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## **THE COMMUNICATIVE METHOD AND SIMULATIONS IN TEACHING ENGLISH TO LAW STUDENTS**

The article is devoted to innovative methods in teaching English for Special Purposes. Particular attention is paid to teaching speaking through role playing and business simulations, cross cultural exchange.

*Key words: language learning, communicative method, personal cognitive interest, communicative simulation, brainstorming.*

**T**he current period is characterised by a strong emphasis on economic arguments for enhancing international cooperation and exchange in the sphere of higher education in our increasingly globalised and interdependent world. However, because of the status of English as an international language, linking many very diverse cultures, the cultural component in teaching and learning English must be considered to be of equal importance to the economic motivation.

The role of the teacher is not only to assist learners to attain a good command of the English language, but also to develop their intercultural competence.

It is well known that some of the most well established methods of teaching foreign languages have failed to address this challenge. For example, the Grammar Translation Method looks upon language learning as a purely intellectual activity in which the learning of grammar rules and of translation techniques are central features while the achievement of meaningful communication is not prioritised. Similarly, the Audiolingual Method pays little attention to the achievement of meaningful communication. The distinguishing feature of this method is that the four skills are taught in the natural order of acquisition; listening, speaking, reading and writing. By contrast, the achievement of meaningful communication is the central feature of the Communicative Method of language teaching, in which the teacher facilitates student-to-student interaction. Admittedly, this method has its weak points, as does every method, in this case its lax attitude to errors. The Communicative Method often allows uncorrected errors to become an ingrained part of the learning process, making these assimilated bad habits all the harder to undo at a later stage of the learner's career. Of course, with the Grammar Translation and the Audiolingual methods the attitude to learners' errors is the opposite – accuracy is the supreme goal. Only a highly qualified and motivated teacher can combine the advantages of

all the above mentioned methods, and yet the need to apply an integrated approach to the educational process makes it imperative that the teacher strives to combine diverse teaching methods.

It is common knowledge that over the past few decades the methodology of modern foreign language teaching has become increasingly oriented towards the achievement of effective communication and that a key goal has become the teaching of communication through the mastering of speech habits. One of the most attractive features of the Communicative Method is its emphasis on mastering cultural patterns associated with the language being studied, including the cognitive, educational and intellectual aspects, and in carrying out this task attempting to bring out the best in the students. This approach promotes acquaintance not only with the lexical and grammatical systems of the language studied but also with its associated culture, indeed cultures, and its relationship with the culture of the language learner, besides exploring the character and peculiarities of the language studied and its similarities and differences to the learner's native language. Last but not least, this communicative approach to language teaching must also attempt to satisfy the personal cognitive interest of the student, motivating even those people who at the outset of the study process have little interest in learning a foreign language.

It should be stressed that this method pays great attention to acquainting students with diverse aspects of the culture of the target language through a process of communication which fulfils an educational, cognitive, developmental and even a nurturing role.

In order to avoid misunderstanding some points have to be clarified. Such widely used terms as international education, multicultural education, comparative education, cross-cultural education, and even global education are, in our opinion, essentially expressions of the changing relationship between modern society and education in a new global setting. It is not the aim of this paper to delve into the complex but fascinating study of the meaning attached to the myriad terms relating to internationalisation, its historic and present role. One overriding factor that influences the rich diversity of English teaching methods in Ukraine and Europe as a whole is the Bologna Process, which has for some time been the driving force behind Eurointegration in education.

In spite of the fact that there is no single acceptable way to go about teaching English at present, there has been a clear understanding that successful adaptation to the modern world requires the inclusion of cultural elements in English language instruction. When this cultural element in English lessons incorporates an idea of the often highly distinctive ethical systems in Anglophone culture the response from students can be especially productive. For this purpose students require specialised textbooks which can supply the required information in a form as accessible and up-to-date as possible. Such text books may take the form of a thorough, encyclopaedic overview («Britain. The Country and its People: an introduction for learners of English» by J. O'Driscoll [8] and «America in Close-up» by E. Fiedler, R. Jansen, M. Norman-Risch [4] are among them). Other highly useful books have been written for people who already know English at least at intermediate level and wish to travel, take a vacation, study or do business in the USA and these can really help students prepare for everyday language situations they may meet while in the US or when they meet Americans outside the US. Such books typically include examples of the more frequently encountered forms, documents and written material that people visiting the USA may have to use or fill out in real life. Excellent examples include «Lifestyle Communicative Behavioral Patterns in the USA» by O. Tarnopolsky, N. Sklyarenko [9] and «How to Survive in the USA. English for Travellers and New Comers» by N. Church, A. Moss [2].

Another rapidly expanding category of textbooks is the one aimed at learners of English for professional purposes, such as law students. Such books may include comparative and explanatory information giving valuable cultural and even historical insight to students who are studying English in a non-English speaking country. A successful example aimed at law students in Ukraine is «Law at First Sight» by S. Kozhushko, O. Glinska, M. Kabanova [6]. Some textbooks in this category are aimed at preparation for professional exams, such as the highly acclaimed «International Legal English. A Course for Classroom or Self Study Use» by J. Day and A. Krois Lindner [3].

The unifying elements of all the books mentioned above are the cultural and cross-cultural elements, which can be highly productive in combination with communicative simulations – the method which is widely used in teaching professional English, being at the centre of attention for researchers now [5; 10].

Communicative simulations for cross-cultural studies have also proved very popular with law students at Alfred Nobel University, Dnipropetrovs'k. Simulations are prepared in advance of the lessons. A highly successful scenario for simulations is holding a mock students' conference entitled «Bodies of Law – Common Law and Civil Law», which is very useful as a rehearsal for those students who are taking part in one of the student conferences which are regularly held at Alfred Nobel University and equally valuable as a practice opportunity for those students not bold enough to take part in a real conference. In this student conference scenario it is vital that every student in the class takes an active part in the simulation. Each student chooses a country whose legal system he/she would like to introduce, the UK, the USA, Canada, France, Ukraine, etc. Such simulations are especially interesting for students in the third or fourth year of study since they know, for example, that Common Law applies in England, Wales and Northern Ireland, most of the USA (except for Louisiana), most of Canada (except Quebec) and most of the former British Empire. Equally, they are aware that the system of Civil Law is used in most of continental Europe. The teacher may play the role either of consultant or of so-called «dictionary», helping the students formulate their ideas. It is very important to organise correctly the goal of such lessons; the evaluation of the group in general and the personal performance of each participant, both from the point of view of linguistic accuracy and of content. Students may represent the legal system of countries with a mixture of legal forms, i.e. Civil Law alongside Islamic Law. An exchange of views is realised with the help of brainstorming, using the following questions to generate ideas:

- Which jurisdictions around the world use which bodies of law?
- Where do you think the first laws appeared?
- Can you explain the definition of the word «Law»?
- What do you know about the Ukrainian legal system?
- What do you know about the histories of Common Law and Civil Law?
- What is the primary source of laws under Common Law and Civil Law?

In answer to these questions a student might willingly mention the name of King Henry II of England (reign 1154–1189) and his role in creating a unified system of law which was «common» to all England, and perhaps also to point out that he additionally ruled extensive territories in France, where a very different system of laws applied. Students should certainly be able to describe how this continental system of Civil Law is based on ancient Roman Law and especially on the Emperor Justinian's *Corpus Juris Civilis*. These communicative simulations bring a variety of benefits to students: an intensive exchange of experience and knowledge, the development of skills necessary for professional English, an increase in motivation, and an integration of various strands of theoretical knowledge. On the other hand, as many researchers have shown, it is very difficult to guarantee equal activity among all the participants and to organise the students into groups where everyone has an approximately equal command of English [1].

Other possible topics for communicative simulations might include: Law in Antiquity, Law-making in the UK and in Ukraine, the Constitution of the USA and of Ukraine, the Legislative, Executive and Judicial branches in the USA and Ukraine, a Comparison between the Ukrainian, British and American Systems of Government – advantages and disadvantages.

Another productive topic of communicative simulation for law students is Company Law: Company Formation and Management. Preparation for this simulation begins with a review of the documentation and different procedures associated with setting up various types of companies. The teacher might at this point remind the students that in the USA many corporations choose to set up in Delaware because Delaware corporations are not taxed on activities conducted outside the state. The students ought to realise that, although the details may vary from country to country, the overall picture will be similar everywhere. This simulation provides a good opportunity to compare the situation abroad with that of Ukraine, to clear up the difference between a company and a partnership, and to revise the differences between various types of companies. In this case, students will represent the following basic types of company:

- sole proprietorship (with one owner),
- partnership (with more than one owner),
- general partnership (when the individual partners share both rights and responsibilities),
- limited partnership (when there are both limited partners with no liability and one or more general partners who are liable for the obligations of the business).

The teacher may play the role of a commentator and explain some national peculiarities, e.g., that most large companies in the USA are so-called **C** corporations which pay corporate taxes. There are also the so-called **S** corporations which are smaller but taxed through their owners. It should be mentioned that this distinction does not exist in the UK, where there is instead the distinctive element, the private limited company (the plc). It is useful to combine elements of the oral simulation with use of written documents, for example the letter of advice, which is a common type of legal writing that helps to provide a clear analysis of a legal problem, enabling the client to make an informed decision on the best course of action.

It is worthwhile to organise discussion between students who represent different countries and types of companies. Below are some typical questions for this activity:

- What is the difference between a company and a partnership?
- What sorts of documents are required when forming a company in Ukraine, the UK and the USA?
- What types of business are defined in Ukrainian civil law?
- What do you know about companies which are famous in Ukraine or all over the world?
- Would you like to be a company lawyer? Why or why not?
- What are the obligations of a company lawyer in Ukraine?

At the end of the lesson, the teacher may invite the students to give their opinions about some successful company in Ukraine.

Yet another topic for simulation is Intellectual Property. It is easy to organise this in the form of an international conference in which one of the students will play the role of a chairman and each other participant will represent a country. To generate discussion, the chairman may pose some of the questions below:

- What do you understand by the term Intellectual Property?
- Is there any difference between intellectual property and real property?
- What do you know about the peculiarities of copyright law in Ukraine?
- What would happen if there were no intellectual property rights?

At the end of this simulation the chairman will ask the students to write a short essay suggesting possible measures the government could take to protect intellectual property rights in Ukraine.

In general, simulations can be organised even for students at the beginning of studying English at university, playing upon the students' enthusiasm for being able to express their own opinions. Naturally, in these activities the teacher should be a facilitator for students' attempts to express themselves in English and not penalise them for grammatical mistakes. One further activity could be a comparative debate on environmental protection in Ukraine, the UK and the USA, particularly in view of the severity of industrial pollution in our own country and the frequent news reports of environmental disasters in the English-speaking world. Each group will represent one of the above nations. First of all, each group will discuss the most serious environmental problems of the country they represent and work out proposals for adoption of some appropriate and binding international laws to combat these threats. At the end of the lesson at least two representatives from each group should speak on the following issues:

- Do you agree that environmental problems are rooted in drawbacks in national legislation?
- What solutions do you propose in terms of stricter laws and heavier fines?

Our experience with law students at Alfred Nobel University, Dnipropetrovsk has consistently shown that communicative simulations on the lines described above have proved highly useful in helping students to internalise their knowledge of professional English through active and creative use in collective brainstorming and debate. The scope of these simulations plays can be increased in sophistication as the students' command of English improves with each successive term and it is highly recommended that curriculum planning and production of academic materials for law students learning a foreign language take this into account. Given that the

academic curriculum for lawyers and other specialities in Ukraine and other post-Soviet nations remains highly demanding in terms of the volume of knowledge imposed on students from the top down, the opportunity to show off their learning orally, often indeed to voice their own ideas and, not least, to play the role of top practitioners in their profession is greatly appreciated by students as a stimulating break from routine. These simulations ought, at least once a term, to take the form of a festive occasion, with guests from teachers of the Law and Foreign Language faculties present and these events are highly suitable for filming, even by local television.

To add authenticity to these simulations and an element of cross-cultural exchange, it is worth including as participants English native speakers, when available, and these could well include English-speaking citizens of Commonwealth countries such as India or Nigeria, which have a Common Law based legal system. Conversely, it would also be worth inviting in the same capacity citizens of continental European countries or indeed of former European colonies, provided that they are able to communicate in English. Again, considering the importance of Ukraine's trade with the Middle East and the central role of English in international communications, it would be productive to invite a representative from that region to contribute on the subject.

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Статтю присвячено інноваційним методам у викладанні англійської мови для спеціальних цілей. Особлива увага приділяється навчанню усного мовлення з використанням ділових ігор.

*Ключові слова:* навчання мови, комунікативний метод, пізнавальний інтерес, ділова гра, мозковий штурм.

Статья посвящена инновационным методам в преподавании английского языка для специальных целей. Особое внимание уделяется обучению устной речи с использованием деловых игр.

*Ключевые слова:* обучение языку, коммуникативный метод, познавательный интерес, деловая игра, мозговой штурм.

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