ESP (ENGLISH FOR SPECIFIC PURPOSE): TEACHING LEGAL ENGLISH USING LEXICAL APPROACH

Supardi

Law Faculty, the University of Jember

ahmardi@yahoo.com

Abstract

Legal English (LE), like such other ESPs as Business English, Medical English, Nursing English, English for Accounting, English for Aviation, English for Banking, and many others, has a large number of specific words that the learners of English as a Foreign Language (EFL) need to acquire. In term of LE, it is necessary for the EFL learners, especially those of law students, to master the specific vocabularies frequently used in legal settings. Without having enough mastery of LE vocabularies, it is certainly difficult for them to use their English skills in legal context such as reading or writing legal documents, listening to the legal reports or news from radio or from television, and presenting the case in the courtroom. To meet their need for the acquisition of LE vocabularies, it is therefore important for the EFL teachers (especially those teaching English to law students) to use a certain approach called lexical approach for his or her teaching in the classrooms. With this approach, they are hopefully able to develop the EFL leaners' acquisition of LE vocabularies. In the framework of this development, this paper will then focus its discussion on understanding of LE, overview of lexical approach, importance of lexical approach to teaching LE, exploration of LE vocabularies for teaching materials, and samples of teaching materials design of LE vocabularies.

Keywords: *Legal English, Lexical Approach, EFL learners/teachers*

1. INTRODUCTION

English is a global language (Nunan, 2001, and Crystal, 2003). Because of this status as the global language, English then plays its a vital role as a means of global communication. In this role it has been a demand of most people over the world for many years. They need to use this internationally or globally accepted language for such global transactions as accounting, aviation, banking, business, education, engineering, hospital, law, medicine, nursing, science, technology, and many others. This was, according to Hutchinson and Waters (1987), one of the three reasons in the emergence of ESP (English for Specific Purposes) in the late 1960s.

Since then, in the development of English Language Teaching (ELT) there have arisen the terms of ESP using the phrase of *English for*. For this fact, regarding the English used in such global transactions above the terms of ESP can be written into English for Accounting, English for Aviation, English for Banking, English for Business, English for Engineering, English for Hospital, English for Law, English for Medicine, English for Nursing, English for Science, English for Technology, and others. To be concerned with ESP in ELT, Hutchinson and Waters (1987) describe it as in the following illustration of the tree of ELT.
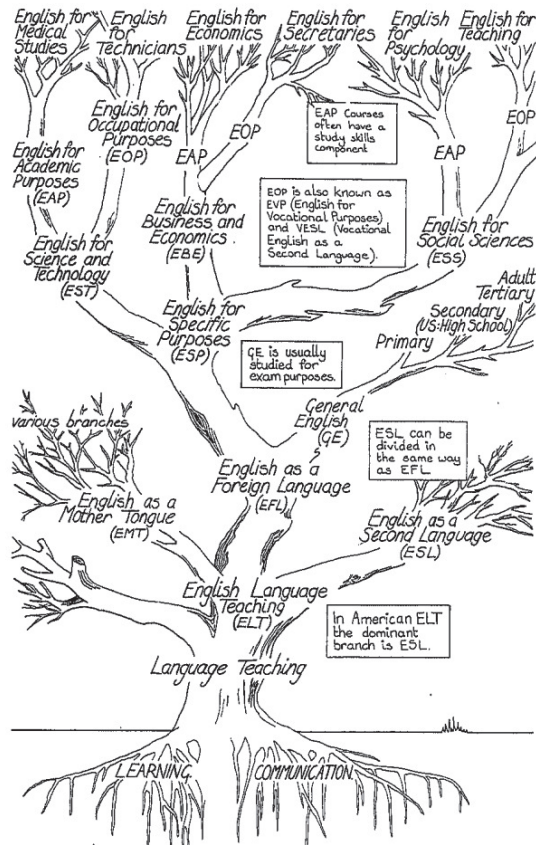
Figure 1: The tree of ELT

In term of ESP study, this quite current study is focused on Legal English (LE) which is frequently known as English for Law. This ESP, like other ESPs, certainly has a large number of specific words that the EFL learners need to acquire. Without having enough vocabulary of LE, it is of course difficult for them to use their English for reading, writing, listening, and speaking in legal settings. Concerning the importance of vocabulary mastery, Wilkins (1972:111) says that ... without vocabulary, nothing can be conveyed. In the words of Milton (2009:3) it is noted that words are the building blocks of language and without them there is no language. This fact of the importance of vocabulary acquisition for EFL learners to develop their English skills may become "the most fundamental issue for second language acquisition" (Spiri, 2010). As a consequence, a growing number of researchers and teachers are turning to be concerned with the intentional study on developing vocabulary acquisitions.

Up to the present time after Michael Lewis coined the term *lexical approach* in 1993, many scholars have devoted their attention to the studies focused on this approach as well as those of vocabulary acquisition development. In term of the *lexical approach*, for example, Harwood (2002) describes two key principles which are claimed to be at the core of teaching according to lexical approach. In term of vocabulary acquisition development, Karoly (2005) discusses the importance of increasing the collocation awareness in developing the vocabularies of intermediate learners of English. ZU Feng-xia (2009) examines and argues about the use of lexical approach to teach vocabulary. In addition, Lessard-Clouston (2013), in his introductory chapter of *Teaching Vocabulary*, reminds us that vocabulary is very important to language learning. Consequently, these studiescan be considered as evidence that the development of vocabulary acquisition becomes an increasingly interesting topic for researchers, teachers and others involved in English language teaching and learning.

Moreover, although many studies are focused on the *lexical approach* and the development of vocabulary acquisition, it is still interesting and necessary to carry out another further study concentrated on the same topic, that is, the important use of *lexical approach* for teaching vocabulary. For this reason, this current study certainly differs from the previous ones because of the different foci of study. The former studies are more focused on vocabularies of General English (GE) where as the latter is concentrated on the vocabularies of ESP in term of LE or known as English for Law.

As presented in the previous paragraph, LE, as a form of ESPs, has a large number of its own specific words. In this sense, Supardi (2010) describes that the word "*sentence*" is frequently found in both GE and LE. Furthermore, he explains that according to dictionary this word has two functions as noun which means "*kalimat* and *hukuman*" and as verb which means "*menghukum*". Not only the words used in both GE and LE as the specific vocabularies, the EFL larners of law students also have to master a large number of words frequently used in legal documents. According to Supardi (2015), such words as *complaint, contract, damages, defendant, liability, litigation, negligence, plaintif*, and many others are found in civil law and the words, namely *accused, assasin, burglar, criminalize, fraud, hijacker, murder, prosecutor, suspect* and others are found in criminal law. Unless those law students are not familiar with these LE vocabularies, it will be difficult for them to practise their English skills in legal settings. It is therefore necessary for the EFL teachers of law faculty to take account of a certain approach to his or her teaching of LE vocabularies.

To be concerned with teaching LE vocabulary, this quite current study firstly provides an understanding of LE. In addition it overviews the *lexical approach* coined by Michael Lewis in 1993 and the importance of *lexical approach* to teaching LE. With this approach, the EFL teachers are hopefully able to develop the LE vocabulary acquisition of the EFL learners of law students. In the framework of this LE vocabulary acquisition development, it is then focused on the exploration of LE vocabularies for teaching materials and samples of teaching materials design of LE vocabularies. These are presented in the following sections.

2. UNDERSTANDING OF LEGAL ENGLISH (LE)

Due to the predominance of its use as a global language, English has played its essential role as a means of global communication. Most people over the world have used it for the global transactions for many years, especially for the legal transactions. For this fact, Northcott (2013: 213) argues that English is currently acknowledged to be the lingua franca of international commercial and legal transactions. In the legal transactions, English then becomes a demand of those people involving in the transactions. As a result, it becomes the global or international legal language.

As the international legal language, non-native English speaking lawyers, legal professional, law students, and the people involving in the legal transactions are now increasingly looking for LE training program. To cater this need of LE, universities, colleges, and English providers offer such program. In addition, this program is also offered to the people who are interested in learning and improving their LE. From this point, it arises the question of what LE is.

To answer this question, scholars have a different view of LE. According to Northcott (2013: 213) it has a variable meaning, understood by some to refer to legalese and by others as a shortcut for Anglo - American law, hence ESP practitioners have often eschewed the term in favor of English for legal purposes (ELP). Different from Northcott, British Legal Centre (2010/http://www.british-legal-centre.com/en/what-is-legal-English.html) describes that LE refers to the style of English used by legal professionals in their work. For example, the language used in international contracts and statutes.

3. OVERVIEW OF LEXICAL APPROACH

Most scholars and teachers consider *lexical approach* as a language teaching method. In discussing this approach, it cannot be separated from highlighting Michael Lewis. The term *lexical approach* was coined by him in his book *The Lexical Approach* published in 1993. According to him, it is a unique way of lexis-based teaching. In addition, in this approach he put words at the centre of language. To be concerned with the *lexical approach*, Michael Lewis (1993, p. 95) then argued that the emergence of *lexical approach* was based on the idea that an important part of language

acquisition is the ability to comprehend and produce lexical phrases as unanalyzed wholes, or "chunks," and that these chunks become the raw data by which learners perceive patterns of language traditionally thought of as grammar. For this reason, the *lexical approach* can be defined as a language teaching method which concentrates on developing learners' proficiency with lexis, or words and word combinations.

Since its emergence, the *lexical approach* has greatly influenced the world of foreign language teaching and learning practices which were previously overemphasised on grammar and underemphasised on lexis. Moreover, in recent years the *lexical approach* to foreign language teaching has received interest as an alternative to grammar-based approaches. According to Harwood (2002), there are two unique features of *Lexical Approach*. On the one hand, it constitutes the rejection of a dichotomy between grammar and vocabulary and views lexis as not only the single words but also as the word combinations stored in our mental lexicons. On the other hand, it is the designation of various tasks in language classrooms.

4. THE IMPORTANCE OF LEXICAL APPROACH TO TEACHING LE

Michael Lewis (1993), who coined the *Lexical Approach*, argues that language consists of lexical items. In other words, words are the centre of language. For this reason, like in other languages, words are also certainly important and become the centre in LE. As a form of English for Specific Purposes (ESPs), LE has its own specific vocabularies which make it different from such other forms of ESPs as English for Mathematics, English for Physics, English for Economics, English for Engineering, English for Nursing, English for Banking, and many others.

In LE, it is frequently found such combinations of words (collocations) as *death sentence, murder trial, break the law, impose a fine, injured party, civil law, criminal law*. On the one hand, these specific collocations or vocabularies of LE are certainly new for the EFL learners of law students in most universities in Indonesia because they have never studied before when they were in both junior and senior high schools. On the other hand, many parts of these LE collocations are also used in GE such as *case*, *sentence*, *trial*, and many others that can make the EFL learners difficult or confused to use them appropriately.

5. EXPLORATION OF LE VOCABULARIES FOR TEACHING MATERIALS

This section focuses on exploring LE vocabularies that the EFL teachers can develop or design for their teaching materials. There is a larger number of legal words from A to Z which can be found in some dictionaries of law and other resources available in the internet. Because of this large number of legal words, in the introduction of his book *Check Your English Vocabulary for Law* Wyatt (2006) states that no vocabulary book can possibly contain all of the legal words and expressions that you are likely to come across or need, so it is important you acquire new vocabulary from other sources. In this book he does not only present legal vocabulary, but he also provides the words used in a legal context such as at a trial or tribunal, or when producing a contract or negotiating business terms.

As no vocabulary books contain all of the legal words and due to the limited time of writing this paper for my presentation at the Fourth International Seminar on English Language and Teaching 2016 (ISELT-4 2016), this current study only presents the legal words usually used in such two topics related to law as people in court room and words of crime. These two topics were retrieved from the Internet, because according to Supardi (2013) the emergence of the Internet cannot be denied. It has become more and more useful for the teachers of English as a Foreign Language (EFL) to develop materials for teaching.

People in Courtroom

This subsections presents a lis of the people who are usually involved in the trial courtroom. It was retrieved from http://www.stickyball.net/vocab/477.html.

People	Definition
criminal	a person who has broken the law
defendant (also: accused)	when suspects are in court, they are called "defendants" or "the accused"
defense attorney	the lawyer who works for the defendant
judge (BrE = magistrate)	the person in court who makes the decisions
jury	the group of people (usually 12 people) who decide if a defendant is guilty or innocent
lawyer (AmE = attorney; BrE = solicitor)	a person who studies the law and argues in court
prosecutor	the lawyer who works for the government and argues for the people
suspect	the person who the police think is guilty
victim	a person who is hurt or killed by someone/something else
witness	a person who sees a crime happen, or a person who has information that can be used in court

Figure 2: People in courtroom

Words of Crime

The words of crime presented in this subsction are about types of crime and criminals. The words related to the types of crime were adapted from the three websites, namely https://www.englishclub.com/english-for-work/police-crime.htm, http://www.engvid.com/english-resource/vocabulary-crime-criminals/ and http://stickyball.net/docs/vocab%20sets/crimes.pdf. The list of the words related to the types of crime can be seen in the following figure.

Crime	Definition
abduction/kidnapping	taking a person to a secret location using force
armed robbery	using a weapon to steal
arson	setting fire to a place on purpose
assault	hurting another person physically
assassination	killing a leader or important person (usually for political reasons)
attempted murder	trying to kill someone (but failing)
bribery	paying money to influence a government official
burglary	going into another person's home or business with force
child abuse	injuring a child on purpose
domestic violence	physical assault that occur within the home
drug trafficking	trading illegal drugs
drunk driving	driving after having too much alcohol
embezzlement	stealing from an employer (one kind of "theft")
fogery	writing another person's signature (on a contract or check, for example)
fraud	lying or cheating for business or monetary purposes
hijacking	holding people in transit hostage (usually on a plane)

manslaughter	killing another person without premeditation (without planning)
murder	killing another person with premeditation (with planning)
shoplifting	stealing merchandise from a store
smuggling	bringing products into a country secretly and illegally
speeding	driving beyond the speed limit
terrorism	acts of crime against a group (political/religious) or another country
theft	stealing
torture	extremely cruel and unfair treatment (often towards prisoners)
vandalism	damaging public or private property (for example with spray paint)
white collar crime	breaking the law in business

Figure 3: Types of crime

In addition, the words related to the criminals (people who break the law) in this subsection were adapted from the two websites, namely: http://www.manythings.org/vocabulary/lists/a/words.php?f=criminals and https://www.englishclub.com/vocabulary/criminals.htm. These words are shown in the figure 4 below.

Criminals	Definitions
arsonist	a person who starts fires to damage or destroy something
bank robber	a person who steals from a bank
burglar	a person who steals from a building
hijacker	a person who takes control of a vehicle (plane, ship etc) by force and diverts it
kidnapper	a person who takes people away by force and demands money to free them
mugger	a person who attacks someone to steal their money.
murderer	a person who kills
pickpocket	a person who steals things out of pockets or bags secretly.
robber	a person who steals money etc, using force or the threat of force
shoplifter	a person who steals from shops.
smuggler	a person who takes things or people to or from a place secretly and illegally.
thief	a person who steals property from other people (without using violence).

Figure 4: Types of criminals

6. SAMPLES OF TEACHING MATERIALS DESIGN OF LE VOCABULARIES

Teaching LE vocabularies can have some varieties of activities. In term of word meaning, for example, Nation (2005) proposes some useful prepared exercises for vocabulary learning such as word and meaning matching, labelling, sentence completion, crossword puzzles, semantic analysis, and completing lexical sets. As well as these techniques, there are some others that the EFL teachers can use them for the activities of teaching LE vocabularies. According to Kilickaya (2010) those techniques constitute the activities of multiple-choice, fill-in, and cloze passages.

Based on the techniques of teaching vocabulary suggested by both Nation and Kilickaya, the lists of LE vocabularies presented in the previous subsection can be designed for teaching materials as in the following samples.

Sample 1

Topic   : *People in Courtroom*
Activity   : Sentence completion
Instruction   : Look at the table below and complete the sentences in the passage
                 under the table.

People	Definition
criminal	a person who has broken the las
defendant (also: accused)	when suspects are in court, they are called "defendants" or "the accused"
defense attorney	the lawyer who works for the defendant
judge (BrE = magistrate)	the person in court who makes the decisions
jury	the group of people (usually 12 people) who decide if a defendant is guilty or innocent
lawyer (AmE = attorney; BrE = solicitor)	a person who studies the law and argues in court
prosecutor	the lawyer who works for the government and argues for the people
suspect	the person who the police think is guilty
victim	a person who is hurt or killed by someone/something else
witness	a person who sees a crime happen, or a person who has information that can be used in court

The main _____ in the murder of 21 year - old Jenny Page appeared in court today. His name is Jason Black, and standing next to him was his _____, who argued that Mr. Black was not guilty because he was at work when the _____ was killed. However, according to the _____, there are no _____ who can testify that they saw Mr. Black at work. Therefore, the prosecutor argues that Mr. Black is guilty and he is a dangerous _____ who should be sent to prison. The 12 people on the _____ have listened to the two lawyers' arguments and considered the evidence, and they have heard the instructions from the _____. Now, they must go deliberate and decide if Jason is guilty or innocent.

Sample 2

Topic   : Type of Crime
Activity   : Sentence Completion
Instruction   : Fill in the blanks below with words from the box.

arson	assassination	assault	bribery	burglary	embezzlement
forgery	fraud	hijacking	kidnapping	manslaughter	

1. The person who broke into a house and stole a TV was convicted of _____.
2. The woman who lied on her income tax forms was charged with _____.
3. The men who used knives to take over an airplane were guilty of _____.
4. The man who attacked me and hit me over and over was convicted of _____.
5. The woman who stole money from her employer was charged with _____.
6. The businessman who offered money to the politician is being accused of _____.
7. The person who got in a fight with his friend and killed him committed _____.
8. The man who burned down his house for the insurance money is charged with insurance fraud and _____.

9. The person who took my children and demanded that I pay $1,000,000 was convicted of _____.

10. I signed my mom's name on one of her checks, so I was charged with _____.

11. The man who shot the president was convicted of _____.

Sample 3

Topic   : *The Criminals*
Activity   : Fill-in and Multiple-choice
Instruction : Fill in the blank by choosing a, b, c or d for your correct answer.

1. A **.........** is a person who attacks unknowing people on town or city streets in order to rob them of their wallets, purses and other belongings that have monetary value.
   a. musician   b. paramedic   c. arsonist   d. Mugger
2. A **.........** is someone who kills or has killed a person or people.
   a. rapist   b. jury   c. juror   d. murderer
3. A **.........** is someone who forces himself/herself onto someone else in a sexual way without consent. Men usually commit this crime more often than women do.
   a. vandal   b. rapist   c. typist   d. screenprinter
4. A **.........** is someone who steals money and property from someone else.
   a. renter   b. violinist   c. officer   d. robber
5. A **.........** is someone who steals property or merchandise from a retail shop or store.
   a. shoplifter   b. tramp   c. hitchhiker   d. practitioner
6. A **.........** is someone who inflicts terror onto others and uses various means of intimidation and fear tactics in order to cause or impose pain.
   a. juggler   b. hunter   c. terrorist   d. runner
7. A **.........** is someone who intentionally damages or destroys public or private property.
   a. vagrant   b. wanderer   c. blacksmith   d.vandal
8. A **.........** is someone who steals money or property from a residence at night.
   a. trafficker   b. dealer   c. burglar   d. agent
9. A young **.........** is a person who commits a crime but is under 18-years-old and often subject to more lenient laws because of his/her age. However, sometimes they are charged as adults depending on the severity of the crimes.
   a. novice   b. offender   c. orphant   d. tutor
10. A **.........** is a person who illegally and secretly transports illegal drugs or other items that violate local or national laws.
    a. stripper   b. prostitute   c. barista   d. smugler

7. CONCLUSION

Since Michael Lewis coined Lexical Approach in 1993, vocabulary teaching has become more interesting topics for English teachers, researchers, and theorists who argue that intentional study on vocabulary is effective and desirable. To master Legal English, it is important for the EFL learners of law students to have a wide range of vocabulary. To develop their LE vocabulary acquisition, the EFL teachers need to pay a better attention to a certain approach called *lexical approach* as well as the tecniques of teaching vocabularies. With this approach and techniques they are hopefully able to teach LE vocabulary effectively and the students can broaden their LE vocabularies.

REFERENCES

Crystal, David. *English as Global Language*. Cambridge, UK: Cambridge University Press, 2003.
Harwood, Nigel. "Taking a lexical approach to teaching: Principles and problems." *International Journal of Applied Linguistics* 12 (2) (2002) : 139-155.
Hutchinson, Tom and Waters, Alan. *English for Specific Purposes: A learning-centered approach*. Cambridge: Cambridge University Press, 1987.

Karoly, Adrienn. "The importance of raising collocational awareness in the vocabulary development of intermediate level learners of English." *Eger Journal of English Studies* V (2005):58-69.

Kilickaya, Ferit and Kraska, Jaroslaw. "Teacher's Technology Use in Vocabulary Teaching." *Academic Exchange Quarterly* Spring, (2010): 81-86.

Lessard-Clouston, Michael. *Teaching Vocabulary*. USA: TESOL International Association, 2013.

Lewis, Michael. *The Lexical Approach: The state of ELT and the way forward*. Hove, England:Language Teaching Publication, 1993.

Milton. *Measuring second language vocabulary acquisition*. Bristol, UK: Multilingual Matters, 2009.

Nation, Paul. "Teaching Vocabulary." *The Asian EFL Journal* Volume 7 Issue 3, (2005): 47-54. E-book edition. Web. 5 April 2016.

Northcott, Jill. "Legal English."*The Handbook of English for Specific Pupuses*. Ed. Brian Paltridge and Sue Starfield. UK: John Wiley & Sons, Inc., 2013. 213-226.

Nunan, David. "The impact of English as a global language on educational policies and practices in the Asia-Pacific region."*TESOL Quarterly*, 37(4), (2003): 589-613.

Spiri, John. "Developing corpus oriented English materials." *The Lincom Guide to Materials Design in English Language Teaching*. Ed. Handoyo Puji Widodo and Lilia Savova. Muenchen, Germany: Lincom Europa, 2010. 177-188.

Supardi. "Pragmatics for EFL Learners to Choose the Appropriate Meaning of the Word from Dictionary: A Constraint Faced by Law Students of Jember University." *The Asian ESP Journal*, Special Edition (2010). 232-247.

Supardi. "Developing Materials for Teaching Legal English Vocabularies with the Internet Use." *International Journal of English and Education*, Volume:2, Issue:2, (2013): 289-301.

Supardi. "English for Specific Purpose: Teaching Legal English to Law Students via E-learning." *The 62nd TEFLIN International Conference 2015 Proceedings: Teaching and Assessing L2 Learners in the 21st Century*. 14-16 September 2015. Denpasar, Indonesia: Faculty of Letters and Culture, Undayana University, 2015. 417-428.

Wilkins, David Arthur. *Linguistics in Language Teaching*. London: Edward Arnold, 1972. Print.

Wyatt, Rawdon. *Check Your English Vocabulary for Law*. London: A & C Black Publishers, 2006. Print

ZU Feng-xia. 2009. "Using lexical approach to teach vocabulary."*US-China Foreign Language*, Volume 7, No.8, Serial No.71, (2009): 44-47.

Internet

http://www.british-legal-centre.com/en/what-is-legal-English.html

http://www.stickyball.net/vocab/477.html.

https://www.englishclub.com/english-for-work/police-crime.htm, http://www.engvid.com/english-resource/vocabulary-crime-criminals/http://stickyball.net/docs/vocab%20sets/crimes.pdf.

http://www.manythings.org/vocabulary/lists/a/words.php?f=criminals

https://www.englishclub.com/vocabulary/criminals.htm