

Teaching Legal Language to Law Students: Challenges, Approaches, and Practical Insights

تدريس اللغة القانونية لطلبة الحقوق: التحديات والمقاربات والتطبيقات العملية

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Abstract:

Teaching a foreign language for law students is not an easy task for many reasons; the utmost of them is related primarily to their levels and specialty.

In this regard, this study will discuss first of all the notion of LSP in the legal field and focuses then on how should a foreign language teacher address this important issue and what are the best ways to tackle this thorny question.

Proceeding from this fact, we will give many samples of French and English courses dealing with this matter highlighting focal differences between ordinary language and legal one.

We target also through this presentation to give simple approaches and answers over the easiest ways and methods to grasp and understand legal terminology for law students and all interested parties herein.

To conclude, we seek to give some recommendations to help improve foreign language teaching methods in Law's Departments in order for both students and all legal professionals to improve their skills and competencies and notably to take pace with working requirements later on.

Keywords: French and English legal teaching samples - language for special purposes - law professionals and practitioners - law students' language issues - legal language.

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Introduction

Scholars have offered a range of definitions for English for Specific Purposes (ESP), reflecting its multifaceted nature and its practical orientation. Mackay and Mountford (1978, p. 2) define ESP as the teaching of English for “a clearly utilitarian purpose,” emphasizing the link between language learning and real-world needs. Similarly, Robinson (1980, p. 2) explains that learners engage with ESP not out of interest in English language or culture per se, but because they require it for study or professional purposes. Anthony (1997, p. 1) observes that while some define ESP broadly as “the teaching of English for any purpose that could be specified,” others make a clearer distinction between English for Academic Study (EAS), English for Vocational Purposes (EVP), and English for Professional Purposes (EPP). Supporting this more focused view, Basturkmen (2006, p. 18) states that ESP instruction is not concerned with language learning for its own sake or general education, but is intended “to smooth the path to entry or greater linguistic efficiency in academic, professional or workplace environments.”

Firstly :Main features of Language for Special Purposes (LSP)

Language for Special Purposes (LSP) is marked by a number of distinctive features that set it apart from general language use. It is tailored to serve the specific communicative needs of a particular field or profession. Among its most notable characteristics are the following:

1. Accuracy and clarity

The most important characteristic that a drafter of a legal document must possess is accuracy and clarity, because drafting a legislative article or a contract in a way that may have many and contrasting interpretations leads the party involved to the horrors of litigation and courts.

Legal language is characterized by its directness, far removed from rhetorical styles because the use of such methods leads to the weakening of the text, or even the destruction of its entity; that's why such methods are prohibited in legal language.

Then, this language is related in content in term of themes and topics to particular paths, occupations and activities. Besides, it is designed in contrast to general English. Furthermore, it is focused on the language adequate to those activities in syntax, lexis, registers discourses, semantics and discourse analysis.

2. Inclusiveness (understanding all aspects of meaning)

The second task is no less important and dangerous than the first. To clarify this task, let's assume the following example:

Suppose the drafter of the legal document is asked to draft a rental contract, then there is no doubt that rent is one of the features of this contract, and the question here is the following: does the drafter of the document know the rent meaning? or, for example, will he write in his contract the sentence ‘The tenant is obliged to pay a monthly rent? If the drafter of the legal document is not fully aware, competent and informed of the definition of legal rent and its content in

terms of declarations, costs and maintenance, the legal document will fail to achieve its objective.

3. Respecting legal traditions (or following inherited legal traditions)

Legal language is considered to be one of the languages most influenced by inherited traditions and prevailing customs in its writing, so that it often seems that these traditions act like a tight, movement-limiting garment that the legal writer can neither remove nor replace. For instance, the use of distinctive formal patterns in the drafting of legal language and the use of some abandoned words.

Secondly: Types of Language for Special Purposes (LSP)

Due to the increasing range of occupations that fall under this field umbrella, it is today more vibrant with a huge number of terms created to fit this need.

Therefore, we can say that English is divided into two principal branches; English for Academic Purposes (EAP) and English for Occupational Purposes (EOP).

David Carter identifies three types of ESP; namely:

A-English as a restricted language: one obvious example of this English type is that used by air traffic employees such as waiters and controllers since the terms or repertoire used in this regard are strictly determined and limited as for the linguistic needs of an air hostess or dining -room. That's to say that the one working in this job or field can't use such terms or register outside this occupational environment.

B-English for Academic and Occupational Purposes: while some scholars consider that both English for Academic Purposes (EAP) and English for Occupational Purposes are categorized within the same path or shelter of English for Special Purposes and thus there is not a clear distinction between both fields since people can study and work simultaneously and the same language used once studying are generally used once moving into a working environment.

However, some others argue that English for special purposes are divided into English for Science and Technology (EST), English for Business and Economics (EBE) and English for Social Studies (ESS).

But we have to take into account that each of the above-mentioned categories many other subdivisions can be determined like English for Academic Purposes (EAP) and English for Occupational Purposes (EOP) since in the first one learner's need the language to study a field of interest such as law, history, technology whereas the second category learners need it in order to complete a part or a full of a job or occupation.

As for its destination, English for Academic Purposes can cover disciplines like legal, social, exact sciences or different sciences, humanities and arts, engineering, economics, sociology and psychology and so on.

As far as English for Occupational Purposes is concerned, it may include presentations for pilots, technicians, mechanical, medical or even technical jobs.

What we can conclude from what we have said above is that English for special purposes covers a wide variety of subfields, the most common of them are

English for Academic Purposes, English for Occupational Purposes, English for Vocational Purposes, English for Professional and Academic Purposes, English for Sociocultural Purposes, English for Medical Purposes, English for Academic Legal Purposes, English for Legal Purposes, English for Business Purposes, Vocational English as a Second Language, A English for Research Publication Academic Purposes, without ignoring the fact that in the light of this digital era one can add electronic business and medical English.

C- English with specific topics: like those designed to particular fields required in some areas because of target needs, it means what the learner needs to do in the target situation. Such targets may include three elements; that are necessities (required knowledge), lacks (present knowledge), wants (subjective needs).

Thirdly: Samples from French and English Legal courses for Law Students

For the benefit of law students, legal translators, and professionals conducting comparative legal studies between the legal systems of France and England, this collection of bilingual legal samples has been thoughtfully assembled. It offers a number of frequently used legal terms and clauses from the three main areas of law—criminal law, commercial law, and civil and professional law—and was created as an educational tool. In order to improve learners' comprehension of important legal concepts, encourage accurate legal translation, and foster cross-linguistic legal competency, these examples compare legal terminology and sentence structures in English and French.

The samples not only strengthen vocabulary and legal phraseology but also shed light on the legal systems of nations like Algeria, which combine aspects of international legal frameworks and the French civil law tradition. This resource provides a strong basis for learning legal language and comprehending the relationship between language and law in multilingual legal contexts, whether it is utilized in classroom instruction, legal drafting exercises, or translation practice.

1. In Penal Law:

The rights of the accused, the legitimacy of crimes and punishments, and the concepts of a fair trial are the main topics of this section, which also introduces important terms and concepts in penal law. With pertinent allusions to Algerian legal provisions, the bilingual examples aid students in comprehending how these fundamental legal concepts are articulated in both English and French.

A. The term "accused" is applied to a person who is arrested or put into police custody or in prison for transgressing the stipulations of the penal code, and whose trial is not undertaken yet.

French translation :

Le terme « accusé » s'applique à une personne arrêtée ou placée en garde à vue ou en prison pour avoir transgressé les dispositions du code pénal, et dont le procès n'est pas encore engagé.

B. The Algerian Legislator has set numerous guarantees to protect the accused from **arbitrary treatment** and **torture**, and supply him with every condition of **just and fair trial**.

French translation :

Le législateur algérien a prévu de nombreuses garanties pour protéger l'accusé contre l'arbitraire et la torture et lui assurer toutes les conditions d'un procès juste et équitable.

C. The enforcement of the rule of non-retroactivity of the penal laws:

French translation :

L'application de la règle de la non-rétroactivité des lois pénales

D. The principle of legality of crimes and penalties.

French translation :

Le principe de la légalité des délits et des peines.

E. The Penal Code takes no effect from a past date save for what is of less intense (punishment) ».

French translation : Le code pénal ne produit aucun effet à partir d'une date antérieure, sauf pour ce qui est des peines les moins sévères.

F. Every individual is considered innocent, until a regular judicial authority proves his conviction, with all the guarantees required by the law.

French translation :

Tout individu est considéré comme innocent, jusqu'à ce qu'une autorité judiciaire régulière établisse sa culpabilité, avec toutes les garanties exigées par la loi.

G. No conviction without referring to a law issued before the commission of the incriminating act».

French translation :

Aucune condamnation ne peut être prononcée sans référence à une loi antérieure à la commission de l'acte incriminé

H. Article 142 of the Algerian Penal Code:

The penalties are subjected to the two principles of conformity with legal proceedings and of the respect and protection of individual personality».

French translation :

Article 142 du code pénal algérien :

Les peines sont soumises aux deux principes de la conformité à la loi et du respect et de la protection de la personnalité ».

I. Article 01 of the Penal Code:

«No crime or penalty or security measures without the law».

French translation :

Article 01 du code pénal : « Pas de crime, ni de peine, ni de mesure de sûreté sans la loi ».

2. In Commercial Law:

Business operations, legal entities, and commercial transactions are governed by commercial law. It covers ideas like corporate structures, legal obligations, and company types. The main bilingual terms used in business law are introduced in this section, which aids students in comprehending and translating fundamental ideas such as partnerships, limited liability companies, and small and medium-sized businesses.

A. Enterprises, Firms, Companies, Societies
Entreprises, firmes, compagnies, sociétés

General terms used to describe business entities. In legal contexts, “company” and “société” usually refer to entities with legal personality recognized by the law.

B. Small and Medium-sized Enterprises (SMEs)
Petites et Moyennes Entreprises (PME)

Businesses with limited staff and turnover. SMEs are defined by specific thresholds (e.g., fewer than 250 employees in EU/Algerian criteria). Crucial for economic development.

C. Limited Liability Company (LLC)
Société à Responsabilité Limitée (SARL)

A company where partners’ liability is limited to their contributions. Common in French and Algerian law (see Algerian *Code de commerce*, Art. 564).

D. One-person Limited Liability Undertaking
Entreprise Unipersonnelle à Responsabilité Limitée (EURL)

A form of SARL with a single associate. Combines entrepreneurial flexibility with limited liability. Recognized in Algerian commercial law.

E. Company Status
Statut de la société

The founding legal document of a company, defining its legal form, purpose, capital, and governance. Equivalent to *articles of incorporation*.

F. Stock Holding Company
Société de portefeuille / Société holding

A company whose main activity is owning shares in other companies. Used for control and investment purposes.

G. Shareholding Company

Société par actions / Société anonyme (SA)

A company that issues shares to shareholders, who own parts of the company. Suitable for large businesses; regulated under *Code de commerce algérien*, Art. 592+.

H. Partnership

Société en nom collectif (SNC)

A company formed by partners with unlimited liability. Common for small family businesses; based on mutual trust

The bilingual terms examined in this section illustrate the basic vocabulary needed to understand and operate within the legal parameters governing business

activity for both English speaking and French speaking jurisdictions. By analyzing whether enterprise classifications or company structures (a wide range, from limited liability partners to partnerships and corporation), students will realize what constitutes the legal forms that inform commercial practice. In fact, this orientation not only develops learners' legal and linguistic capabilities, but forms essentials for them to better reference and engage in commercial law within multidimensional cross-border and multilingual context (think Algeria for example: a fusion of French civil law and the global practice of business).

3. In Civil and Professional Law:

The legal rules governing private relationships, contracts, individual rights, and the conduct of legal professionals are all included in civil and professional law. This section provides brief definitions and examples of important English legal terms that are frequently used in civil procedure, the legal professions, notarial practice, and court administration. Students of law and legal translation need to know these terms, especially in systems like Algeria that are influenced by both civil and common law traditions.

A. Civil Procedure Terms

- **Action:** A civil judicial proceeding in which one party (the plaintiff) prosecutes another (the defendant) to seek remedy for a legal wrong, enforce a right, or prevent further harm. The process typically requires formal notification to the opposing party (*service of process*).

- **Affidavit:** A written statement made under oath or affirmation, signed by the declarant and often notarized. It serves as evidence in legal proceedings.

- **Allegation:** A claim or assertion made by a party in a pleading, outlining what they intend to prove during litigation.

- **Harm Invoked:** The injury or damage a plaintiff claims to have suffered as the basis of the legal action.

- **Leave to Appeal:** Formal permission granted by a court allowing a party to challenge a decision in a higher court, such as a Supreme Court.

B. Legal Professions and Roles

- **Lawyer:** A general term for a legal practitioner qualified to represent clients and provide legal advice.

- **Attorney / Advocate / Barrister / Solicitor / Counsellor / Adviser:** These titles vary by jurisdiction. For instance, in common law systems :

- *Barristers* typically represent clients in court.
- *Solicitors* handle out-of-court matters and client consultation.
- *Attorneys* is the general term in the U.S.
- *Counsellor* or *Legal Adviser* may refer to any legal advisor in professional or corporate contexts.

- **Trainee Lawyer:** A law graduate undergoing practical training, usually prior to full admission to the bar or legal practice.

• **Plaintiff's Representative:** Phrases like “*in the name and behalf of the plaintiff*” are used when a lawyer acts formally on a client's behalf during proceedings.

• **Legal Fees:** Compensation for legal services, including consultations, filings, representation, and appeals.

• **Example:** *I retained a lawyer for my court case.*

C. Notarial Practice

• **Notary Public** (*Notaire* in French civil law systems): A public official authorized to authenticate legal documents, such as wills, marriage contracts, property transfers, and powers of attorney.

• Common Notarial Activities:

- Drafting wills: *I went to see a notary to write my will.*
- Advising on fees and registration duties before property sales.
- Concluding marriage contracts.
- Issuing powers of attorney and inheritance certificates.
- Calculating *rental return yields* and other investment indicators.

D. Court Officers and Enforcement Agents

• **Bailiff** (*Huissier de justice*): A court officer responsible for enforcing judicial orders, delivering legal documents, and conducting seizures.

• Court Bailiff Duties:

- Serving writs of summons.
- Executing writs of seizure or eviction.
- Notifying parties of legal proceedings or court decisions.
- Adding procedural or enforcement costs to a legal file.

E. Administrative and Procedural Terms

• **Adjudicator:** A person or legal authority who makes a formal judgment or decision in a dispute.

• **Tenderer / Invitation to Tender:** Terms from procurement and contract law where parties bid for contracts; common in undivided property sales or public projects.

• **Undivided Property Sale:** The legal process of selling jointly owned property, often under court supervision when co-owners disagree.

• **Contract Formation:** The legal creation of a binding agreement between parties, governed by rules on offer, acceptance, and consideration.

This section refers to some terms and concepts that reflect the breadth and depth of the legal and professional discourse of civil and legal studies, particularly in terms of court proceedings and the legal professions and the roles of institutions. While examining these pivotal concepts in English, since many of these concepts have either different words or procedures in the French and Algerian legal landscape, students and prospective legal translators understand the legal-linguistic landscape in which they will work. This section contributes to the overall objective of providing learners with the necessary comparative awareness and terminological

precision to communicate legal issues accurately across jurisdictions in both civil and common law contexts.

Conclusion:

An effective foreign-language pedagogical approach to teaching law students English or French needs to attend to their academic and professional goals for that language. Instead of merely attaining linguistic competence as it stands (e.g. listening comprehension, general vocabulary and syntax review), specifically for law, the approach needs also to incorporate legal vocabulary, conventions of legal documents, and the ways of thinking and reasoning characteristic of legal written and oral communication. Legal instructors need to consider the objective (e.g. language requirements of the curriculum, legal terminology) and subjective criteria (e.g., individual objectives, motivations), and the nature of legal communication to be used (written contracts, orally in court, legal analysis of legislation, etc.) to determine teaching tools and methods for use in class. Moreover, the learning environment should allow active and engaged participation by students so that learning becomes deeper and connects to real life. In relation to learning language in the context of legal content for use in practice, to connect genre, legal language structure, and legal English or French register, students should - in a legal context - be helped to achieve the level of legal competence they need to function in actual legal practice and be prepared to engage in cross-linguistic legal communication.

Margins:

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