to summarize, the value of teachers’ answers, their shared experience and ideas outweigh the difficulties in interpreting the results. The respondents provided extremely rich research data, its analysis will update the existing view on the role and place of ESP courses at faculties, and the findings may have valuable



implications for the professional development of ESP teachers. In compliance with the aim of this article, the authors will limit themselves to the collected data that concerns teaching /learning materials in an ESP class.

4. Survey Data: textbooks and/or authentic materials

63 % of the respondents state that they use ESP course books in their classes (33.3 % answered negatively). Expressing their opinion about the appropriateness of the course books in terms of content, attractiveness and the level of difficulty, the majority of the teachers evaluated the ready-made ESP materials (course books) positively. The prevailing opinion is that the used materials are of the “appropriate level of difficulty”, the teachers are satisfied with the content, activities provided. Some teachers combine different course books available for the subject. Only 10.5 % of respondents claim that the course books used are ‘too old’, ‘too difficult’, ‘too easy’, ‘the topics are not adequate to those required in the course syllabus’. About 33% of the respondents do not integrate ESP course books into their classes; they named the following reasons: course books decrease student motivation; the textbooks can be too easy in terms of exercises and vocabulary; there are no course books appropriate for their subject area or students’ language proficiency.

About 20 % of the respondents, who do not use ESP course books, mention ‘rapid changes in teaching/learning methods’ and ‘availability of different platforms that offer more attractive approaches to teaching ESP’ as well as the fact that ‘course books tend to get outdated due to students’ changing needs’.

96.67 % of the respondents claim to be using additional teaching materials in their classes (just about 3 % did not answer the question). In most cases the additional materials are found on various social platforms (TEDx, YouTube - 35 %), they include articles from scientific/academic journals and periodicals (31%), materials from online newspapers or TV and radio broadcasters (28 %). It should be noted that all of the respondents claim using more than one source for supplementary materials.

Indicating the criteria for material selection, the respondents stated that it should be ‘appropriate to the level of students’ language proficiency’; it should ‘increase motivation’, ‘satisfy students’ specific needs’, ‘contain subject-specific terms’, and ‘reflect the latest developments’ in students’ study discipline.

The respondents were also asked whether the additional materials used in their classes are authentic. 86.6 % of them answered positively, about 10% gave negative answers.

Naming the reasons for choosing authentic materials in class, the respondents mentioned ‘real life communication’ (30 %), ‘authentic language’ (26 %), ‘student motivation’ (22 %). 13% of the teachers consider authentic materials to be ‘a good source of subject related/specific terminology’, 8 % mentioned that authentic materials ‘contribute to the students’ specialist knowledge in their major subject’.

The challenges posed by the use of such materials in class fall into two groups: language proficiency level (authentic texts and recordings of lectures or discussions pose serious difficulties for the learners below level B2) and time consuming preparations for the effective use of authentic texts, recordings and videos in class. However, this picture might be incomplete as only one third of the teachers indicated the challenges they faced.

5. Discussion

There are several issues to consider regarding the use of authentic materials in an ESP class.

1) TYPES of authentic materials are subject-specific. Bhatia as quoted in Duley Evans [8:50], distinguished three main areas of legal written texts: academic legal writing (legal course books, research journals), juridical writing consisting of court judgments, case-books and law reports, the purpose of which is to report the proceedings of the court and the decision of the judge; and legislative writing, which consists of Acts of Parliament, statutory instruments, contracts, agreements, treaties, all of which serve to legislate. The development and accessibility of IT and communication means have increased manifold the possibility of using authentic materials either from the websites of justice and law-enforcement institutional websites (national and international law-making updates, annual reports on crime rate, national/international databases of cases, judicial opinions or court proceedings. In other disciplines, laboratory reports, business plans, balance sheets will provide authentic language input and lead to further activities. This supports the idea of differentiating humanities and social sciences from science and technology on the basis of different skills required to analyse and synthesize multiple sources as opposed to describing processes and finding solutions [14].

2) SELECTION CRITERIA include **relevance** of the authentic materials to the students’ needs and academic interests, **informational value** (recent discoveries and findings), **accessibility** (open



sources): besides the selected materials should be **country specific** (fosters multicultural and language awareness) and **complementary** to the major subjects taught. It is reasonable to align the language course with the major subject courses taken in the same term, so that in deciding about the topic of their English presentation, students would select the issues which they might discuss in their subject seminars and tutorials. The same principle applies for searching and reading sources in English for annual research papers.

3) MODES OF USE depend on the institutional settings and course arrangements. In our practice we can distinguish the use of authentic materials in a) **classroom**, b) **self-studies**, c) **blended learning**. While using authentic materials in **class**, one should consider timing (45-90 min) and the size of the class (individual vs group/team work) as well as the balance between classroom receptive and productive activities, based on the authentic materials, which are offered either as reading or listening input (relevant legal documents, judicial opinions, recordings of meetings between lawyers and clients, etc.) While using authentic materials in class (not for self-studies), we pursue several goals: 1) to facilitate comprehension by preventing possible language problems, such as particular sentence structures, text organization (international treaties and conventions, academic articles), predominance of nominal phrases (contracts); which all relates to the developing of "noticing" skill (see [11;59]; 2) to develop reading or browsing skills under time constraints; 3) to develop transversal skills such as summarizing, inferring, organizing, evaluating and sharing information (this is most effectively achieved in team or pair work that maximises student involvement and allows them to work at their own pace); 4) to create a platform for further (productive) classroom activities, such as problem solving and opinion presented in case studies, note-taking and briefing. While using authentic materials for **self-studies**, the principle of pursuing individual needs and interests is implemented; which is well accepted and appreciated by mature university students. The teacher's interference in the self-studies may include focusing on specific language features of the authentic materials, also introducing the functional language for reporting on the results of individual or team research. The 'productive' activities may take the forms of writing a summary of one or several academic articles, individual or group presentations, panel discussions, etc. The use of authentic materials in the **blended learning** format combines the above mentioned principles of facilitating comprehension, developing language awareness (noticing), individualization and collaboration (for example, using collaborative writing and other ICT supported tools).

6. Conclusions

The survey data collected by VU research team revealed that the overwhelming majority of ESP teachers working at tertiary level in Lithuania include authentic materials in their courses. Though quality course books are available in some specific knowledge fields (Law, Business, Medicine, etc.); additional authentic materials provide 'real-life' context and language, stimulate interest and motivation by their high content value based on most recent discoveries, achievements and research findings. In compliance with the learner-centered approach, which has proved to be most beneficial in tertiary education, the selection of authentic materials is mainly done by students: they are encouraged to choose what better meets their 'subject' interests or needs, and also complements to the major subjects studied. The use of authentic materials is advisable in any learning setting, provided it is supported with teacher's appropriate instruction aimed at facilitating comprehension of subject specific texts and developing language awareness.

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