Challenges of Teaching Legal English at a Law Higher Education Institution – Lecturers' Voices

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ABSTRACT
English for Specific Purposes (ESP) plays a crucial role in language education, catering to the specific linguistic and communicative needs of learners in various professional and academic fields. In the context of globalization, legal English, a type of ESP language among legal professionals, has emerged as a vital component in law training programs in recent years. However, despite its growing importance, teaching legal English presents major challenges. Using a mixed-methods approach, data were collected through surveys and semi-structured interviews with legal English lecturers at a law higher education institution. The findings identify that while instructors acknowledge the importance of legal language and legal content several significant obstacles were addressed, including learners' insufficient knowledge of English and laws, distinctive features of legal English language and law content topics, limited teaching material resources and varying student language proficiency levels as well as the lack of specialized training for instructors. Based on these insights, the study proposes a set of practical recommendations for professional development, material adaptation, and pedagogical strategies to maximize the quality and effectiveness of legal English education.

Keywords: law higher education institution, lecturers' voices, legal English, teaching challenges

INTRODUCTION

The process of international integration demands a high-quality workforce that is well-trained in the legal field and proficient in English. Therefore, legal English plays an essential role in achieving success across various sectors in today's globalized context. It is evident that equipping students with specialized legal knowledge and legal English skills is increasingly emphasized in legal education institutions (Tống & Nguyễn, 2021). As a result, legal English has become a fundamental course in law training programs. The issue of effective teaching and learning legal English turns out to be the key point, contributing to achieving the expected learning outcomes of these programs. Yet, legal English has been reputed to be a challenging subject due to its distinctive characteristics, such as technical jargon, Latin terms, and complex sentence structures (Bhatia, 1993; Goga-Vigaru, 2015; Veretina-Chiriac, 2012), and the high demands it places on all stakeholders involved (Nhac, 2021). Research by Varó and Hughes (2002) highlights significant differences between common law (e.g., English and American legal systems) and civil law traditions (e.g., French and German legal systems). This divergence complicates instruction as teachers must address multiple legal frameworks. In the view of Goddard (2010), teaching legal English requires instructors to have expertise in legal knowledge, legal skills, and language skills. However, legal systems vary across jurisdictions, which may lead to the lecturer's unfamiliarity with the legal frameworks. Furthermore, the

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focus on legal terms is likely to result in a neglect of crucial and practical skills, i.e., legal writing, advocacy, and negotiation (Bhatia et al., 2006).

At Hanoi Law University, legal English has been a compulsory course in the law training program for International trade and business majors since the academic year 2011-2012, then for other law majors. Several studies were conducted to determine complex learners' obstacles in learning legal English (Nhac, 2021; Nhac, 2022), while lecturers' challenges have been under-researched. To ensure the quality of teaching and learning, it is of great necessity to identify the difficulties lecturers face throughout their teaching journey. Accordingly, this study aims to seek such obstacles lecturers encounter when teaching legal English at Hanoi Law University. On the basis of such findings, it highlights the significance of legal English teaching training, not only to overcome these challenges but also to optimize the teaching and learning process of Legal English.

Legal English – a type of English for specific purposes (ESP)

Scholars have proposed various definitions of English for Specific Purposes (ESP) to distinguish it from General English (GE). However, there are some common points among these perspectives. Robinson (1991) defines ESP as an English course with a specific goal, based on needs analysis to determine what learners must do and what they should be able to achieve through English. Dudley-Evans (1998) identifies several characteristics of ESP, stating that ESP courses are designed to meet the specific needs of learners. These courses use language learning methods and activities relevant to the subject area, focusing on grammar, vocabulary, study skills, discourse, and other language components. One important note is that ESP is generally designed for adult learners at the university level, in vocational training, or for professionals already working in a specific field. ESP learners, accordingly, are expected to have an intermediate to advanced level of English proficiency. In other words, they need to acquire a certain level of GE knowledge before studying ESP.

Legal English is understood as English for the legal profession, designed to meet the needs of learners and professionals working in legal fields. As a result, legal English is taught in higher education institutions for law students or professionals working in legal institutions. Legal English has specific characteristics, including specialized legal terminology, vocabulary (Latin terms, loanwords, doublet/triplet expressions), grammar (passive voice, inversion), and distinctive writing style (complex and compound sentences) (Veretina-Chiriac, 2012). These features contribute to the challenges faced by both learners and instructors.

Issues related to ESP teaching in the literature

ESP has been taught in educational institutions for decades; however, certain issues remain, as follows.

Demand analysis

One of the key requirements for an ESP curriculum is conducting a needs analysis of learners. According to Anthony (1997), in most cases, when designing an ESP curriculum, course designers fail to perform a needs analysis or to interview experts of disciplines. Instead, they apply or create teaching materials without assessing their relevance or making necessary adjustments to complex, specialized texts. As a result, such curricula or textbooks often fail to fully meet the needs of learners, professionals, or workplaces. Currently, in Vietnam, it is still debated how ESP should be taught: Should English be taught for a specific field, or should specialized subjects be taught in English? Moreover, who should teach it—English teachers or subject-matter experts? (Lâm, 2011).

Learners' proficiency

The proficiency level of learners is a crucial factor in teaching ESP. According to previous research, ESP often requires learners to have at least an intermediate or advanced

proficiency level and a certain foundational knowledge of their specific field (Lâm, 2011). In other words, if learners have insufficient GE skills and lack expertise in their field, studying ESP becomes extremely challenging (Lâm, 2011). Consequently, the objectives of ESP programs cannot be achieved as expected.

Lâm (2011) also points out that some administrators and experts believe ESP is merely specialized vocabulary and terminology and that if learners have a good GE proficiency, learning ESP is not difficult at all. Consequently, many educational institutions adopt the policy of up-to-B1 (Common European Framework of Reference - CEFR) GE program for mainstream students or level B2 (CEFR) (level 4) for high-quality and joint programs. ESP is then left for self-study, or institutions provide only specialized reading materials and exercises on vocabulary and grammar. Similarly, some argue that learners can effectively study ESP even without prior knowledge of their specialized field. However, in reality, when learners do not have a solid grasp of their subject matter, acquiring ESP becomes challenging and does not fully develop their learning potential (Lâm, 2011).

Instructors' specialized knowledge

Specialized fields contain numerous unique concepts and terminology, requiring instructors to have a certain level of subject knowledge to teach ESP effectively. Previous studies have highlighted the crucial role of lecturers' specialized knowledge in teaching ESP. Researchers such as Hutchinson and Waters (1987) and Dudley-Evans and St John (1998) argue that ESP lecturers need a certain level of subject knowledge to effectively teach discipline-specific language and concepts. However, the extent of this requirement remains debated. Some studies suggest that while linguistic expertise is essential, a deep understanding of specialized content can enhance teaching efficiency by making lessons more relevant and engaging. Others, such as Lâm (2011), point out that a lack of subject knowledge can hinder lecturers' ability to explain complex terminology and concepts, potentially limiting students' comprehension. Such debate leads to ongoing discussions about whether ESP should be taught by subject specialists or English language instructors (Lâm, 2011). Simultaneously, it underscores the need for collaboration between language instructors and subject specialists to bridge the gap between linguistic competence and disciplinary knowledge in ESP instruction.

METHOD

The purpose of the study is to identify the difficulties that instructors face in teaching legal English at Hanoi Law University (HLU). Therefore, a survey questionnaire and semi-structured interviews were utilized to seek their viewpoints. The survey questionnaire was developed based on the set of criteria for questions about perspectives recommended by Dörnyei (2007), which consisted of two parts. Part 1 was for collecting participants' information, while Part 2 delved into their views on obstacles faced during the process of teaching legal English. Specifically, challenges were categorized into two main groups: 1) challenges related to learners and 2) challenges related to instructors and teaching methods. Further, the questionnaire explored the participants' views on the necessity of legal English teaching training courses.

Seventeen lecturers with legal English teaching experience at HLU participated in the Google Forms survey distributed via email. Participants were required to respond using a Likert scale ranging from 1 to 5 (*Never, Rarely, Occasionally, Frequently, Always*) or from 1 to 3 (*Not Important, Useful, Very Important*) in the first semester of the academic year 2023-2024. The collected data were processed using SPSS to determine the extent of instructors' perspectives on the factors contributing to difficulties in teaching legal English.

Additionally, in-depth semi-structured interviews were conducted with three (3) voluntary lecturers who provided notable answers from the 17 participants. Each interview took place via Microsoft Teams and lasted 15 minutes, seeking details for the interviewer's

choices. The collected data were transcribed into direct quotes and then coded into corresponding themes for further analysis.

FINDINGS AND DISCUSSION

Among the 17 lecturers participating in the survey, nine participants are law specialists (accounting for 52.9%), while the rest are legal English lecturers (accounting for 47.1%). Among them, five lecturers have less than 5 years of experience, eight of them have between 5 and 10 years of experience, and four instructors have more than 10 years of experience teaching legal English. The specific data is presented in Table 1. It can be observed that the number of lecturers with more than 5 years of experience account for 70.6%.

Table 1. Teaching experience of Legal English lecturers

Years of Experience	Number of Lecturers	Percentage (%)
Less than 5 years	05	29.4
5-10 years	08	47.0
More than 10 years	04	23.6
Total	17	100.0

When asked whether lecturers teaching legal English participated in training courses on legal English instruction, the majority of lecturers (87%) reported that they had not attended any such training programs.

Factors related to learners

Table 2. Factors related to students

No.	Factor	N	Mean (M)	SD
1	Differences in students' English proficiency levels in the Legal English class	17	3.78	.875
2	Students' inadequate general English proficiency	17	2.86	.1023
3	Lack of motivation to study Legal English	17	2.97	.958
4	Students' excessive use of Vietnamese in class	17	2.75	.973
5	Students' lack of specialized knowledge	17	3.98	.972
6	Students' lack of knowledge of specialized English terminology	17	3.76	.865
7	Students prioritize high scores over developing Legal English proficiency	17	2.87	1.073
8	Students focus more on specialized knowledge than on learning specialized terminology and Legal English skills	17	3.84	.983

1-1.8: Never; 1.81-2.6: Rarely; 2.61-3.4: Occasionally; 3.41-4.2: Frequently; 4.21-5: Always

The table presents factors related to students in teaching legal English. From Table 2, the mean values range from 2.75 to 3.84, indicating that all lecturers surveyed encountered difficulties related to students during their teaching process. Among the challenges, the most frequently occurring issues include students' lack of specialized knowledge (M = 3.98, SD = .972), differences in English proficiency levels within the same class (M = 3.78, SD = .875), and students prioritizing subject knowledge over legal English terminology and skills (M = 3.84, SD = .983). Other notable difficulties include students' limited understanding of specialized English terminology (M = 3.76, SD = .865) and their lack of motivation to study

legal English (M = 2.97, SD = .958). The results suggest that these challenges significantly impact the effectiveness of legal English instruction as the follow-up interview qualitative data.

> *"In several cases, students do not have specialized knowledge, which takes me a lot of time and effort to explain the terms."* – L2

> *"Honestly, I do think that background knowledge of law is important when learning or teaching legal English. Legal terms are complicated; thus, without understanding legal terms, one finds it much more challenging to acquire them in English."* – L1

> *"Sometimes, learners feel demotivated to study legal English due to its complexity. This fact requires teachers to diversify learning activities with the aim of fostering students' motivation. If not, it certainly affects the efficiency of legal English acquisition."* – L3

The findings are consistent with previous studies (Enesi et al., 2021; Medrea & Rus, 2012). Medrea and Rus (2012) point out that students have varying levels of English proficiency, with some not even reaching level 3 (B1) of the CEFR, which creates difficulties for instructors. Saliu (2013) suggests that lecturers need to become familiar with students having different levels of language proficiency and specialized knowledge. Regarding motivation in ESP learning, Zavistanavičienė and Dagilienė (2015) emphasize that learning motivation is a decisive factor in the process of acquiring ESP. A lack of learning motivation among students, accordingly, poses challenges for ESP teaching in general and legal English in particular.

Factors related to instructors

Table 3. Factors related to instructors, teaching materials, and curriculum

No.	Factor	N	Mean (M)	SD
1	Unfamiliar topics in the legal English curriculum	17	3.56	1.020
2	Difficulty in understanding the content of the legal English course	17	2.25	.942
3	Complicated, specialized legal knowledge	17	3.68	.947
4	Complex legal terminology	17	3.55	1.071
5	Complex characteristics of legal English	17	3.98	.967
6	Legal English curriculum does not meet learners' needs	17	3.96	.969
7	Designing the legal English curriculum	17	3.47	.982
8	Developing teaching materials relevant to legal English topics	17	3.26	.966
9	Difficulty in classroom management	17	1.82	1.073
10	Difficulty in designing assessment methods for evaluating learners' legal English proficiency	17	3.83	.993
11	Insufficient time allocation for the legal English course	17	2.73	1.089
12	Application of technology in the classroom	17	1.95	.997

1-1.8: Never; 1.81-2.6: Rarely; 2.61-3.4: Occasionally; 3.41-4.2: Frequently; 4.21-5: Always

Table 3 addresses several factors related to instructors, such as difficulties in designing a legal English program that meets students' needs, classroom management, access to and

development of teaching materials, student assessment, as well as challenges related to a lack of legal expertise, legal terminology, unfamiliar legal English topics, and course content.

It can be seen that for these factors, most instructors selected options ranging from "rarely" to "frequently" (mean values ranging from M=1.82 to M=3.98). Specifically, instructors admitted that they rarely encountered issues in classroom management (M=1.82; SD=1.073), applying technology in teaching (M=1.95; SD=.997), or understanding the content of the legal English course they were teaching (M=2.25; SD=.942).

However, regarding the complicated knowledge in legal expertise and legal terminology or characteristics of legal English in teaching materials, many instructors frequently faced difficulties (M=3.68; SD=.947; M=3.55; SD=1.071; M=3.98; SD=.967, respectively). This is understandable because, although legal English instructors hold a law degree, they cannot have comprehensive knowledge or a full understanding of legal terminology across different legal fields. Similarly, in the case of law lecturers instructing legal English classes, there exist law areas they do not specialize in.

> *"I am a law instructor specializing in Intellectual property law, actually. However, legal English covers different areas of law, therefore, in some cases, I still find it challenging when teaching legal English."* – L3

> "*Usually, highly complex legal terms and concepts without sufficient explanation or contextualization appear, which makes it difficult for both lecturers and students to grasp the materials."* – L1

Regarding legal English course content, issues such as unfamiliar law fields in textbooks (M=3.56; SD=1.020), failure to meet students' needs (M=3.96; SD=.969), difficulties in designing a legal English curriculum (M=3.47; SD=.982), and assessment methods for students' legal English proficiency (M=3.83; SD=.993) were mostly rated as "frequently". This reflects the reality that curriculum design and textbook selection have not been based on students' needs or employers' expectations regarding students' legal English competence. Such findings are consistent with data from follow-up interviews.

> *"Legal English coursebook tends to focus heavily on vocabulary and grammar rather than real-world legal communication skills, which creates a gap between what students expect/ need and what can be offered to them."* – L2

Similarly, L3 shared his viewpoint:

> *"The book focuses primarily reading and vocabulary exercises while neglecting speaking and writing skills. In other words, lack of interactive and task-based activities constraints students' active learning."*
> *"There is insufficient emphasis on practical skills such as contract drafting, legal writing, etc., which forces lecturers to develop his own supplementary teaching materials catering learners' needs. Such kind of teaching preparation costs lecturers a huge amount of time and effort."* – L3

Such findings are consistent with several previous studies (Johns, 1991), which argue that existing legal English coursebooks often fail to provide authentic materials that reflect real-life practice, including contract drafting, case analysis, or courtroom proceedings. According to Fălăuș (2017), there are four key factors to consider when selecting or designing ESP materials: input, content focus, language focus, and task design. However, Larsen-Freeman (2003) argues that newly developed ESP textbooks mainly emphasize grammar and vocabulary exercises (language focus) while failing to concentrate on content focus and lacking

a balance of all four language skills (listening, speaking, reading, writing). As a result, instructors struggled with syllabus design, lesson planning, and the development of teaching materials (M=3.26; SD=.966). When a curriculum does not fully meet students' needs, it becomes difficult to assess their comprehensive legal English proficiency. Additionally, another contributing factor is that the time allocated for teaching legal English is sometimes considered insufficient (M=2.73; SD=1.089). Consequently, the teaching and learning of legal English have not been maximized for effectiveness. These research findings are similar to the study by Enesi et al., (2021).

> *"I usually have difficulty in assessing students' performance. There should be a need for more structured exercises that could assess students' ability to apply legal English in professional contexts."* – L2

The above viewpoint of one legal English instructor reveals the status quo of assessment in legal English. This proves the finding of Basturkmen's research (2010) that indicated that traditional exams focus on vocabulary recall rather than functional language use.

Table 4: The necessity of legal English teaching training course

No.	Factor	(N)	Mean (M)	(SD)
1	Teaching methods	17	2.79	.983
2	Legal English curriculum design	17	2.27	1.012
3	Specialized terminology	17	2.82	.984
4	Approaches to and development of teaching materials	17	2.31	.783
5	Assessment and evaluation in legal English teaching	17	2.29	1.056
6	Lesson plans and teaching materials	17	2.77	.948

1 - 1.66: Not important; 1.67 - 2.33: Useful; 2.34 - 3: Very important

In addition to identifying the challenges faced by instructors in teaching legal English, the survey also explored teachers' perspectives on the importance of training in legal English instruction. Looking at the data in Table 4, most factors were rated as very important by instructors in the context of legal English teaching. Specifically, lesson plans and teaching materials (M=2.77; SD=.948), teaching methods (M=2.79; SD=.983), and specialized terminology (M=2.82; SD=.948) were considered the most crucial factors. Bojović (2006) argues that ESP terminology plays a key role in understanding lesson content, as it is often context-dependent. ESP instructors are not "experts" in the specialized fields they teach; therefore, training them and equipping them with an understanding of terminology is essential. As illustrated in the statistics, teaching method is viewed as of extreme importance, thus significant challenges may be faced if lecturers have not received training in instructional methodologies as Cenaj (2015) noted. Other aspects of training, such as legal English curriculum design (M=2.27; SD=1.012), approaches to and development of teaching materials (M=2.31; SD=.783), and assessment and evaluation in legal English instruction (M=2.29; SD=1.056), were rated as useful by instructors. Such findings are consistent with previous study in different disciplines (i.e., Bocanegra-Valle, 2010) which affirms that effective curriculum design ensures that course content is relevant and tailored to the specific linguistic and professional requirements of the learners. Additionally, assessment and evaluation in ESP courses serves to measure not only language proficiency, the ability to apply language skills within specific professional contexts but also to determine the effectiveness of the curriculum and instructional methods (Pasaclic, & Plancic, 2018).

CONCLUSION

This current study has identified the challenges that instructors face when teaching legal English courses at Hanoi Law University. These difficulties may arise from both learners and teachers. Specifically, instructors frequently encounter obstacles when students in the same legal English class have varying levels of English proficiency, lack sufficient specialized knowledge, or focus more on their legal expertise than on specialized terminology and legal English skills. Moreover, students' lack of motivation to learn legal English further complicates the teaching process, as motivation is a key factor in language acquisition.

Regarding challenges concerning instructors, it is reported that they never or rarely have problems related to classroom management or the use of technology in teaching. However, the lack of legal expertise, difficulties in designing and developing learning materials, and the complexity of legal English in instructional materials create significant barriers to teaching legal English.

Based on the findings, several practical recommendations are addressed to help instructors overcome such challenges. Firstly, the necessity of specialized training on legal concepts and terminology for legal English instructors is highlighted to ensure better teaching outcomes (Fălăuş, 2017; Enesi et al.,2021). The collaboration with law specialists or lecturers is encouraged to bridge the gap between legal and linguistic knowledge, helping students not only grasp legal knowledge but also use English accurately and effectively in professional settings. The second suggestion relates to teaching materials and curriculum design. Specifically, course materials should be developed on the grounds of students' needs and legal experts' advice in order to have practical content and skills. Simultaneously, optimizing class time in legal English courses by applying modern teaching methods and leveraging technology to boost learners' motivation is another issue for consideration. Bhatia et al. (2006) emphasize the importance of the corpus-based approach, through which instructors could expose students to authentic legal texts, helping them to understand legal conventions, terminology, and collocations more effectively. In general, combining knowledge of legal English with teaching methodologies, instructional materials, and assessment methods is the key to successful teaching and learning, ultimately enhancing students' acquisition of legal English.

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