V INTERNATIONAL SEMINAR
ON ENGLISH AND ESP
LEXICOLOGY AND LEXICOGRAPHY

THE WORDS OF THE LAW

Book of Abstracts

Salón de Actos, Germán Bernácer Building
26th-27th April 2018
University of Alicante (Spain)
Day 1: THURSDAY, APRIL 26

10.00-11.30: Papers

All You Need Is Law... or Two. What the Translator Really Wants from a Legal Dictionary

Weronika Szemińska & Adrian Więch (University of Warsaw)

Translators have particular needs with regard to dictionaries, as they require information useful in text reception, interlinguistic transfer and text production. Legal translators want even more than that, since their task involves an additional stage, namely the comparison of the source legal system with the legal systems expressed by the target language, in particular that of the target recipient. It is therefore not enough to offer them information with regard to the source legal system only — the dictionary should help them perform comparative legal analysis. The purpose of this paper is to present innovative software that follows the above notion — the system of electronic dictionaries for legal translators. It is a complex tool whose structure reflects the process of translation and is designed to support the user at each stage of their task. The system comprises five dictionaries. The explicative dictionary handles issues encountered by translators in the first stage of their work, i.e. it aids them in understanding the source text by providing information on the source terms. The contrastive dictionary facilitates comparing the two legal systems involved by listing all legal equivalents and offering their explanations. The dictionary of equivalents lists all potential translations of a given term, indicating their type, i.e. degree of equivalence with the source term. The combinatorial dictionary is used in the final stage of translation, i.e. target text production, when the translator needs grammatical and lexical information concerning the use of the selected equivalent. The concise dictionary contains the most essential elements from all other parts of the system. All dictionaries are interconnected and the structure allows the translator to choose what type of information they need at a given moment.

Keywords: system of dictionaries, electronic dictionary, legal dictionary, dictionary for translators

A discourse analysis of English judges’ jury directions in Crown Court criminal trials

Marion Charret Del Bove (Université Jean Moulin Lyon 3)

The interest taken by linguists in legal language has gradually emerged since the 1970s (Crystal & Dary 1969) and expanded over the decades (Sloan & Tiersma 2012) in various fields such as the language of contracts (Richard 2008, Constable 2014), or legislative texts (Bhatia, Engberg, Gotti & Heller 2005) as well as the language of the courtroom (Levi & Walker 1990). More recently, scholars studying legal language have shifted their interest from the field of textual analysis to the one of discourse analysis (Gotti & Williams 2010) and especially courtroom discourse (Wagner & Le Cheng 2011) which has become the subject of research on diversified issues such as lawyer-witness questioning or the function of judges’ comments. Within the particular context of English Crown Court criminal trials, the trial judge has to ensure a “legal-lay communication” (Heffer, Rock & Conley 2013) with the 12 jurors
whose role is to determine the guilt or the innocence of the defendant. Indeed, the job of the English criminal judge is to use (legal) language in a comprehensible way so that jury members will correctly understand jury directions and be able to deliberate fairly and impartially on the defendant’s guilt. The aim of our paper is to focus on the Crown Court Compendium published in February 2017 and analyse the vocabulary and phraseology used in the jury directions read by the judge before the jury’s deliberations. Are there some linguistic features and patterns specific to jury instructions? What terminology and legal language does the trial judge employ to achieve the main purpose of his/her discourse, namely a form of effective communication within the highly specialised legal context of a criminal trial?

**Keywords:** courtroom discourse, jury directions, England, Crown Court

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**Words of emotion and detachment in legal texts: a contrastive study of legal opinion columns in English and Spanish**

*Maria Ángeles Orts (University of Murcia)*

The purpose of the present research study is to carry out a contrastive analysis between two corpora of legal opinion columns as special types of genres, with a view to assess their opposing patterns of impersonality -authorial detachment- and attitude -emotion, judgment, appreciation-, taking as a point of departure Appraisal theory, or the interpretation of Halliday’s Systemic-Functional Linguistics (1994/2004) by the so-called Sydney School. The long-established perspective is that legal genres are highly impersonal (Cao, 2007); authoritative instruments representing an intentional exercise of elitist and exclusionary practices (Orts 2015). However, the hypothesis embedded in the present study is that some genres, such as news editorials and op-eds, constitute hybrid genres where the writer makes use of all kinds of inducement devices to support his/her theses with effectiveness and credibility (Dafouz, 2008). Hence, as we shall try to prove, the juridical text is to be approached, not as a solid, self-contained reality -the constrained discourse of institutional authority- solely, but as the sum of ‘persuasive discourses’ born out of multiple ideological, historical, social factors (Miller, 2004, p. 272).

**Keywords:** Appraisal Theory, legal op-eds, legal discourse

**References**


Acquiring legal knowledge for legal translation by using corpora tools

Samantha Cayron (University of Geneva)

Corpus Linguistics tools were essentially developed for the study of language through the use of corpora —i.e., a representative collection of electronic written or spoken communicative events that have occurred naturally (Kenny, 2001: 23). However, the last two decades have seen a growing trend in the use of those tools for theoretical and practical purposes in Translation Studies (Biel, 2010, Pontrandolfo 2012) as well as for training. A considerable amount of literature has been published on the use of corpora for practical purposes. In legal translation, for instance, empirical research has shown that such tools may indeed accelerate the translation process. Entire texts may be used to identify specialized terminology and phraseology in context in order to convey the meaning of a text or speech in a language and register a legal expert would understand. Looking up word collocations in legal corpora may also help to find adequate translation solutions. It may also facilitate the comprehension of legal concepts (Cayron 2017). In this paper, we will demonstrate some of the ways corpora may be used in order to acquire legal knowledge for legal translation in specialized fields.

Keywords: legal translation, corpus, corpus linguistics tools, legal terminology

References


Corpus Linguistics and Legal Discourse: A Bottom-Up Characterisation of its Specialised Lexicon

María José Marín Pérez (University of Murcia)

The portrayal of legal English features found in the work by scholars like Mellinkoff (1963), Alcaraz (1994; 2000), Maley (1994) or Tiersma (2000), presents it as a complex ESP (English for Specific
Purposes) variety full of archaic expressions, specialised terminology and displaying a convoluted syntax. In fact, as Mellinkoff puts it (1963: 63) “the language of the law has a strong tendency to be: wordy; unclear; pompous [and] dull”. On a lexical level, one of the features that adds to such complexity is the presence of single and multi-word Latin terms, which is always included in the descriptions of the legal English lexicon found in the literature. However, are these terms actually so relevant in actual usage as to be deemed so characteristic of the legal lexical repertoire? This research approaches this question from a corpus-based perspective, where a 2.5 million-word corpus of judicial decisions was analysed in search for evidence of Latin term usage. To that end, Latin terms were separated into single and multi-word units, focusing on their relative frequency, text range (distribution across the corpus) and keyness (how statistically representative they might be in comparison with a general English corpus). As regards their frequency in the legal text collection, Latin terms stand at 80 points below the frequency average for the whole corpus, in other words, they occur quite rarely in comparison with other lexical items. Nevertheless, they are better distributed than other legal terms such as crime nouns. Concerning their keyness (a word is considered key “if it is unusually frequent or unusually infrequent in comparison with what one would expect on the basis of the larger word-lists” (Scott 2008: 184)), multiword Latin terms appear to be more representative of the variety than single word units, according to the higher keyness scores assigned to them —3.2 times as high as single word units, in spite of their lower frequency.

Keywords: Legal English, Corpus Linguistics, Lexicology

References
Italian system-bound elements in international case law: a corpus-based study on loan words and loan translations in EctHR judgments

Katia Peruzzo (Università degli Studi di Trieste)

The European Court of Human Rights (ECtHR) is an international court set up in 1959 to rule on individual or State applications alleging violations of the civil and political rights set out in the European Convention on Human Rights. Since its establishment, the ECtHR has delivered more than 10,000 judgments. The terminology extracted from a corpus of fourteen such judgments is at the core of this paper. These judgments are published in both French and English (but for the purposes of this study only the English version has been considered) and were issued by the Grand Chamber, i.e. the ECtHR’s highest court, between 2000 and 2009, in cases involving Italy as the respondent state. The study draws on the classification of the terminology used in the context of international rulemaking proposed by Prieto Ramos (2014, pp. 128-129). This classification considers three categories: (i) “terms designating shared concepts created in the international system and recognized as established terminology within the specific scope of competence of a particular organization”, (ii) “terms previously existing in some jurisdiction or legal tradition and borrowed to be used with a shared meaning in the international system”, and (iii) “terms designating culture-bound or system-specific concepts to be identified as such in the international context”. The study focuses on the third category and aims at investigating how loan words and loan translations that refer to legal concepts and institutions embedded in the Italian legal system (e.g., “magistrato” and “substantial evidence of guilt”, corresponding to gravi indizi di colpevolezza) are used in EctHR judgments. Indeed, these judgments are meant to be published in French and English only, but their drafting requires establishing connections between the national and the international legal systems, also through the choice of the most appropriate terminology.

References

In this paper we present our experience in teaching legal English to law-related professionals using content-based second language instruction. This paper is based on the experience of teaching more than 70 courses on different legal topics to heterogeneous groups which may include EU judges, prosecutors, legal practitioners and other law-related professions. These courses have been taught for three European Union legal training and/or legal cooperation institutions and one national institution, namely EJTN (The European Judicial Training Network), ERA (European Academy of Law), Eurojust (the European Union’s Judicial Cooperation Unit) and CGPJ (Spanish General Council of the Judiciary). Courses are intensive (5 or 3 full days, 7 hours per day) and participants have extremely different levels of English as well as levels of expertise in the specific topic of the course. The topics so far have included areas as diverse as cooperation in civil and criminal matters, cybercrime, competition law, family law, data protection, asylum and refugees, common law systems as against civil law legal systems, etc. To make teaching even more intricate, all lesson must be taught in unison with a legal expert, who focuses on legal contents only, while the linguist has to deal with both content and language issues. In addition, participants may come from any of the 28 MS as well as from different areas and hierarchies of law-related professions, so within one group we may find between 12 and 16 nationalities as well as a mixture of judges, prosecutors, police officers, law practitioners or advisors to Ministries of Justice. Teaching this kind of intensive course is an enormous challenge in terms of needs analysis, level assessment and course (and materials) design. According to Cenoz (2015: 10), who refers to Brinton, Snow & Wesche’s classic definition, CBI (content-based instruction) is “the concurrent study of language and subject matter, with the form and sequence of language presentation dictated by content material”. However, Stoller (2008: 59) extends the definition and considers that CBI would cover any approach that combines language and content learning, even if there are differences in the emphasis placed on language and content (Cenoz 2015: 10). CBI is then aimed at the development of use-oriented second language skills through concurrent teaching of specific contents and language use (Wesche 1993). This is precisely what is done in the courses on which this paper is based. Many recent handbooks and manuals have taken this content-based approach: Walenn (2009), Forst (2009), Wyatt (2006), Riley & Sours (2014) or Haigh (2015), to name but a few. In this paper we will thus analyse whether this approach has been successful and whether it can contribute to a closer understanding and cooperation between language experts and legal experts.

**Keywords:** Legal English, Content-based language instruction, EU training courses
A form-focused approach to teaching grammar in an intensive course on Legal English

Maria Beatriz Cabello de Alba (UNED)

This paper presents a proposal for the teaching of grammar based on a teaching experience, namely, an intensive course on legal English. Teaching this kind of intensive courses is a challenge with two main difficulties: the first one is time restriction, and the second one is coping with a group of students with different educational backgrounds (lawyers, linguists, translators, etc.), different levels of proficiency of the English language, and different degrees of legal knowledge.

We will put forward the pedagogical approach adopted to meet the needs of our heterogeneous group of students, whose aim was to acquire the necessary skills both to understand and produce legal English. The methodology we used for grammar instruction in our course was ‘focus on form’ (Long, 1991, 1997, 2015; Long & Robinson 1998; Doughty 2001, 2003; Doughty & Varela 1998; Doughty & Williams 1998a,b; Ellis, 2000, 2005, 2015; Ellis, Basturkmen & Loewen, 2002) because we believed that it could contribute to the development of the skills needed by our heterogeneous group of students, in the limited time available. According to Sharwood Smith (1981) and Ellis (2000) this methodology may help raise learners’ consciousness of a form that they have not noticed when they have read or heard it. With this in mind and following Ellis (2015) our proposal is to design form-focused lessons in order to address the grammatical peculiarities of legal English.

Keywords: Legal English, Teaching grammar, Focus on form methodology

References

The pronunciation of legal English by Spanish speakers: Latinisms as a case in point

Eva Estebas Vilaplana (UNED)

The aim of this paper is to examine how Spanish speakers produce legal Latin phrases while speaking English and to provide some orientations on how to improve the pronunciation of Latinisms in English, since very few materials in legal English include an oral component, with the exception of Hewetson (2013). Nowadays, there is still a great presence of Latin and Latin-based words in Legal English (MacLeod, 1997; Tiersma, 1999). In addition to this, “Latinisms differ in usage between the two languages” (Balteiro & Campos Pardillos, 2010), and their pronunciation sometimes varies. As Campos Pardillos states, their “pronunciation may be essential for recognition and usage” (Campos Pardillos 2014: 42). Thus, for example, the pronunciation of an expression such as ratio decidendi in Spanish or in English is very different, namely, /ˈreɪʃɪəʊ deˈsaɪdɛndə/ and /ˈratjo deθiˈdendi/ respectively. If a Spanish speaker uses the Spanish pronunciation of Latin expressions while speaking legal English, intelligibility problems are very likely to appear. Likewise, “a Spanish legal professional might not recognise a Latin expression used by an English legal professional” (Campos Pardillos, 2014: 43). As Campos Pardillo concluded, it appears that “words of English origin are not the ones whose pronunciation is most problematic (... the greatest difficulties concern non-adapted Latinisms” (p. 47) which present problems in the production not only of sounds but of stress, emphasis and tone (Haigh, 2015). This paper analyses the main difficulties that Spanish speakers may find when they produce Latin phrases in English. As far as the production of vowels and consonants is concerned, the paper describes how phonotactic constraints, i.e. the combinations of sounds allowed in English, determine the presence of certain vowels syllable-finally. Furthermore, the relevant differences between the English and the Spanish rhythmic patterns (Cruttenden, 1986; Ashby and Maidment, 2005; Roach, 2009) also play an important role in the pronunciation of Latin expressions, since the English stress-timed rhythm has an influence on the stress distribution of such words and subsequently on the production of the segmental string, mainly on the pronunciation of vowels. Thus, this paper provides some evidence on how to improve the pronunciation by Spanish speakers of legal Latinisms in English based on the phonological and rhythmic structure of the language.
Keywords: Latin phrases, rhythmic patterns, stress, phonotactics, English pronunciation

References

Day 1: THURSDAY, APRIL 26

17.15-18:15: Plenary Lecture

**Legal terms and multilingual translation: a case of EU English terminology**

Łucja Biel (University of Warsaw)

The objective of the paper is to explore legal terms from the perspective of translation in the EU's institutional settings, having regard to their theoretical, methodological and practical aspects. The talk will start with an overview of key classifications and properties of legal terms, including their function as units of legal knowledge, links to underlying concept systems and varying degrees of terminologicity. One of the main distinctive features of legal terms is their system-bound nature and limited universality of concepts. Yet this feature requires modification when contextualized in the multilingual and institutional settings of the European Union. While EU law is deemed to be based on a distinct supranational network of autonomous concepts, the EU legal system is not a fully developed and independent system but it is still heavily based on national conceptual systems (Šarčević 2010: 27; Kjær 2007: 79). Its specific feature is that 'legal instruments are produced within the EU system, but applied in each of the 27 domestic legal systems' (Kjær 2007b: 79). Thus, in this context, despite the
declared conceptual autonomy, legal terms may have polysemous meanings with the supranational and national coding. In an attempt to reduce national connotations, EU legal terms undergo neutralisation and hybridisation, as well as are often formed through neologisms and generic terms. The talk will pay special attention to legal terms in EU English in light of its status of the EU's lingua franca, with illustrations from the EUR-Lex corpus on Sketchengine.

Day 1: THURSDAY, APRIL 26

18.15-19:15: Workshop

The Use of Podcasts in Teaching and Learning Legal Vocabulary. A presentation and participatory session for discussion, sharing and group learning

Louise Kulbicki

Following my work as a legal English teacher and founder and producer of the Study Legal English Podcast which provides free regular podcasts for non-native English-speaking lawyers and law students, I will run a participatory session presenting the Study Legal English Podcasts with its extra resources and demonstrating practical ways these can be used by legal English students and teachers to help learn and teach legal English.

Participants are invited to bring devices such as smartphones and tablets with headphones in order to participate. This will be followed by the option to discuss some questions relating to podcasts and provide feedback about the podcast usage.

The use of podcasting for language learning has been a topic of growing interest in recent years (Abdous, Facer, & Yen 2012; Chan, Chen, & Dopel, 2011) and has been increasingly recognised as an effective tool in this area (Martin and Beckmann, 2011). Studies have been carried testing the effectiveness of podcasts in language learning (Martin and Beckmann, 2011) however, gaps still remain, especially in terms of an effective length and frequency of podcasts (Faramarzi & Bagheri 2015).

I am interested in finding effective ways to use podcasts to help legal English teachers and students and therefore this session will be useful for investigating students and teachers’ opinions about podcasts and the effectiveness of specific exercises used within the podcasts in the acquisition of legal English vocabulary in line with the conference topic. The information collected during the session will help to generate collective knowledge on this topic to be used in my own research as well as being shared with conference participants to use in their own research.

Keywords: Podcast, Legal English, ESL
References


Day 2: FRIDAY, APRIL 27

09.15-10:45: Papers

‘Benefit solely from’: a case study in using language corpora to resolve ambiguity (or not)

*John Williams*

This paper is a contribution to the debate over using language corpora for the legal determination of ‘ordinary meaning’ (Ramer, 2017; Solan & Gales, 2016; Mouritsen, 2010). It is a case study based on a personal experience of the author - a UK lexicologist and corpus linguist though with no special expertise in the law - in his capacity as Trustee of the investment fund of a deceased relative (Mrs E). Alongside the Trust, Mrs E left a will. A certain Mrs O was named as both the default beneficiary of the Trust, and the principal beneficiary of the will, with a bequest of exactly the same (substantial) sum of money. The Executors of Mrs E’s estate were of the opinion that Mrs O was entitled to both sums, and Mrs O naturally concurred. However, the residuary beneficiaries of Mrs E’s will disputed this, arguing that the bequest in her favour simply reflected what she could expect from the Trust, and was not to be considered as a separate sum. They cited, among other evidence, a document signed by Mrs E’s financial advisor, which stated that she “wished Mrs O to *benefit solely from* this Trust”, ie not from any other source. Mrs O countered that this phrase simply confirmed herself as the sole (ie, single) beneficiary of the Trust, and had no bearing on the execution of the will. The question thus hinged on the scope of the word ‘solely’ and seemed ripe for resolution through corpus analysis. The author had at his disposal the multi-billion-word enTenTen13 corpus (Sketch Engine, 2013). However, the results were inconclusive. Although a raw frequency count of ‘benefit solely from’ appeared to support the residuary beneficiaries’ interpretation, this conclusion was rendered problematic by considerations of context, register, collocation, and the proper unit of linguistic analysis.

*Keywords*: corpus linguistics, ordinary language, ambiguity, scope of adverbs
Words matter but so does context: An alarming case of translating organized crime surveillance

Juliette Scott (Institute of Advanced Legal Studies, London)

In the field of national and transnational organized crime, considerable volumes of surveillance transcripts need to be translated for law enforcement agencies and the courts. Despite its crucial importance, this work is widely performed outside institutional controls, often through service provision intermediaries in view of tight deadlines and the large amounts of text, and – moreover – not always by appropriately qualified linguists (e.g., Patrick & Buell 2000). While unilingual transcripts submitted in judicial proceedings have been the subject of academic study, for example regarding their presentation to juries, construction, and ambiguity (Fishman 2006; Fraser 2017; Solan & Dahmen 2015), this paper looks at how such issues are intensified where entextualized data are translated under less than ideal conditions, in particular when outsourced, without access to contextual and interdiscursive resources (Bhatia 1997, 2010; Gawn 1988) such as sound files or tapes. Specifically, translated (Italian to English) covert police recordings in a mafia prosecution reveal how insufficient briefing and constrained translator agency during translation performance (Scott 2016) may significantly affect interpretation and by consequence the reliability of evidence. Lexical and semantic examples from the case (including cohesion, the effect of intonation on meaning, and homonyms) demonstrate the potential risk of misinterpretation. The sample is to be extended as part of a broader project examining the procurement of externalized written translation, which has the overall aim of identifying latent threats to justice and security. Some initial conclusions and recommendations are put forward, aimed at reducing risks.

Keywords: legal translation, organised crime, transnational organized crime, translation agencies, legal interpretation, interdiscursivity

References


Eliciting technical and legal vocabulary with job interviews. A preliminary study with university ESP Law students

Yolanda Joy Calvo Benzies (University of the Balearic Islands)

Two faults which are commonly mentioned when referring to the teaching of foreign languages in our country are: a) the neglect of spoken skills in comparison to written ones (Englander, 2010; Alonso, 2014); and, b) the use of non-authentic spoken activities in the classroom which on some occasions makes the students become bored and unmotivated (Martínez-Asis, 2004). These problems can also be ascribed to the teaching of ESP at university level, mainly because, “written genres rather than oral genres have been considered more central to professional success” (Feak, 2013: 35). Nevertheless, in the last years, the spread in the use of English in some specific fields such as Tourism, Business or Law is also requiring changes in the classroom, one of the most important ones being the fact that attention needs to be paid to developing students’ oral skills. This paper aims at contributing to the field in the sense that it presents a case study in which ESP students doing a major in Law had to complete a job interview as part of their final grade. This activity was chosen because it was believed that students who graduate in this degree would have to face a job interview in their near future and perhaps, part of such interview would be conducted in English; in other words, these interviews can be regarded as authentic types of tasks within this particular ESP field. After devoting a few lessons to introducing students to useful phrases to talk about oneself, their education and their working experience, the students were given an advertisement which included a description of the job vacancy, the requirements and the working conditions; besides this, they were also given a list with the questions they would be asked in the interview so that they could prepare it beforehand at home. In general terms, the results obtained were quite positive in the sense that most of the participants performed an interview which contained a lot of authentic legal and non-legal vocabulary which they would most-likely use again in their future professional and personal lives (for instance, “I have a BA in Law”, “The subjects I enjoyed the most in my degree were X and Y because they were very practical”, “A complex case I would not like to handle would be...”, “moving away from home is not an inconvenient for me”
or “in my previous job some of my functions were to draft legal documents, negotiate employee contracts, provide legal counselling and to prepare and file government reports.”

**Keywords:** Teaching ESP, Authentic materials, Job interview, Legal vocabulary

**References**


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**Day 2: FRIDAY, APRIL 27**

**11.30-12.30: Plenary Lecture**

**The importance of being patterned. Old and new perspectives on legal phraseology**

*Gianluca Pontrandolfo (Università degli Studi di Trieste)*

The aim of the paper is to provide an overview of the main research perspectives that have been adopted so far and can be adopted in the future to study the multifaceted area of ‘legal phraseology’ (Kjaer 1990, 2007). Research on legal phraseology is slowly receiving greater attention within legal discourse studies also thanks to the key contribution of corpus linguistics research, which has both demonstrated the centrality of phraseological patterns in legal language and provided researchers with new and powerful analytical tools (Goźdz-Roszkowski & Pontrandolfo, 2015; 2018). A move from ‘traditional’ types of phraseological units (e.g. collocations, binomial and trinomial expressions) to new forms of patterns, more fluid and versatile in their nature (e.g. lexical bundles, N-grams, semantic sequences), is being experienced in the current research on legal phraseology, which has resulted in a significant shift in the paradigms applied to the study of this field. By reviewing a selection of studies that have tackled this distinctive trait of legal texts from different research angles (e.g. legal discourse, lexicography, contrastive linguistics, translation) and with various methodological tools (e.g. dictionaries, corpora, legal resources), the paper aims at showing how the ‘words of law’ naturally tend to pattern and the importance of such patterning in the construction of legal texts.

**References**


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Day 2: FRIDAY, APRIL 27

12:30-14:00: Papers

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A comparison of two methods for teaching & learning legal English vocabulary and skills. The EMI - CLIL challenge

_Isabel Alice Walbaum Robinson (Università degli Studi Roma Tre)_

This case study examines learners’ expectations and perceptions about engaging in a school of law programme in which law courses are taught in English as a second language (L2). The study is timely given today’s EU action plan towards upgrading the level of foreign language (FL) education in Europe (COE 1976: 2-3; ) by increasing the language mastery of its citizenry, from monolingual to multilingual status, known as the ‘MT+2’ or mother tongue plus 2 languages (CEC 2003: 7; EC 2004: 10, 16; CEC 2008: 12). In the field of FL education, the European Union proposes embracing new ways of teaching and learning for the purpose of internationalization, global scale communication and greater integration of EU citizens (Beacco & Byram 2007).

The study compares the teaching methodology adopted in the school of law programme, known as EMI or English as Medium of Instruction with and alternative method referred to as CLIL or Content and Language Integrated Learning. Both methods share similarities, are widely used in Europe, Asia and The Americas, and yet are different in interesting ways.

The EMI method approaches the language (L) issue by ‘exposing’ students to legal lexis and discipline-based language skills while learning the content (C) in the second language. Teachers are specialists in the ‘C’ part but do not generally have expertise in the ‘L’ part of the curriculum. By contrast, the CLIL method approaches the ‘L’ part by ‘integrating’ it into the programme, as a course in itself, in parallel with the ‘C’ part. CLIL Teachers are either specialists in both the ‘C’ and ‘L’ parts or they work on their respective disciplines in a coordinated but separate manner.

This study suggests that the foundations for a new kind of language education in Europe to achieve FL mastery and the successful integration of language and content, calls for effective language and content planning for it is “just as important to use the CLIL language to learn as it is to learn the language in which content is taught”, particularly if learners’ proficiency levels are inadequate for
engaging in demanding tasks required in these kinds of programmes (Coyle et al., 2010: 37). The study concludes that disregarding conditions such as tutored learning of specialized lexis, building discipline-related skills and the systematic teaching of both subjects, may result in unfulfilled expectations of pedagogically constructive and personally engaging experiences.

Keywords: Foreign language (FL). Teaching and Learning (T&L) methodology. English as Medium of Instruction (EMI). Content and Language Integrated Learning (CLIL).

References


The Influence of the Number of Repetitions on Incidental Legal Vocabulary Acquisition through Authentic Videos

Ekaterina Sinyashina (University of Alicante)

The repetition variable has a direct influence on incidental acquisition of new vocabulary, which can be defined as picking up new words from written or audio contexts when focusing on a different activity. Although previous research mentions the range of 6 to 15 repetitions for successful acquisition of all aspects of new words through reading, no study that establishes the critical point of the repetition number for the retention of new legal words though authentic videos has been conducted so far. Therefore, this experimental study attempts to provide evidence for the critical number of repetitions for incidental new legal vocabulary acquisition through videos at the level of form and meaning to be considered effective. For this purpose, participants with B1 and B2 proficiency levels of the CEFR, who had no or little previous knowledge of the legal vocabulary, were randomly assigned into 2 groups: incidental and control. The novel target words related to legal vocabulary had a different number of repetitions in the incidental group and were introduced by means of the subtitled documentary TV series "Forensic Files". The acquisition of form and meaning of the novel target words were focused upon at the final test. Considerable gains that were found at both form and meaning receptive levels allowed us to conclude that incidental vocabulary acquisition through authentic videos can be considered one of the effective ways of new legal vocabulary acquisition. With the increase of
the number of repetitions there was a significant improvement at the receptive level of form recollection with 14 repetitions being the breaking point for successful form recollection of the novel legal terms. Although no significant correlation was found between the number of the repetitions and the increase in the meaning retention of the legal target words, certain positive tendency was observed with 11 repetitions.

**Keywords:** incidental vocabulary acquisition, the "repetition" variable, legal vocabulary, authentic videos, form, meaning

**References**


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**Court judgments as a didactic tool in the teaching of Legal English and Translation**

*Raquel Martínez Motos (University of Alicante)*

The teaching of Legal Translation English-Spanish, Spanish-English requires from students the acquisition of a series of skills that will allow them to successfully deal with the slippery nature of the meaning of some legal terms and the lack of symmetry or isomorphism between linguistic systems. Thus, the transmission of basic content knowledge relating to the subject matter, both in the original and target culture, of the main characteristics of legal English and Spanish lexical units and of the use of certain strategies and techniques for the solving of translation problems is required. Such transmission of knowledge can be tackled through the use of different tools and methodologies. However, students still show some difficulties (Campos et al., 2013) in the acquisition and use of legal terminology at an advanced level, among other things. This paper concentrates on the analysis and
Description of the role played by court judgments as a didactic tool in the Legal English and Legal Translation classroom. We shall look at the specific linguistic and textual characteristics that turn them into great sources of conceptual and lexical information. The use of judgments as a didactic tool allows students to identify differences between legal systems, to approach the specific use of terms and the legal concepts that they convey, as well as to classify those terms according to their degree of specialization and their semantic field. The aim is twofold. On the one hand, to reflect on the needs of Legal English and Legal Translation students. On the other hand, to discuss the role of this legal genre as a didactic tool that can help to meet those needs.

References


Day 2: FRIDAY, APRIL 27

15:30-17:30: Papers

Dolus in Several Legislations: Terminological Equivalences

Aurelia Nicoleta Pavel-Dicu & Luminîta Mihaela Neagu (University of Bucharest)

This study is a terminological analysis of the legal concept ‘dolus’ (deceit), as addressed in different legislations. We chose the Latin term because it has been inherited by Romance-language European countries whose legal systems have developed from Roman law (some via French law), as reflected by a common terminology: French ‘le dol’, Romanian ‘dolul’, Spanish ‘el dolo’, Portuguese ‘o dolo’, Italian ‘il dolo’. On the other hand, the core elements of the analyzed legal concept can also be identified in Anglo-Saxon law, which justifies the generic use, in this article, of ‘dolus’, despite the actual terminological variations thereof across geographical regions. In these other areas ruled by common law, we note the preference for domestic versions, specialized depending on the branch of law or type of offence. As such, British law uses the terms ‘civil fraud’, ‘fraudulent misinterpretation’, ‘deceit’ in civil matters, and ‘fraud’ in the criminal sphere. Conversely, South African/International criminal law, for example, still make use of Latin terms such as ‘dolus bonus’ and ‘dolus malus’ to refer to some compartments of this legal institution. The concept branches further down to cover narrower semantic content, e.g. ‘dolus eventualis’, ‘dolus directus’, ‘dolus specialis’, as forms of mens rea. Reaching deeper into the intricacies posed by this core legal concept and its particularizations in the considered contexts, we deemed it necessary to identify demarcation lines between the existing various terms for ‘dolus’, thus aiding translators in accurately finding equivalents in specific target languages/legal
systems/cultures. Hence, departing from legal definitions we singled out and compared the semantic features of the terms aiming to unify, in the end, the results of our research in one tool of use to legal translators.

**Keywords:** legal terminology, civil law, criminal law, comparative analysis, legal translation

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**Discourse on Reproductive Rights in the ECtHR Case-Law and Blogs**

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Reproductive rights are frequently addressed by the European Court of Human Rights (“ECtHR”). Judgments raising such issues as surrogacy, medically assisted procreation, abortion and others are associated with the ECtHR bioethically-relevant case-law (Report on Bioethics 2016: 4). From the linguistic point of view, it represents a combination of elements typical of legal discourse, human rights discourse and biomedical discourse. This corpus-based study investigates linguistic practices and strategies of dealing with reproductive rights in the case-law of the ECtHR and in human rights blogs covering the same issues. It compares the use of language in the institutional context of a supranational court – as realised by the genre of the judgments – with a more popularised (Calsamiglia and van Dijk 2004) context of human rights observers – as realised through the blogs (Myers 2010; Mauranen 2013), and specifically legal blogs (Garzone 2015; Tessuto 2015) which involve the linguistic, textual and discursive re-elaboration of specialised knowledge for purposes of blogging. The research is carried out on two corpora: the corpus of web blogs and the corpus of ECtHR judgments. Both corpora cover identical issues, as the blogs present an overview of and comment on the judgments of the ECtHR, which shows how bioethical knowledge is mediated in different environments to address different stakeholders. The study aims at researching the general patterns – both legal and bioethical, their placement and categorisation. The distributional patterns of recurrent phraseological and lexical units are compared across the corpora using methods of corpus linguistics and focusing on the analysis of typicality of frequencies and patterning, as well as quantity and quality of linguistic variation. The research uses both qualitative (genre and discourse analysis) and quantitative investigation tools, and makes use of corpus linguistics using the WordSmith Tools 6.0 and Termostat 3.0 software for lexical analysis and text search.

**Keywords:** reproductive rights, bioethics, ECtHR case-law, human rights

**References**


Asymmetry and legal translation: Act of God, Fuerza Mayor and Cas Fortuit

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This paper aims to carry out a contrastive analysis and emphasize the conceptual differences between Act of God, Fuerza Mayor and Cas fortuit (Chamie, 2010). In particular, this paper will analyse and study the case of Fuerza Mayor through the analysis of the term in itself, the linguistic characteristics (Martí, 2004), the communicative role, the lexical characteristics, the legal purpose of the term, focusing in the Spanish legal system (Argüello, 1998). Finally, we are going to use real examples, in which the translator is the principal actor and he has to offer solutions to the translation of the term Act of God, as well as the translator takes into account the legal framework in order to resolve the asymmetries between the different terms and its translations.

Keywords: Contrastive legal analysis; asymmetries; legal asymmetry; contract terminology

References


Diminutive meaning and legal argumentation: Phraseologies with 'little' in US Supreme Court opinions

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Commonly linked to smallness and young age, diminutives have been the focus of numerous studies describing their use in non-professional settings (e.g. Schneider 2003; Gorzycka 2012) or from a cross-linguistic perspective (e.g. Dressler and Barbaresi 1994; Biały 2015). As these analyses reveal, apart from denotative meanings, diminutives can too be vehicles for the speaker’s emotion and evaluation, conveying affectionate or pejorative attitudes towards discourse subjects and objects. Likewise, it has been demonstrated that in courtroom interaction, the diminutiviser 'little' is frequent in references to the speaker's own or the opponent’s evidence as well as co-occurs with evaluative adjectives (Szczyrbak 2018a, 2018b). Drawing on these findings, and taking a CADS perspective (Partington et al. 2013), the current study seeks to explore the role of phraseologies with 'little' in judicial argumentation. To this end, using data from the Corpus of US Supreme Court Opinions, it aims to answer the following questions: 1/ What are the most frequent collocates of 'little' in the data?; 2/ What are the differences between the patterns with 'little' and 'small' in the data? and 3/ How does the use of 'little' in judicial opinions differ from its use in courtroom data? As the preliminary findings indicate, in the opinions, 'small' attracts concrete nouns, whereas 'little' tends to collocate with abstract nouns and is frequent in the 'be' + 'little' + N pattern (e.g. 'there is little doubt'). This seems to suggest that unlike courtroom talk – where patterns with 'little' are used to evaluate one’s own or the opponent’s evidence, to attenuate precision or to reduce the degree of imposition – in judicial argumentation, patterns with 'little' appear to convey the court’s conviction and epistemic priority. They are also indicative of a not-so-little evaluative role of diminutive meaning in the fabric of judicial argumentation.

Keywords: diminutive, evaluation, judicial opinions, legal argumentation, US Supreme Court

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