

# A NARRATIVE INQUIRY INTO THE APPLICATION OF THE CONTENT-BASED INSTRUCTION APPROACH TO LEGAL ENGLISH TEACHING

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Received 16 June 2021

Revised 10 October 2021; Accepted 28 November 2021

**Abstract:** Content-based instruction (CBI) has been applied widely in teaching English for specific purposes. This study aims to delineate a lecturer's views of teaching legal English using the content-based instruction approach. A narrative frame was employed as the primary data source to gain insights into the perspectives of a Vietnamese lecturer. The participant was invited to write a reflection on different stages of his career from the past to the present and what he plans to do in the future. The data also came from classroom observation and teacher's lesson plans. The findings show that the application of the content-based approach contributed to students' development in legal English. Students have opportunities to learn and use the target language in an environment in which language acquisition takes place through subject-matter knowledge. Moreover, the findings of this study reveal the teacher's concerns about teaching materials as well as the teacher's content knowledge.

*Keywords:* content-based instruction, legal English, English for specific purposes

## 1. Introduction

### 1.1. Statement of Problems

Language learning goes beyond the acquisition of the means to operate communication; learning a new language also means acquiring new perception possibilities (Cammarata, 2016). Ryshina-Pankova (2016) explains:

Knowing the language in terms of using it in certain instances has to do with being able to deploy language resources to make meaning in these situations about something and for or with someone. In other words, knowing the language presupposes

knowing to construct meaningful content through it - the greater the range of contents, the more capable the language user (p. 55).

Therefore, language teachers need to suffice language as well as the subject content to teach language used in a particular area (Butler, 2005). In the case of English for Legal Purposes (ELP), ESP teachers realize legal professions are sacrosanct in teaching legal English. However, most teachers, who are in charge of teaching ESP, hold Teaching English as Foreign Language (TEFL) qualifications; they are not experts in a professional field (McDonough, 2010; Northcott & Gillian, 2006).

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<https://doi.org/10.25073/2525-2445/vnufs.4745>

### **1.2. Purposes of the Study**

The present paper explores a lecturer's perspectives on content-based instruction (CBI) in teaching English for legal purposes. Particularly, the research aims to discover a legal English lecturer's viewpoints on teaching English for legal purposes with CBI. Thus, this study gives an overview of the effectiveness and the necessity of the CBI approach.

### **1.3. Research Questions**

This research was conducted to address the following questions: what are the teacher's views on the application of content-based instruction in legal English pedagogy?

## **2. Literature Review**

### **2.1. Content-Based Instruction (CBI)**

Brinton (2013) points out that content-based instruction is applied in both ESP and general English courses. "ESP makes extensive use of content-based approaches" (Basturkmen, 2006, p. 103). According to Larsen-Freeman and Anderson (2011), CBI integrates language learning with natural content from academic subjects. Furthermore, the CBI approach is not predetermined syllabi; this instruction fits with other language teaching methods since the language objectives arise from communicative needs. According to Richards and Rodgers (2001), there are two grounded principles of content-based instruction. When using the target language as a means of getting information, people are more successful in learning a second language. Moreover, people learn a second language most efficiently if instruction caters to learners' needs.

For adult learners learning in content-based language classes, the amount of language knowledge they gain is outraced by those who learn in traditional settings

(Dupuy, 2000). Students feel self-assured to learn the target language. CBI approach enhances students' language proficiency and makes their language learning experience more enjoyable and satisfying (Dupuy, 2000; Yang & Chen, 2015). Successful learning occurs when learners acquire the target language in an interesting and useful way that fulfills their goals. Learners have more motivation when they learn things other than the language itself such as ideas and opinions. Content-based instruction builds on learners' knowledge and experience as students bring what they know about the subject to the classroom. Content-based language instruction helps students in the long term, and contributes to students' success in their future academic performance (Richards & Rodgers, 2001; Song, 2006; Yang & Chen, 2015).

Not only has the CBI approach assisted students in the development of English for specific purposes, but this approach also motivates students and fosters their learning autonomy. Previous scholars have studied the application of CBI in different ESP courses. Juraev and Sobirov (2017), in their study on teaching tourism and economics courses, conclude that CBI is an effective and valuable approach. Students' learning interest is higher as the effectiveness of the flexible and adaptable curriculum. Nguyen (2019) reports on the research into the use of CBI in teaching tourism that this approach boosts students' internal learning motivation and encourages their learning autonomy. This result is in line with Hudson (1991) in the study on the evaluation of a content comprehension approach to reading English for science and technology. Hudson (1991) concludes that students become more independent in their learning. Through the utilization of the content comprehension approach, students' performance on reading in the field of chemical engineering was notably better.

## 2.2. *Teaching Legal English*

Grossfield (1985) emphasizes that legal notions would not exist outside language; the power of language, which is creative and comprehending, is important for the law. “The magic of language continues to be a central pillar of law” (p. 803). What makes law special is its concepts, points of law, authority, decision and other aspects, all included in a discourse. When students learn the law, they also learn the language and the pattern of argument (Howe, 1990). Bhatia (1987) asserts that English for Academic/ Occupational Legal Purposes (EA/OLP) is different from other English for specific purposes courses. EA/OLP is described as a narrow-angled approach because there is a close relationship between the language being used in law and the law itself. This leads to the difference in the course inputs in terms of language and activities.

Although contemporary legal English is subdivided into different groups regarding the law areas, both spoken and written legal English, in general, has strict styles, tone, morphology, formality level and structures. Violating these rules would lead to misunderstandings or destroy language uniformity and universality (Shiflett, 2017). In the discussion about problems in teaching and learning English for legal purposes, Northcott (2013) highlights that ESP practitioners are under pressure on the resources and that they have to make use of legal specialists’ resources. Northcott (2013) also posits that English teachers without legal training are cautious of entering the field that is considered pivotal for legal specialists who acknowledge themselves to master law and language. ESP practitioners, therefore, can implement need analysis and be involved in discourse analysis.

Studies have been conducted to describe how CBI is applied in language teaching and different aspects and issues of

teaching English for specific purposes (Brenes, 2010; Juraev & Sobirov, 2017; Hudson, 1991; Nguyen, 2019; Parkinson, 2000). Many scholars have studied teaching and learning legal English (Candlin, Bhatia & Jensen, 2002; Deutch, 2003; Emelyanova, 2017; Northcott & Brown, 2006; Soroka, 2019). Nevertheless, research on the use of CBI in teaching legal English at the tertiary level is still limited. In 2020, Chendeb evaluated the effectiveness of integrating content and language in teaching legal English. The above-mentioned research is the cornerstone for this study regarding how CBI was adopted in teaching ESP. This study focuses on the teacher’s views towards CBI in legal English teaching.

## 3. *Methodology*

### 3.1. *Research Method and Instruments*

According to Barkhuizen, Benson and Chik (2014), narrative inquiry combines storytelling and research. Researchers utilize stories as research data and learn from the produced stories. Narrative inquiry draws on “long-term experiences through retrospection and imagination” (p. 14). Multiple methods of data sources are also adopted in narrative inquiry (Barkhuizen, Benson & Chik, 2014). This study employed qualitative data from (1) an interview and a narrative frame, (2) classroom observation and (3) teacher’s lesson plans.

The preliminary interview was to learn about the participant's educational background and his teaching experiences. The narrative frame in the present study was adapted from the conceptual framework for outlining course programmes by Wette and Barkhuizen (2009). The narrative frame included three parts, the first part was about the teacher’s experiences of language teaching before ESP teaching and CBI adoption, as well as the initial experiences with the CBI approach, the second part presented the teacher’s recent experiences

with CBI, the last part focused on the teacher's projection to improve his teaching. Each part included reflective elements from the four frames by Wette and Barkhuizen (2009) that are second language teaching and learning, research methodology, language curriculum and material development, and assessment in the language curriculum. The narrative frame was structured following three commonplaces of narrative inquiry by Clandinin and Rosiek (2007), including temporality, sociality and place. In the first dimension, events, people and objects in a state of temporal transition are described with a past, a present, and a future. The second dimension of sociality is about personal and social conditions. Finally, the third dimension contains information about the physical locations where the investigation unfolds.

Classroom observation and teacher's lesson plans were employed to find out how ESP lessons were delivered as well as how students participated in the lessons. Data from classroom observations and lesson plans reinforced the teachers' viewpoints on the CBI approach and explored how the CBI approach has been applied in teaching legal English. Observations help the researcher learn participants' points of view and self-interpretations of what they believe and how they behave (Gray, 2004). The third data source was the teacher's lesson plans, in which the researcher could see how the ESP teacher prepared the lessons, what were the lesson objectives, and how the teacher designed the activities to meet the objectives of the lessons. Larsen-Freeman and Anderson's (2011) principles of the application of CBI in English classes were used as a framework for building an observation scheme and analysing data from classroom observation. Moreover, stages of designing lesson plans by Shrum and Glisan (2010) were adapted to evaluate teacher's lesson plans.

### ***3.2. Procedure of Data Collection and Analysis***

The interview took place at the beginning of the study. The participant then completed his reflection on teaching legal English using a narrative frame. Particularly, he gave instructional practices when he taught legal English including the teaching approaches, the teaching materials that he used and developed; he also provided information regarding his professional responsibilities and development.

In addition to the interview and teacher's reflection, the researcher observed and examined the lesson plans of four legal English classes, including 2 listening classes and 2 reading classes because those were the available courses he taught during the semester the researcher conducted the study. During classroom observations, the researcher took detailed field notes to understand the teacher's teaching practice. The way the ESP teacher delivered the lesson and the students' engagements in class were recorded. The researcher also took notes on some important aspects regarding the target learners and teaching approach to develop a narrative frame. The field notes could enrich the teacher's story and produce insights into his teaching practice.

The interview, teacher's story and field notes were coded. Thematic analysis was employed to explore and describe the teacher's story. The data obtained from classroom observations were organized and described by key events and settings. The researcher paid attention to the participant's teaching practice, teaching materials, challenges, and learners' differences.

### ***3.3. Pedagogical Setting and Participant's Profile***

The research was conducted in a public university based in Ho Chi Minh city. The faculty of languages provided English

training for English-majored students and students taking the advanced programs. For the English-majored students, specialized in legal English, they had to complete legal English skills courses (legal listening, legal reading, legal writing, and legal speaking) before moving on to other courses including legal drafting and translation. The required materials were *Introduction to International Legal English* by Amy Krois-Lindner and Matt Firth, *International Legal English* by Amy Krois-Lindner, and the materials developed by lecturers in the faculty.

In this study, purposeful sampling was used, in which the participant was “selected purposefully to permit inquiry into and understanding of a phenomenon in-depth” (Patton, 2014, p. 104). The participant complied with the following criteria, that is, the teacher was (1) teaching legal English, (2) experiencing the CBI approach in teaching legal English, and (3) acknowledging the importance of the CBI approach in teaching ESP. The participant of the research was one teacher that fit the criteria. The inquiry examines Mr. Trung’s narrative of legal English teaching. Mr. Trung (a pseudonym) holds a Master's degree in Education, specializing in teaching English for speakers of other languages (TESOL) from an overseas institution. Mr. Trung has been teaching English for seven years. He undertook the journey of teaching English for Legal purposes in 2019 by the faculty’s appointment. He did not have expert knowledge in law. Being shifted to teach Legal English was a challenge for Mr. Trung. He wanted to teach general English first and learn more about legal English before he could officially transform to ESP teaching. However, the faculty needed a lecturer teaching this part of the curriculum. He was young and unmarried, so he had plenty of time to conduct some research on legal English, compared to other candidates who were also accepted as lecturers at that time. Currently, Mr. Trung was in charge of

teaching legal English courses; particularly, he taught language skills, listening, speaking, reading, writing, and a course of legal drafting.

## 4. Findings and Discussion

### 4.1. Teaching Story

#### 4.1.1. In the Past

As Mr. Trung shared in his story about teaching general English and Academic English (test preparation), he believed that with the experience of teaching different groups of students, with different levels and at different ages, he was confident when “*presenting and performing*” himself in front of the learners, as well as when he had to deal with new materials. Mr. Trung asserted that he has “*acknowledged what he should do with learners and how to improve their language proficiency.*” However, teaching ESP courses is new for him, and requires him to learn a lot, both the teaching method and the discipline-specific competence. As Hutchinson and Waters (1987) claim that the difference between teachers teaching general English and ESP practitioners, ESP teachers have to adapt themselves to a new environment because they have not been trained with specialized knowledge of the subject.

Mr. Trung was not officially taking any classes in the first semester. He attended classes of the former lecturers in the faculty, learned the way they delivered the lesson, how they set up the activities, and gave explanations to their students. He also read a bunch of materials related to law and legal English, and sought help from other lecturers who had experience in legal English teaching. His supervisor also allowed him to practice teaching several lessons. Although not officially, his very first experience in legal English teaching was legal drafting. This subject, as Mr. Trung said, was the hardest. Talking about the difficulties

Mr. Trung had to face when he started to transform to legal English teaching, he stated: “...one of the greatest concerns was the specialized knowledge and the teaching strategies to students majoring in Legal English”. Regarding the content matter, Basturkmen (2019) notes that ESP teachers are aware of the importance of the need for disciplinary content knowledge. However, some subjects are much easier to learn than others. A teacher of legal English has to learn a lot regarding the language of the law, when the language is utilized, how a court works and also the legal terminologies. Nevertheless, not all English teachers know these aspects of law very well. As for Mr. Trung, he could not deliver the lessons successfully and sufficiently, making his time in class become stressful and sometimes, there were embarrassing moments. Although he was carefully noted down every term and predicted what students might ask, unexpected situations happened. As a novice ESP practitioner, he sometimes could not handle everything. Mr. Trung posited: “the explanations of some chapters, related to the legal field, have not been expressed well, satisfied my students’ expectations.” Mr. Trung emphasized that did not teach law, he was a teacher of English. Helping students acquire legal knowledge was out of his responsibilities. In this regard, Wu and Badger (2009) state that the content matter is not the responsibility of ESP teachers. ESP teachers, in fact, deal with “the notion of a process and the language used to realize that notion” (p. 21) Atay, Kaslioglu and Kurt (2010) provide strategies for ESP teachers is to avoid students questions related to the subject matter if they are not sure about the answers. They can state directly that their knowledge in the field is limited. ESP teachers can consult the students for explanations and answers to such questions.

Mr. Trung’s students were those who majored in the English language, specialized

in Legal English. Not only did they study languages, but they also dealt with law subjects to gain background knowledge supporting them with legal English subjects. Teaching legal English majored students required Mr. Trung to “enrich the specialized knowledge and update information from various sources.” Furthermore, the difference between the meaning of words in legal English and their meanings in general English is one of the challenges he encountered in his teaching preparation. As Haigh (2009) mentioned, some words used in legal contexts have different meanings as their normal uses. Mr. Trung also admitted that “the lack of essential materials for professional practice has become the major hindrance in preparation of lessons and projects.” As a result, he had to devote a lot of time to decide the appropriate materials and sources to prepare the lessons; as well as choose the appropriate teaching methodology to make sure that he could successfully deliver the lessons to the students.

Tran et al. (2019) in the evaluation of ESP courses conclude that the teaching practice of teachers in charge of ESP courses did not encourage students’ communication. The teacher’s lectures took up most of the class time, and activities were all in the coursebook. Thus, this teaching methodology is teacher-centred, not student-centred. During the time of observing and doing research on teaching ESP, Mr. Trung realized that ESP lessons also aimed to help students develop their English skills like in other English courses; therefore, lecturing is not considered an effective way to teach ESP. This is in line with Poedjiastutie’s (2017) statement that ESP courses help learners develop not only the ability to read and understand the materials in their fields but also speaking and writing skills. ESP and other forms of English teaching are not different although the contents may vary (Hutchinson & Waters, 1987).

As the textbook was utilized for four courses and divided into smaller sections for different teachers in charge, the content of one lesson was limited. This requires Mr. Trung to extend the teaching content and prepare more activities for his class. Mr. Trung wanted his students to understand the terms through explanations and examples taken from authentic legal contexts so that they could have more motivation and specific purposes to use their target language. Students, moreover, need more opportunities to produce the language rather than listening to the lectures. Mr. Trung intended to integrate English skills in his teaching although his assigned sections were to focus on one skill. Furthermore, he avoided utilizing the grammar-translation method in his teaching practice. Hence, all of this encouraged him to apply the CBI approach in his teaching. As Pham and Ta (2016) mentioned, the integration of content matter and language in teaching materials engages the learners into the lessons. The combination of legal language and legal system knowledge is important to fulfil the aim of contextualized learning (Husinec, 2011). Through the application of the CBI approach, Mr. Trung found out that his students asked him more questions to “*satisfy their curiosity*” as well as use his explanations as further reference. He noted: “*Sometimes, I had to accept that my students could be one of the valuable sources in search of materials and essential knowledge.*” Students’ output plays an important role in their language acquisition. Richards and Rodgers (2001) find that students’ knowledge of the subject matter and their previous experience are the foundation of CBI. According to Swain (1985), the output is considered a valuable source that learners create in attempts to produce the correct language to express what they want to say, their ideas. “Comprehensible output is a necessary mechanism of acquisition independent of the

role of comprehensible input. Its role is to provide opportunities for contextualized, meaningful use, to test out hypotheses about the target language” (p. 252).

#### 4.1.2. At Present

Mr. Trung’s teaching practice has been improved at present. However, difficulties were still there. He tried to guide students to focus on the points he prepared beforehand. He focused on language only and avoided answering questions related to law, which was not his specialized area and also not the objective of the lessons that the students had to achieve. Moreover, the difference between law systems makes the explanation sometimes become challenging. Legal English is “the language of Anglo-American common law” (Frade, 2007, p. 48), while Vietnamese law is based on the civil law system.

Mr. Trung asserted that his challenge was teaching writing skills. This productive skill, for him, is the hardest one. Teaching legal writing was difficult because of the nature of writing in legal contexts, and different types of writing. In the discussion about legal writing material, Candlin, Bhatia, and Jensen (2002) point out that “although most of the books surveyed discuss legal language, they often fail to adopt a principled language-based approach to teaching legal writing” (p. 308). Legal writing materials are presented from a legal perspective, and fail to achieve the logical connection by making linguistical or discursive integration of the materials (Candlin, Bhatia & Jensen, 2002).

Teaching material is also one of the biggest concerns. According to Medreaa and Rus (2012), teaching ESP has to deal with the constant changes in terms of political-economic and social trends; these changes require teachers of legal English to keep up with the ever-changing needs and provide themselves with the requisite skills. Mr. Trung became more flexible in using

teaching materials; he has collected various resources that helped him in his teaching. The materials are from books, a variety of legal documents like contracts, news, making sure students had opportunities to learn with materials including relevant content in real life, equipped them with hands-on experience. Authentic texts assure the success of ESP; for that reason, materials have to make sure that law students achieve cross-disciplinary results (Emelyanova, 2017). Furthermore, learners may have more motivation to learn with specialized materials since they can see the relevance between knowledge and subject matter. However, students may lose their interest if the text is too difficult. Also, the materials must be operated effectively by teachers; otherwise, there is no point to expect that teachers are able to cope with the text. If materials and the knowledge and competence of the teachers in charge are not compatible, those materials should not be utilized (Hutchinson & Waters, 1987). It's easier for new teachers of legal English to learn the materials thoroughly and rely on the coursebook. With more experienced teachers, creating their own teaching materials based on the syllabus and students' needs is necessary (Soroka, 2019). Legal English teachers' duty is more demanding because they have to keep up with the changing needs of students as well as with the new and continually changing circumstances (Medrea & Rus, 2012).

Mr. Trung students were both law students and English-majored students. There were some differences between the two groups of students in terms of their law knowledge and their English language proficiency. He emphasized that when teaching ESP for law students, "*CBI played a crucial role over time.*" Mr. Trung highlighted that teaching law students was more difficult in comparison to teaching English-majored students. He posited:

*"...the experience in law and the specialized content are my limitations when I am working with law students, who have been equipped with law knowledge. Moreover, the law includes a variety of aspects and fields which are divided into units and integrated into their subjects. More importantly, those law subjects are taught in English, so my sessions are to confirm what they have learnt with other teachers and help them to improve their language. Therefore, knowledge of the law, which is not equipped and absorbed in proper ways, has become my great burden over time."*

McDonough (2010) posits that teaching students who have expert knowledge would make the teacher's talk more challenging. Teaching materials, therefore, should offer support for teachers. Moreover, Medrea and Rus (2012) indicate that when teaching legal English for learners with expert knowledge, the learners become the most valuable resource. In this case, teachers play the role of learners and learn from the learners themselves to make changes to the materials used.

Teaching English-majored students was a more relieving experience because their knowledge of the law was basic so that the teacher could handle everything better. Mr. Trung noted:

*"...teaching Legal English to these learners only provides fundamental knowledge in general. For the expansion of a particular aspect of the law, these students will be absorbed and obtained later in other sessions. Moreover, they are majoring in English and using this language in most of the subjects in*

*classrooms, so they will have their own skills and techniques in research of all kinds of the materials.”*

The target learners' backgrounds are also important as to whether the ESP teachers need to have professional content knowledge. Teaching pre-experienced learners requires ESP teachers to have a fundamental knowledge of the subject. Teaching experience students of the field, on the other hand, requires ESP teachers to possess in-depth coverage of different aspects of the field (Robinson, 1991, as cited in Lesiak-Bielawska, 2015, p. 3).

#### **4.1.3. In the Future**

Mr. Trung emphasized that collaboration and support from law teachers are vital when applying the CBI approach in teaching legal English. Moreover, he was still in the process of collecting more materials and planned to compile different materials to be suitable for his students. Cammarata (2010) reports that ESP teachers “typically rely on textbooks to prescribe increasingly challenging linguistic content and thus are usually not experts at gauging how to bring learners to higher levels of content and linguistic sophistication by themselves” (p. 109). One of the constraints in legal English education is the lecturers' law training. Mr. Trung also planned to devote time to take a law degree, because his teaching would definitely improve when he received proper law education. As Deutch (2003) stated, whereas legal English lecturers are required to work on highly professional law material, a lot of them have not received law education. Furthermore, the objectives of Mr. Trung's lessons included the development in legal knowledge, since language and the law have a close relationship. Legal English materials aim to develop their language skills within law topics; therefore, students' development in law knowledge is one of the objectives of the courses (McDonough, 2010).

#### **4.2. Observations and Lesson Plans**

From the teacher's lesson plans and from what the researcher noticed during classroom observations, students in Mr. Trung's classes engaged in the lesson, they strived through the knowledge and the pieces of language under their teachers' pedagogical scaffolding. Different scaffolding strategies were used to assist students such as asking questions, modelling, and representing texts in different ways. The teachers ask some prompt questions to inquire students to give more details, to explain or to confirm their points towards the topics. The lesson plans present well what the teacher did in class. Careful notes were made so that the teacher could cope with possibly unexpected situations that could happen during the lessons. Materials included not only textbooks, but also other materials (i.e., videos, recordings, legal documents, stories).

In his listening class, students had chances to utilize their disciplinary knowledge and produce the language when they worked together to discuss or solve problems. Authentic materials were inserted into the lessons. The teacher made use of video clips about law and language to design tasks for students. Tasks could be discussions, or listening skills practice such as short answer questions or blank filling. In his legal reading class, students had opportunities to discuss what they know about the topics, the discipline knowledge they had acquired beforehand. Mr. Trung showed the example of teaching legal reading through combining languages and subject matter. The lesson begins with an initial discussion led by the teacher. Language serves as the medium helping them to reinforce and develop their subject content. Then, tasks were divided into a series of steps; an overview of the task was given to students, examples and verbal clues

were provided. Completing the reading activities helped learners not only with their reading skills but also obtain new knowledge. The language study and disciplinary learning were then put into another discussion to link their previous information and the new ones. Interactions among students were encouraged during the discussions. Through classroom discussion, students had opportunities to exchange their ideas with their peers and the teacher, making arguments and commenting on others' perspectives, thus enhancing and reinforcing their knowledge and the language used. As Brenes (2010) indicates, CBI lessons and materials must be student-centred. Learners take the responsibility to expand the subject content, and teachers play the role of facilitators. The teaching practice of the teacher in charge demonstrated the principles and features of content-based instruction by Basturkmen (2006) and Larsen-Freeman and Anderson (2011). Firstly, teaching was developed from students' previous experience in the disciplinary field. Secondly, the teacher scaffolds students in the language performance process. Also, students learn the target language within authentic texts and tasks. The teacher provides language support as students need when they deal with the subject matter. Next, students approach the target language holistically. Finally, the CBI approach helps students develop communicative competence.

### **4.3. Discussion**

Data gathered from Mr. Trung's answers to the interview questions and his teaching story has indicated that Mr. Trung has a positive view on the utilization of CBI in teaching legal English. His teaching identity is dynamic and became more effective when he started teaching with the CBI approach. From the doubt of himself when transforming to ESP teaching, he now grew to be a successful ESP instructor that

develops students' language competencies and motivates students to use the target language in real-life context with his content-based instruction. So far, Mr. Trung has been applying the reactive approaches in his CBI practice. With reactive approaches, teachers focus on students' language performance. Proactive approaches, on the other hand, require teachers in charge to react to both content and language production (Tedick, 2018).

Data collected from Mr. Trung's teaching story, classroom observation and sample lesson plans has shown that to apply CBI effectively in legal English teaching, the teachers in charge have to consider three main aspects including the subject knowledge of teachers and teaching-learning resources.

The teacher expressed concerns over the unique characters of legal English compared to general English and the difference between legal systems. As Northcott (2013) points out that "legal language is system-bound which means that many legal terms denoting concepts derive their meanings from a particular legal system and can only be understood by reference to the specific legal system" (p. 218). Different legal systems accommodate terms that cannot be compared to another legal system especially when that system is in relation to a common law country where language performs a key role.

The findings of this study also highlight the role of ESP teachers and the dilemma that they have to face when teaching legal English. This confirms the fact that ESP teachers have to make every effort to learn both language and the subject content, which they do not have any experience with beforehand. Many ESP teachers have not received proper training, and they need to adapt themselves to an unfamiliar environment Hutchinson and Waters (1987). They claim that what ESP

teachers need is to pursue fundamental knowledge of the subject matter, not to acquire specialist knowledge. “The ESP teacher should not become a teacher of the subject matter, but rather an interested student of the subject matter” (Hutchinson & Waters, 1987, p. 163). Applying the CBI approach successfully requires not only a lot of effort from legal English teachers but also support from law teachers.

Teachers have to build up the materials carefully. A single coursebook cannot fulfill all students’ needs and equip students with complete training for the future workforce (Medrea & Rus, 2012). Students were also sources of materials as they brought their disciplinary knowledge into the classroom. Their need for language support arose when they encountered problems with the given tasks. Both input-output and output-input strategies were employed in teaching legal English. In this regard, Basturkmen (2006) states that teachers assist students by explaining the way language works, by engaging them in authentic materials and activities. Moreover, students are exposed to situations that urge them to perform the target language. When students produce language, they realize whether their interlanguage is ready for the performance. According to Medrea and Rus (2012), students can provide genuine resources, and teachers, in addition to gaining new teaching abilities, have the opportunity to understand their students.

## 5. Conclusion

To fulfil the aim of legal English lessons, language knowledge must be supplemented with adequate knowledge of the law. In terms of the benefits of what the CBI approach can bring into legal English classrooms, content-based instruction plays a significant role in developing students’ language proficiency, especially the language needed for law careers.

Nevertheless, it should be noted that CBI is a challenge for novice teachers who do not have adequate knowledge of the law. Practicing CBI requires lecturers to prepare not only the language but also the fundamental principles of subject matter knowledge to maximize the effectiveness of engaging students in the lessons. Materials used must be authentic and support both teachers and learners. Proper training must be held to support teachers to be ready for transforming from general English teaching to ESP teaching.

This paper presents some of the issues in terms of the application of CBI in teaching legal English via the teacher’s viewpoint during his teaching practice. The researcher acknowledges the limitations of the study with regard to how students feel about this approach and the effectiveness of CBI in comparison to other teaching approaches. Because this is a single case study, the results cannot be generalized. This paper, nonetheless, hopefully, presents a basis from which future works can be developed.

## References

- Atay, D., Kaşlıoğlu, Ö., & Kurt, G. (2010). Turkish students’ and teachers’ perspectives on ESP instruction. In *Conference proceedings: The Sixth International ELT Research Conference* (pp. 386-389).
- Badger, R. (2003). Legal and general: Towards a genre analysis of newspaper law reports. *English for Specific Purposes*, 22, 249-263.
- Barkhuizen, G., Benson, P., & Chik, A. (2014). *Narrative inquiry in language teaching and learning research*. Routledge.
- Basturkmen, H. (2006). *Ideas and options in English for specific purposes*. Lawrence Erlbaum Associates, Inc.
- Basturkmen, H. (2019). ESP teacher education needs. *Language Teaching*, 52(3), 318-330.
- Bhatia, V. (1987). Language of the law. *Language Teaching*, 20, 227-234.
- Brenes, C. A. (2010). Using content-based instruction to create a sample lesson for the English

- course oral communication I, at the University of Costa Rica. *Actualidades Investigativas en Educación*, 10(2), 1-35.
- Brinton, D. M. (2013). Content-based instruction in English for specific purposes. In C. A. Chapelle (Ed.), *The encyclopedia of applied linguistics* (pp. 897-906). Blackwell Publishing Ltd.
- Butler, Y. G. (2005). Content-based instruction in EFL contexts: Considerations for effective implementation. *JALT Journal*, 27(2), 227-245.
- Cammarata, L. (2010). Foreign language teachers' struggle to learn content-based instruction. *L2 Journal*, 2, 89-118.
- Cammarata, L., Tedick, D. J., & Osborn, T. A. (2016). Content-based instruction and curricular reforms: Issues and goals. In L. Cammarata (Ed.), *Content-based foreign language teaching: Curriculum and pedagogy for developing advanced thinking and literacy skills* (pp. 1-21). Routledge.
- Candlin, C., Bhatia, V., & Jensen, C. (2002). Developing legal writing materials for English second language learners: Problems and perspectives. *English for Specific Purposes*, 21, 299-320.
- Chendeb, H. M. (2020). Evaluation of CLIL approach in legal English pedagogy. *Journal of Arts & Humanities*, 9(2), 108-116.
- Clandinin, D. J., & Rosiek, J. (2007). Mapping a landscape of narrative inquiry: Borderland spaces and tensions. In D. J. Clandinin (Ed.), *Handbook of narrative inquiry: Mapping a methodology* (pp. 35-76). Sage Publishing.
- Deutch, Y. (2003). Needs analysis for academic legal English courses in Israel: A model of setting priorities. *Journal of English for Academic Purposes*, 2, 125-146.
- Dupuy, B. (2000). Content-based instruction: Can it help ease the transition from beginning to advanced foreign language classes? *Foreign Language Annals*, 33(2), 205-223.
- Emelyanova, T. V. (2017). Peculiarities of teaching legal English in multinational groups. *Procedia - Social and Behavioral Sciences*, 237, 1494-1499.
- Frade, C. (2007). Power dynamics and legal English. *World Englishes*, 26(1), 48-61.
- Gray, D. E. (2004). *Doing research in the real world*. SAGE Publications.
- Grossfield, B. (1985). Language and the law. *Journal of Air Law and Commerce*, 50(4), 793-803.
- Haigh, R. (2009). *Legal English*. Routledge-Cavendish.
- Howe, P. (1990). The problem of the problem question in English for academic legal purposes. *English for Specific Purposes*, 6, 215-236.
- Hudson, T. (1991). A content comprehension approach to reading English for science and technology. *TESOL Quarterly*, 25(1), 77-104.
- Husinec, S. (2011). The importance of content knowledge for successful legal language acquisition. *Research in Language*, 9(1), 125-133.
- Hutchinson, T., & Waters, A. (1987). *English for specific purposes - A learning-centered approach*. Cambridge University Press.
- Juraev, A., & Sobirov, T. (2017). Content-based instruction in teaching tourism and economics courses. In Rezekne Academy of Technologies (Eds.), *Society. Integration. Education: Proceedings of the International Scientific Conference* (Vol. I, pp. 208-215).
- Larsen-Freeman, D., & Anderson, M. (2011). *Techniques and principles in language teaching*. Oxford University Press.
- Lesiak-Bielawska, E. D. (2015). The role of discipline-specific knowledge in ESP teaching. *English for Specific Purposes World*, (47), 1-15.
- McDonough, J. (2010). English for specific purposes: A survey review of current materials. *ELT Journal*, 64(4), 462-477.
- Medrea, N., & Rus, D. (2012). Challenges in teaching ESP: Teaching resources and students' needs. *Procedia Economics and Finance*, 3, 1165-1169.
- Nguyen, T. T. N. (2019). Content-based instruction in teaching tourism. In VNU University of Languages and International Studies (Eds.), *Kỷ yếu Hội thảo Khoa học Quốc tế: Dạy và học ngoại ngữ gắn với chuyên ngành trong bối cảnh hội nhập quốc tế: Lý luận và thực tiễn* (pp. 160-168). VNU Publishing House.
- Northcott, J. (2013). Legal English. In B. Paltridge & S. Starfield (Eds.), *The handbook of English for specific purposes* (pp. 213-226). Wiley-Blackwell.
- Northcott, J., & Brown, G. (2006). Legal translator training: Partnership between teachers of English for legal purposes and legal specialists. *English for Specific Purposes*, 25, 358-375.

- Parkinson, J. (2000). Acquiring scientific literacy through content and genre: A theme-based language course for science students. *English for Specific Purposes*, 19, 369-387.
- Patton, M. Q. (2014). *Qualitative research & evaluation methods: Integrating theory and practice*. SAGE Publishing.
- Pham, A. H., & Ta, B. T. (2016). Developing a theoretical framework for ESP teacher training in Vietnam. *The Asian ESP Journal*, 12(1), 66-84.
- Poedjiastutie, D. (2017). The pedagogical challenges of English for specific purposes (ESP) teaching at the University of Muhammadiyah Malang, Indonesia. *Educational Research and Reviews*, 12(6), 338-349.
- Richards, J., & Rodgers, T. (2001). *Approaches and methods in language teaching*. Cambridge University Press.
- Robinson, P. C. (1991). *ESP today: A practitioner's guide*. Prentice Hall International.
- Ryshina-Pankova, M. V. (2016). Scaffolding advanced literacy in the foreign language classroom: Implementing a genre-driven content-based approach. In L. Cammarata (Ed.), *Content-based foreign language teaching: Curriculum and pedagogy for developing advanced thinking and literacy skills* (pp. 51-76). Routledge.
- Shiflett, M. (2017). Development of legal English. *International Journal of Novel Research in Education and Learning*, 4(2), 108-110.
- Shrum, J. L., & Glisan, E. W. (2010). *Teacher's handbook: Contextualized language instruction*. Heinle, Cengage Learning.
- Song, B. (2006). Content-based ESL instruction: Long-term effects and outcomes. *English for Specific Purposes*, 25, 420-437.
- Soroka, I. A. (2019). Legal English: Particularities and challenges of teaching. *Current Issues of Philology and Translation Studies*, 15, 73-76.
- Swain, M. (1985). Communicative competence: Some roles of comprehensible input and comprehensible output in its development. In S. Gass & C. Madden (Eds.), *Input in second language acquisition* (pp. 235-253). Newbury House.
- Tedick, D. J. (2018). Teacher development for content-based instruction. In S. Madya, F. A. Hamied, W. A. Renandya, C. Coombe & Y. Basthomi (Eds.), *ELT in Asia in the digital era: Global citizenship and identity* (pp. 3-14). Routledge.
- Tran, D., Hoang, T., Le, G., Vu, N., Bui, G., & Cao, H. (2019). An evaluation of English for specific purposes courses at a Vietnamese university. *VNU Journal of Foreign Studies*, 35(5), 41-53. <https://doi.org/10.25073/2525-2445/vnufs.4419>
- Wette, R., & Barkhuizen, G. (2009). Teaching the book and educating the person: Challenges for university English language teachers in China. *Asia Pacific Journal of Education*, 29(2), 195-212.
- Wu, H., & Badger, R. (2009). In a strange and uncharted land: ESP teachers' strategies for dealing with unpredicted problems in subject knowledge during class. *English for Specific Purposes*, 28, 19-32.
- Yang, J. Y., & Chen, W. C. (2015). Students' perspective of using content-based approach in ESP class. *English Language Teaching*, 8(8), 18-30.

## Appendix

### *Pre-Interview Questions*

1. What is your highest qualification?
2. How long have you been teaching English?
3. How long have you been teaching legal English?
4. Why did you decide to teach legal English?
5. Why did you decide to apply CBI in your teaching?

### *Narrative Frame for English Lecturer*

#### *In the past*

When I first started to teach English, \_\_\_\_\_. When I started to teach legal English \_\_\_\_\_ (how did you feel, what challenges/ difficulties you had, what teaching methodology you employed). My students were \_\_\_\_\_ (law students, legal English students, the different between students). In my teaching preparation, I \_\_\_\_\_. In my own classroom, I had the power to \_\_\_\_\_. I applied content-based instruction because \_\_\_\_\_. I thought content-based instruction was \_\_\_\_\_ (the effectiveness of content-based instruction, the difficulties when applying content-based instruction). What I learnt from my teaching experiences was \_\_\_\_\_. I realized that my limitations were \_\_\_\_\_ this was probably because \_\_\_\_\_ (your qualification, teaching materials, teaching methods). I felt I needed to \_\_\_\_\_.

#### *At present*

I believe \_\_\_\_\_ in my teaching (change/ improve/ not improve). My students were \_\_\_\_\_ (law students, legal English students, the different between students). In my teaching preparation, I \_\_\_\_\_. In my own classroom, I have the power to \_\_\_\_\_. I apply content-based instruction approach because \_\_\_\_\_. I thought content-based instruction is \_\_\_\_\_ (the effectiveness of content-based instruction, the difficulties when applying content-based instruction).

I have made \_\_\_\_\_ changes in my teaching practices. Those changes are \_\_\_\_\_ (teaching methodology, teaching materials). My challenges are \_\_\_\_\_. This is probably because \_\_\_\_\_.

#### *In the future*

In the future, I am going to try to change \_\_\_\_\_, learn \_\_\_\_\_. I will feel \_\_\_\_\_ when I \_\_\_\_\_.

### *Criteria for Lesson Plan Evaluation*

Stage 1. Identify desired results:

- A. Context/Theme/Topic/Idea
- B. Objectives
- C. Goal Areas/Standards
- D. Learners (Information about the learners, background knowledge learners need, adaptation needed to meet learners' needs)
- E. Materials

Stage 2. Determine acceptable evidence showing that learners have produced desired results

Stage 3. Plan learning experiences: Activities, teacher's tasks, learners' tasks, teacher-learners interaction

### *Criteria for Lesson Observation*

1. Language competencies work with the content selected.
2. Students' prior experience should be utilized in the classroom.
3. The teacher then creates activities to scaffold the language needed for the study of the content.
4. Learners are motivated to learn when they see the value in their language use.
5. There are contextual hints to help express the meaning of the vocabulary
6. Skills, vocabulary and grammar are integrated into an authentic context.
7. Students receive language support when they deal with the subject matter.
8. Students learn the language with authentic texts and tasks.
9. The discourse organization of academic texts is provided
10. Students participate in the activities actively with the subject matter and target language, use the subject knowledge to learn the target language and vice versa.
11. The teacher corrects student errors either by pointing out their mistakes or helping them make their own correction.

## **NGHIÊN CỨU TƯỜNG THUẬT VỀ ỨNG DỤNG CỦA PHƯƠNG PHÁP DẠY HỌC NGOẠI NGỮ DỰA TRÊN KIẾN THỨC CHUYÊN NGÀNH TRONG GIẢNG DẠY TIẾNG ANH PHÁP LÝ**

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**Tóm tắt:** Dạy học ngoại ngữ dựa trên kiến thức chuyên ngành (CBI) đã được sử dụng rộng rãi trong giảng dạy tiếng Anh chuyên ngành. Nghiên cứu này nhằm mục đích tìm hiểu quan điểm của một giảng viên về việc áp dụng phương pháp CBI trong giảng dạy tiếng Anh pháp lý. Khung tường thuật được sử dụng như nguồn dữ liệu chính để tìm ra quan điểm của giảng viên về phương pháp CBI. Đối tượng nghiên cứu sẽ viết một bài tường thuật về quá trình giảng dạy tiếng Anh pháp lý từ quá khứ đến hiện tại, và dự định sắp tới trong tương lai. Dữ liệu cũng đến từ việc quan sát lớp học và giáo án của giảng viên. Kết quả nghiên cứu cho thấy việc áp dụng phương pháp CBI đã góp phần vào việc phát triển tiếng Anh pháp lý của sinh viên. Sinh viên có cơ hội học và sử dụng ngôn ngữ đích trong môi trường mà việc tiếp thu ngôn ngữ diễn ra thông qua các kiến thức chuyên ngành. Bài báo cũng chỉ ra những vấn đề giảng viên phải đối mặt bao gồm tài liệu giảng dạy và kiến thức chuyên ngành của giảng viên.

*Từ khoá:* dạy học ngoại ngữ lồng ghép kiến thức, tiếng Anh pháp lý, tiếng Anh chuyên ngành