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FRAME MODELING METHOD IN TEACHING AND LEARNING LEGAL TERMINOLOGY

Abstract. Law is known to exist only being articulated in a language and discourse, and the students' ability to comprehend and use its meta-language is one of the main goals for English for Legal Purposes (ELP) teaching. The knowledge of terminology enables students to fit new information (linguistic, disciplinary, factual, cultural, etc.) into the framework of the legal system they are studying. The acquisition of terminology in a foreign language implies knowledge of both conceptual content and the means of its verbalization. This article argues for a cognitive approach to teaching Legal English, and frame modelling as an effective method of teaching and learning legal terminology. The heterogeneous structure of legal concepts (a permanent core and dynamic periphery) suggests the possibility of framing their verbal representations. From this perspective, legal terminology is viewed as a frame structure. Depending on the instructional objective, frame modelling may be circumscribed around a specific concept or frame level.

Keywords: concept, cognitive teaching, frame, language didactics, legal culture, terminology.

1. Introduction

Learning Legal English as second language is known to be impeded not only by the clash of different linguistic backgrounds, but also by the conceptual information bound with another legal culture. ELP students have to study legal concepts of a foreign legal system in a foreign language, which is surely not an easy task. That is why the ELP teacher's primary aim is to find viable means facilitating the learners in acquiring new complex knowledge. The spirit of making the learning process practical, interesting and less daunting for students is a never-failing quest guiding scholars in their pursuit of more effective approaches to, and methods of, ELP instruction – the research scale ranging from the general principles of language didactics methodology (Hoffman 2011; Jing 2016; Khizhnyak 2015), ELP teaching

programs design (Sierocka 2016; Baffy 2017), to specific methods of particular skills training (Chovancov'a 2016; Hanewald 2012; Vyushkina 2016).

The overview of the language didactics research landscape has shown that methodologies for teaching English for Special Purposes, as well as for ELP and CLIL for law rest largely upon the hypotheses put forward by cognitive linguistics, and that major discoveries in this science are inevitably co-opted in applied methodology (Davidko 2011; Hartig 2016; Robinson and Ellis 2008).

2. Cognitive approach to teaching Legal English as second language

The linkage between cognition and language is not in doubt: our mind processes and generates knowledge with the help of the cognitive apparatus and the acquired knowledge is lexicalized by means of language. As Robinson and Ellis (2008: 3) put it in their succinct remark,

Learning language ... like learning about all other aspects of the world, involves the full scope of cognition: the remembering of utterances and episodes, the categorization of experience, the determination of patterns among and between stimuli, the generalization of conceptual schema and prototypes from exemplars, and the use of cognitive models, of metaphors, analogies, and images in thinking...

In considering the implementation of the cognitive approach into the theory and practice of teaching and learning Legal English as a second language, it is relevant to look at several foundational principles to cognitive linguistics (CL) activity and their implications for teaching Legal English as a second language.

2.1. Principle 1: CL view on the essence of knowledge

The multidisciplinary theory of knowledge, elaborated in the CL realm, has made a rather vague notion, “knowledge of the world,” more precise. According to the theory of a *macrostructure*, people acquire and mentally represent knowledge in various levels of generalisation and specialisation, and these different types of knowledge condition “context models” which manage and control the formation of the language users’ discourse and comprehension (Dijk 2008: 16, 74).

Indeed, the comprehension and mental representation of one and the same concept (e.g. *a trial process*) by a law practitioner, a lawyer-to-be

student and a layman are significantly different: if a claim to file a lawsuit is prepared for a client, or if one reads a text about the procedure of filing a lawsuit, or one experiences a situation of being a party to a lawsuit, one acquires different types of knowledge (general, professional, specific, personal, subjective, cultural, etc.). Production of legal discourse, however, is not as simple as its comprehension. Neither a legal dictionary nor an official document would suffice for producing a valuable legal discourse by law practitioners or lawyers-to-be. As Hoffman (2011: 5) claims, they need “to understand the social practices” that dictate what will be considered appropriate in their legal discourse community. Examining the role of “text-internal” and “text-external resources” in the discursive practices of academic and professional communities, Bhatia (2012: 17) suggests that the latter are of primary importance for professional discourse functioning.

Considering the factors affecting translation, interpretation and application of legal texts, Sierocka (2014: 195) argues that cultural and social contexts (like a country’s system of government, legal system, historical and cultural values) make legal texts confusing for learners, especially when legal cultures and systems differ enormously from each other. Further highlighting this concern, Khizhnyak (2016: 72) points out that the referential meaning of each term of law is accompanied by “social implication, which is the reflection of its cultural sense” and even in the communities which speak the same language (e.g. regional variants of English in Britain, the USA, Australia, India, etc.) significant culturally-bound peculiarities are found in the systems of legal concepts.

Different types of knowledge may be considered as elements of *declarative* and *procedural* category learning systems (Galskova and Gez 2004; Lum et al. 2012; Turner et al. 2017). The typology is based on the assumption that **knowledge** is not mere knowing a basket of facts or pieces of information (*declarative* knowledge or “*what-knowledge*”). **Knowledge** also includes the ability to apply this information to various situations for achieving various goals (*procedural* knowledge or “*how-knowledge*”). The acquisition of these types of knowledge leads to the availability of the two types of competences: linguistic competence (the ability to use and understand the meta-language of the subject) and conceptual competence (the ability to make a motivated choice of a pattern of linguistic organization at numerous levels (lexis, syntax, semantics, pragmatics, discourse genre) on a systematic and thoughtful basis).

The interaction of these two types of knowledge becomes apparent in the process of students’ understanding and interpreting new information in ESP

and CLIL for law. The issue has received considerable research attention (Hartig 2016; Khiznyak 2016), and major differences concerning the operation of the knowledge types have come to light. Addressing the concern, Khiznyak (2016: 75) demonstrates how the interplay between terminological “concepts of law” and “concepts of implementing law” may impede students’ comprehension of legal texts in a second language. In his view, the former type designate disciplinary concepts characterized by formal and semantic stability; the latter, being theoretical constructs, are marked by legal culture and tradition, and, quite often, have no counterparts in other jurisdictions, such as the Russian law concept *механизм правового регулирования* and common law concepts *causation, judicial review*.

Khiznyak’s taxonomy of “concepts of law” and “concepts of implementing law” resonates with Hartig’s (2016: 71) taxonomy of “discourse-structuring concepts” and “discourse-relevant concepts”. She draws the distinction between the two types of concepts based on their functions in a legal discourse. Discourse-structuring concepts (e.g. *precedent cases as a source of law, reasoning by analogy*) are implicit constructs shaping the students’ comprehension of disciplinary texts and tasks. Discourse-relevant concepts represent “major principles of specific areas of law”, they are explicit lexical concepts which are found in legal dictionaries (e.g. *extraterritoriality, immunity, soft law, ius ad bellum*), and, therefore, are “easily identified by students as key terms” (Hartig 2016: 71).

Table 1
Types of law-oriented knowledge

KNOWLEDGE	
DECLARATIVE “ <i>what-knowledge</i> ”	PROCEDURAL “ <i>how-knowledge</i> ”
the ability to understand and use the meta-language of the subject studied ↑	the ability to make a motivated choice of a pattern of linguistic organization at numerous levels ↑
“discourse-relevant concepts”/ “concepts of law”	“discourse-structuring concepts”/ “concepts of implementing law”
(e.g. <i>jurisdiction, extraterritoriality, immunity, conflict of laws, treaty, negotiation, ius ad bellum</i>) ↑	(e.g. <i>precedent cases as a source of law, reasoning by analogy, causation, judicial review; механизм правового регулирования</i>) ↑
explicit concepts acquired through definitions in legal dictionaries	implicit concepts acquired through practice (academic and professional)

Though dealing with different aspects of law-oriented knowledge acquisition, both taxonomies highlight the distinction between legal concepts in a similar way and are perceived as consistent with cognitive approach. The distinctive characteristics of the concepts suggest that the knowledge hereof may be described in terms of *what*-knowledge and *how*-knowledge (see Table 1).

2.2. Principle 2: CL view on the acquisition of knowledge

Explanation of how the cognitive model of knowledge acquisition in a second language is built is grounded in Constructivist Theory (George Kelly) and Monitor Theory (Stephen D. Krashen).

The fundamental claim of Constructivist Theory is that learning is an active process involving *empathy* (a learner's motivated participation in knowledge acquisition) and resulting in generating a so-called "personal construct" (a mental model) which is developed through empathic experience and through which a learner comprehends and interprets new information (Fransella 2003: 43).

Dealing with the interaction between the systems of subconscious language *acquisition* and conscious language *learning*, Monitor Theory (Krashen 2002) hypothesizes that conscious learning is available to the performer only as a Monitor and that an optimal Monitor user is the performer who uses learning as a supplement to acquisition, monitoring when it is appropriate ((Krashen 2002: 4). According to Krashen (2002), a second language class may be utilized for both acquisition and learning if it 1) provides for a subset of a comprehensible linguistic "input", 2) is complemented by "extra linguistic support to aid in comprehension"; 3) follows the "here and now" principle; 4) employs a good deal of communicative activities (Krashen 2002: 101).

In the view of the aforementioned, it may be assumed that law students' ability to build their personal assemblage of legal knowledge should be facilitated by an instructional method which mirrors a cognitive model of the knowledge acquisition process, and provides for a subset of a linguistic input which is comprehensible, i.e. it is easily perceived and presented in a visual form. **In other words, the instructor has to help students build their specialized (law) knowledge, verbally articulate the representations of the legal concepts studied, their place(s) and role(s) in legal discourse, and, simultaneously, provide means of expressing new notions in the discourse.**

2.3. Principle 3: CL view on the storage and representation of knowledge

The CL view on the storage and representation of knowledge is couched in a fairly accurate observation that “cognition, consciousness, experience, embodiment, brain, self, and human interaction, society, culture, and history are all inextricably intertwined in rich, complex, and dynamic ways in language” (Robinson and Ellis 2008: 3).

In considering the ways that language manages these processes, cognitive science holds that language is a system of knowledge representations, or mappings, existing in a multiplicity of models. As Dijk points out, these models provide “a simple, elegant and powerful account of local and global coherence” embracing many “aspects of discourse understanding and production” (Dijk 2008: 59). The study of these models is not a goal in itself for cognitive linguistics. In practice, such study enables more effective methods to foster knowledge to be found, operating through models which are relatively simple in structure, changeable and adaptable to specific instructional and communicative situations.

In classroom settings, instructors and students focus on the factual and linguistic information which is in the immediate priority for understanding texts rendering specific legal content. Putting it in the terms of the cognitive definition of relevance, discourse participants (instructors and learners) rely on “contexts as mental models” representing “those properties that are ongoingly relevant” and allow appropriate interpretations of information in communicative situations (Dijk 2008: 19).

Following this assumption, it may be presumed that **mental models** to be built in ELP instruction process should be **legal context models** representing what is relevant for students in a particular instructional communicative situation.

2.3.1. The framing theory

Cognition is a motivated and continuous process generating a wide range of conceptual representations. Some of these representations are compact and unable to be divided into smaller parts (e.g. *gestalt*), others can be viewed as structures with “open edges” (e.g. *frame*).

The **framing theory** introduced by Minsky (1974) was aimed to improve the model of knowledge representation in a system of artificial intelligence. In theory, framing is a perspective on how individuals, groups and societies organize, perceive and communicate about reality. Frames are conventionalized structures and organize data into a hierarchy which is viewed as the mapping of knowledge of a particular situation or a class of situations.

Formally, a frame is a structure with a top level containing permanent (unconditionally true) data and lower levels which can be filled in by potentialities. A frame has a well-organized structure whose elements can be described in different terms: a macro frame, thematic frames, sub-frames, slots, clusters, terminals depending on the type and the extent of the acquired knowledge.

In essence, frames in language are groups of words constituting a coherent whole, accumulated around a particular concept. As far as its structure is concerned, a frame is very similar to a *lexical-semantic field* (a traditional linguistic device denoting a set of words united by a common semantic component). For example, a lexical set of terms united by a common semantic component may be regarded as a terminological representation of a frame (Khizniak 2016: 29). However, there is an essential difference between a frame and a lexical-semantic field: the former accounts for the multiplicity of interpretations of knowledge representations spectrum, while the latter are focused primarily on the study of groups of words as linguistic phenomena.

One of the most significant properties of a frame is its ability to be integrated into a larger structure on the one hand, and to be deployed as a hierarchy structure itself, on the other. Therefore, frame modelling is applicable to studying concepts which are constituents of extensional structures (macro concepts, paradigms), **law** being an example thereof.

The frame theory has gained substantial support among linguists as a methodological approach which can broaden and deepen the coverage of the research. Addressing legal terminology as a medium of a legal culture, Khizhnyak (2015) believes that if the research is aimed at contrastive analysis of different legal cultures, frame modelling method may yield better outcomes. He perceives the benefits of the approach in the variety of frame types (*frames-structures* (representing objects and concepts); *frames-roles* (e.g. judge, plaintiff, defendant); 3) *frames-scenarios* (e.g. arrest, punishment, discovery); *frames-events* (e.g. robbery, murder, assault) which correlate with the forms of the legal knowledge and can be adapted to different research targets (Khizhniak 2015: 108).

Operational in making a comprehensive description of the subject field by modelling its cognitive construct and scrutinizing its content and structure, the frame modelling method has been employed in investigations of professional languages, their research targets being among the following: professional concepts studied as constituent parts of a macro concept (e.g. bargaining environment in economic sphere) (Budd 2004); contrastive analysis of terminologies (e.g. public relations concept in British and Amer-

ican cultures) (Ignatkina 2016); elaboration of the general abstraction-network framework of various terminologies (e.g. medical terminology) (Halper et al. 2015).

In language pedagogy the frame modelling method is also widely used to visualize and organize both content and vocabulary into a coherent whole. Depending on the material and instructional objectives, a frame may be graphically presented in various figures: a scheme; a scenario; a concept map (Budd 2004, Hanewald 2012).

Taking into consideration different approaches to the concept of a frame, and being guided by the aims of the presented research, the author has elaborated definition of the concept as follows: *a frame is a cognitive knowledge base with a conventional hierarchical structure; it is comprised of interconnected and interrelated thematic frames, sub-frames to which further frame modelling operations can be performed in order to build constructs instrumental in acquiring complex knowledge. Depending on a line of research or an instructional objective, frame modelling may be circumscribed around a specific element of a frame which, in its turn, can be viewed as a frame structure itself.*

2.4. Principle 4: CL view on terminology

In the classical theory, the permanence of a “concept \leftrightarrow term” assignment is considered to be one of the bedrock principles of terminology as a system. Proponents of the cognitive approach to terminology presume it is incorrect to perceive a term as a static phenomenon, and suggest that the meaning of a term is acquired within a frame including its semantic and pragmatic background. Reimerink et al. (2009) claim that Frame Semantics and Frame-Based Terminology methodologies are operational in retrieving contextual information necessary for creating “terminological knowledge bases”. Addressing the issue of managing terminologies with large concept networks, Halper et al. (2015) assume that a frame, being an “abstraction network”, is “a means of facilitating the usability, comprehensibility, visualization, and quality assurance of terminologies”. Manifesting the logical organization of specialist knowledge, a frame model mirrors the genus-species relations between the terminological concepts: the generic diversity of concepts is deployed horizontally; the species elements are deployed vertically following the so-called “matryoshka” principle. Graphically a frame may be featured as a scheme with a top level, representing invariant information, and lower levels filled in by situational data. Each part of a frame structure is assigned a “title”, thereby showing the generic hierarchy in a vivid, easily perceivable way.

In the view of the aforementioned, the author presumes that a legal term, being the means of verbalising a legal concept, is a dynamic phenomenon. The heterogeneous structure of legal concepts (a permanent core and dynamic periphery) suggests the possibility of framing their verbal representations.

For the purposes of teaching and learning, legal terminology this research instrument is certainly operational as well, since it meets at least three demands of the mentioned above instructional method fostering both acquisition and learning: a coherent, logically presented linguistic “input”, hence comprehensible; the primacy of content over its verbal representations, hence extra linguistic support; both invariant and situational data are available, hence the “here and now” principle is followed.

From this perspective, legal terminology as the means of verbalizing legal concepts is perceived as a four-level frame structure:

- 1) **macro-frame** (legal terminology as a total subject field domain – **LAW**), built up by
- 2) **thematic frames** (lexical-semantic representations of extensive legal events (disciplinary concepts) (e.g. procedure – **criminal procedure**, etc.)), comprised of
- 3) **sub-frames** (lexemes representing the cognitive characteristics of a legal event (concept) variables (e.g. **constitutional principles, searches and seizures, arrest, etc.**), and
- 4) **attached frames (i.e. slots of the sub-frames; their terminals** are filled in by lexemes clustered around a specific phenomenon of an object belonging to the same class (e.g. *writ of habeas corpus (habeas corpus ad deliberandum et recipiendum, habeas corpus ad faciendum et recipiendum, habeas corpus ad prosequendum, habeas corpus ad respondendum, habeas corpus ad satisfaciendum, habeas corpus ad testificandum); constitutional amendments (fourth, fifth, sixth, eighth and fourteen amendments)*) (see Fig. 1).

As the frame model suggests, the term *habeas corpus ad satisfaciendum* is not glued to a fixed place in the system and may have ties with different parts of the frame, i.e. with both *criminal* and *civil procedure*:

Habeas corpus ad satisfaciendum (lit. “...to give satisfaction”), a writ directing that a person in the custody of one court be delivered to another court for execution of a civil judgment [Webster’s Dictionary of the Law 2000: 209].

Thus, if *civil procedure* is regarded as a generic term and frame modelling is circumscribed around the corresponding concept, the distribution of the frame slots and lexemes verbalizing them will be different. In other words,

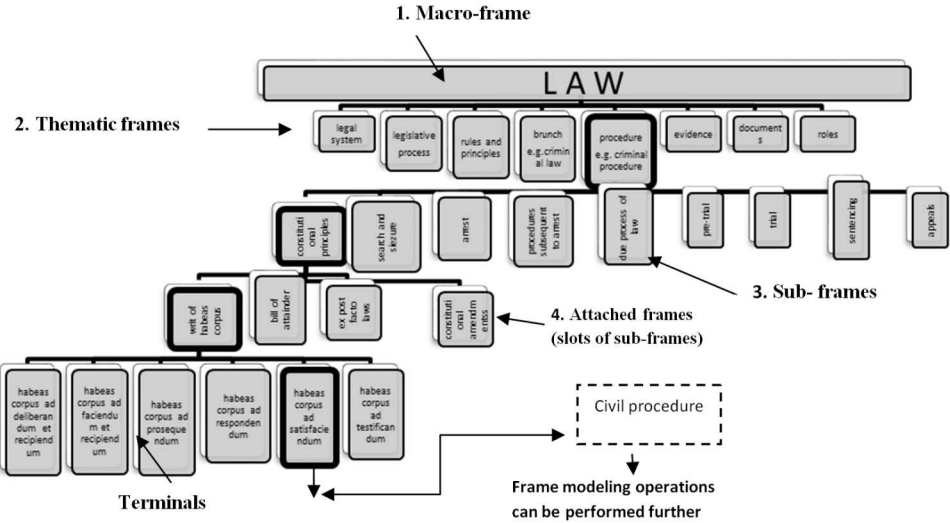


Figure 1. LAW frame

it is the choice of a frame element regarded as generic that makes mutual distribution of the frame slots and lexemes, verbalizing them, variable.

3. The frame modeling method implementation in ELP course

In this section I will try to show how **the method of frame modelling** may facilitate the process of students’ acquisition of legal concepts through terminology. The method has been incorporated in a Legal English course, in particular, in the *Introduction to International Legal English* (Krios-Linder and Firth 2008) class for Russian students pursuing a Bachelor’s degree in Law and taking an adjunct course in Legal English at Saratov State Law Academy.

The choice of the textbook as the study sample is due to its focus primarily on fostering the linguistic competence of learners rather than on facilitating a deep knowledge of common law. At the initial stage of instruction it is a primer, since it may not be appropriate to shepherd major law principles into ELP class just at the outset. The textbook, being organized into units each dealing with a particular area of the law, provides an excellent “sailing map” guiding the students in the “sea” of legal concepts. Howbeit, as far as the vocabulary is concerned, ELP students are known to encounter *two major problems*: 1) vocabulary organization (a fairly large

amount of new heterogeneous vocabulary while dealing with legal texts and course assignments) and 2) cultural differences between Russian law jurisdiction belonging to Romano-Germanic legal system they are familiar with and common law jurisdiction (Anglo-Saxon legal system).

1. Vocabulary organization

As is often the case with learning new law terms together with new general academic vocabulary, the lists of words may become too long and chaotic. To make the process manageable students can fulfil a set of simple activities:

- 1) assemble lists of words into groups of either law-specific or general category;
- 2) study their lists of law-specific vocabulary and think of how they can further group the terms;
- 3) label each group of related terms and explain their decision.

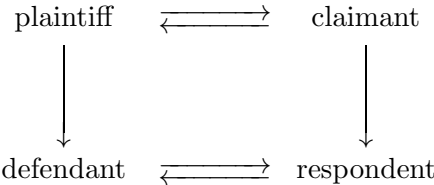
The activity may be done on the basis of a given reading assignment/a day's class/a textbook unit, depending on the circumstances and instructional goals. Whatever the choice is, the activity is fairly useful: following this simple plan, students get accustomed to systematizing and visualizing the data (both conceptual and lexical). Also, invoking cognitive operations, the activity is certainly helpful for lexicon formation. **Essentially, it is preparatory work advancing frame modelling procedure.**

The activity completed, students are instructed that the lists of both law-specific and general words may be further sub-divided into sub-categories. For example, for Unit 1 "A Career in law" the law-specific sub-categories may be "*Core subjects*", "*Elective courses*", "*Courses on legal practice*", "*Types of a law firm*", and general sub-categories may be "*Academic qualifications*" and "*Personal qualities*". At the initial stage such kind of work on vocabulary organization is necessary and important because it lays down the basis of declarative knowledge acquisition and meets the demand of the "here and now" principle of cognitive didactics: the students deal with discourse-relevant concepts which are necessary for constructing a context model for further organization of their communication patterns. Having selected and organized a compact vocabulary list, students construct their background knowledge for comprehending and producing simple discourse.

The more law-specific items have been learned, the more important it is to disclose to the students some characteristics of **legal terminology as a system**: the hierarchy and genus-species relations between the terms, the predominance of some structural models (e.g. Adjective+Noun (*adminis-*

trative law, commercial law, international law, Supreme court, legal framework, multiple jurisdiction, etc.), Noun+Noun (company law, tort law, law clinic, framework convention, nation state, etc.) Noun+Preposition+Noun (trial by jury, principles of jurisdiction, crimes against humanity, etc.), synonymous-antonymous relations and the significance of terminological parallelism in evaluating denotation of a term through the meaning of its counterpart/opposite (e.g., crime – punishment, crime-tort; plaintiff – defendant, plaintiff – claimant; natural rights – civil rights, natural rights – human rights; international law – domestic law, international law – law of nations; private international law – public international law, private international law – conflict of laws, etc.).

There are instances when synonyms and antonyms may literary present a **semantic square frame**:



Given this information, students may proceed to categorizing the law-specific vocabulary they have learned based on different criteria. This activity provides for a more complex and coherent model of mapping the acquired knowledge. **In addition to learning legal content through its terminology, students become aware of the importance of making connections between the new terms (concepts) and those already known and finding legal threads among both, thus they lay down the foundation for procedural knowledge.**

2. Cultural differences

Educational linguists (Blackledge & Greese 2008: 536) argue that all teaching should take into account a body of knowledge which is the “heritage” of the cultivated classes and this “heritage” constitutes “powerful discourses”, which inevitably hinder the acquisition of knowledge bound with another culture.

With ELP students the value of cultural knowledge cannot be overestimated. Many common law concepts do not have equivalents in Russian law. That is why facilitating students’ acquisition of such concepts will necessitate disclosing to them the context of the legal culture in which they originated.

It is principally relevant when students are dealing with *property law*, *tort law* and *the law of contracts*. In particular, they should be made aware of the “*law of equity*” concept (discourse-structuring type) which gave rise to many legal doctrines within the named areas of law. Therefore, the knowledge of how it operates in the discourse is significant for highlighting the differences between the two jurisdictions in their interpretations of specified areas. For example, *Russian property law* (Continental legal tradition) is much less complex and extensive if compared to its counterpart in the Anglo-American (common law) legal paradigm. That is why familiarizing students with the terms designating major *property law* concepts (e.g. *real estate*, *freehold estate*, *fee simple*, *life estate*, *estate pur autre vie*, *fee tail*) and disclosing to them the differences thereof should be complemented with making them aware of how *a person’s interest in real property* is viewed in the common law tradition, namely as a two-level structure: “*legal estate*” (common law) and “*equitable estate*” (law of equity).

E.g. **Legal estate is defined as follows:** “*Ownership of land or an interest in land either in fee simple absolute in possession or for a term of years absolute. Under the Law of Property Act 1925 these are the only forms of ownership that can exist as legal estates in land. All other forms, e.g. life interests and entailed interests, are equitably only* (Oxford Dictionary of Law 2002: 284).

In other words, real property transactions are carried out by the owner under the law (common law) while the benefits, collocated to the same property, belong to them under the law of equity (see Fig. 2).

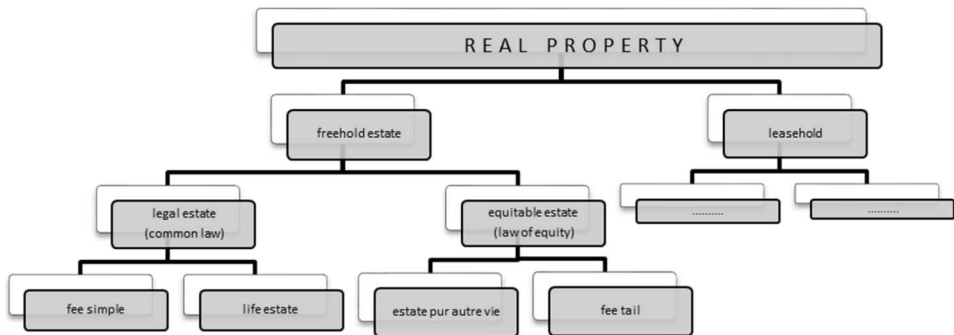


Figure 2. REAL PROPERTY frame

The graphical presentation of the frame of the *real property concept* (as it is represented in common law jurisdiction) helps students create relevant context knowledge for communicating instructions.

2.1. The method implementation in a specific class: International Law

The field of teaching to be discussed further is Unit 9, International Law in Introduction to International Legal English (Krios-Linder and Firth 2008: 94–105). The specificity of international law, “a dauntingly complex and variegated subject” (Janis 1999: xvii) makes learning its content in English more difficult than that of other branches. It is due to the fact the methods and processes of its making and enforcing are very different from those of a domestic legal system.

To make the subject clearer, a comparison of domestic law and international law systems’ characteristics may be helpful. Both are well-organized, multitier systems, hence can be featured as frames (see Fig. 3).

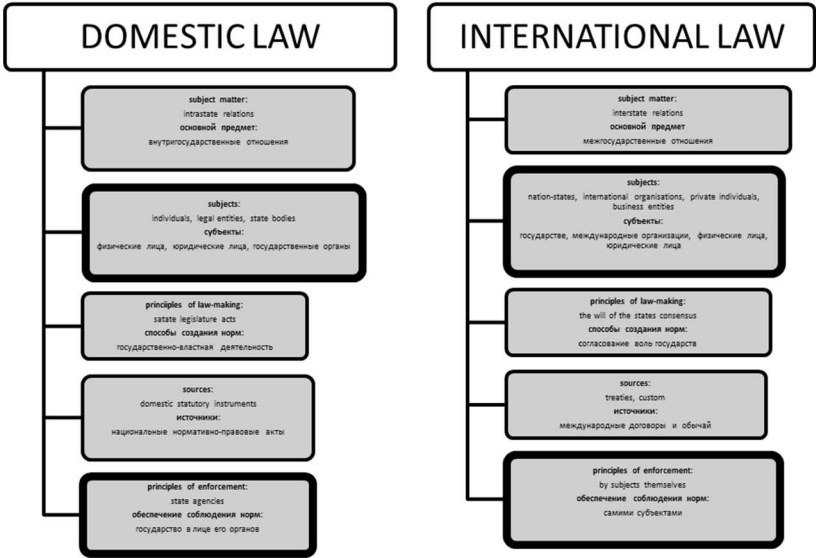


Figure 3. A comparison of a domestic law and international law systems

The L1 (Russian) diet is necessary here because the frames represent new legal concepts and are more aimed at introducing and organising content coherently than vocabulary.

While analyzing the parts of the frames it is necessary to highlight to the students the significance of the “*subjects*” and “*principles of enforcement*” sub-frames for further understanding the ideas of international law in general, and *conflict of laws doctrine*, in particular.

As the frame suggests, private individuals and legal/business entities are the *subjects* in both systems, which poses a challenge of identifying relevant legal norms to address conflicts between them, provided they are

residents of different states. The cross-border recognition of judgments is also a challenge due to the “*by subjects themselves*” *principles of enforcement* in international law. Given the information on the discrepancies and overlaps between the two systems, students can “tune up” their minds to a new perspective for learning the key concepts and ideas of international law.

As soon as the brainstorming activity is completed, students are instructed to read introductory text in detail and follow the strategies mentioned above in order to analyse new and also familiar vocabulary (the lists of words may be typed up in the order they appear in the text and the copies of handouts distributed among the students) (see Table 2).

Table 2

Vocabulary categorization Reading 1

<i>General academic vocabulary</i>	
<i>Verbs</i>	refer to, govern, be derived from, originate, address, distinguish between
<i>Law-specific vocabulary</i>	
<i>“branches of IL”/ “parts of IL”</i>	public international law, private international law/conflict of laws, supranational law
<i>“sources of IL”</i>	custom, customary international law, customary law
<i>“types of international agreements”</i>	conventions, agreements, charters, framework conventions, outline conventions
<i>“international organizations”</i>	the United Nations Organization, the World Health Organization, the World Health Organization, the World Trade Organization, the International Monetary Fund
<i>“types of organizations”</i>	intergovernmental organizations, supranational organizations
<i>“types of rights”</i>	the rights and duties of private individuals and business entities, the rights and duties of sovereign state
<i>“types of conflicts”</i>	conflicts between private individuals or business entities, conflicts between states or international bodies
<i>“types of laws”</i>	international norms and laws, supranational law, laws of war

Sets of terms so found may be analysed from the point of view of their structural and paradigmatic characteristics. E.g. it should be highlighted to the students *why* the terms “*private international law*” and “*conflict of laws*” are synonymous, and cultural context underlying hereof should be disclosed.

Reference to a specialized textbook on International Law best serves this purpose (Janis 1999: 321):

International law addresses not only the political and economic relations of nations, but also the interface between municipal legal systems. In civil law countries, this interface is studied under the rubric of “private international law” even though what is largely at issue are the international relations of courts, legislatures, and executives, surely a matter of public concern. In ... common law states, the subject’s more usual appellation is “conflict of laws”, but it must be remembered that the relevant laws and processes have a great deal to do with conflict avoidance and international judicial cooperation.

Different activities on the operation of the new notions in the discourse may be necessary. E.g. the task involving *paraphrasing* the sentences from the excerpt using the verbs (general vocabulary) from the initial text will help the students to combine the learned lexical items in topical expressions:

govern

International law addresses not only the political and economic relations of nations, but also the interface between municipal legal systems.

distinguish between

In civil law countries, this interface is studied under the rubric of “private international law”, in common law states, the subject’s more usual appellation is “conflict of laws”.

refer to

It must be remembered that the relevant laws and processes have a great deal to do with conflict avoidance and international judicial cooperation.

When the desired level of comprehension is achieved, once can proceed to feature the *International Law frame* in order to help students develop an appreciation of the subject area (as much as it is introduced in the text) and look at the terms as representatives of the relevant concepts, and on the place each concept occupies in the system.

Following the accepted method, the *International Law* concept is mapped by a *thematic frame* (within the *macro-frame* “Law” structure). The name of the *frame* manifests the subject domain (*International law*) (see Fig. 4).

To proceed, the students are asked to find the terms and collocations which can be grouped under the rubrics assigned to the *attached frames*, that is, to fill in the *terminals* by lexemes clustered around a specific concept. The activity can be done in small groups each given a specific *attached frame*. E.g. the attached frames “*treaties*” and “*international organizations*” can be filled in based on the text and on the previous activities on categorizing the vocabulary.

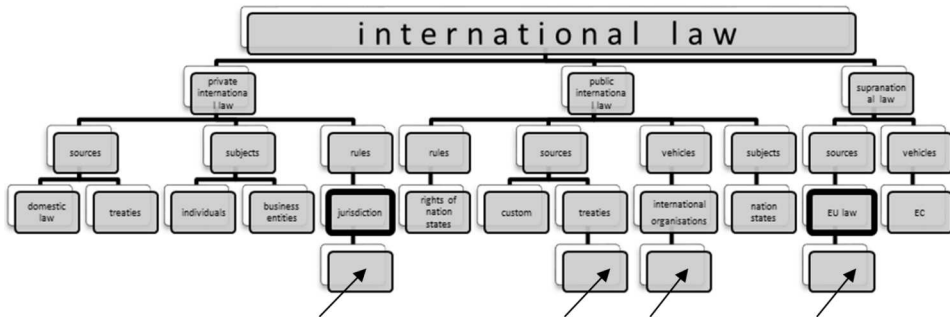


Figure 4. INTERNATIONAL LAW frame

The terms and collocations clustered around the “EU law” and “jurisdiction” concepts can be found in Reading 2 Developments in EU law on pages 96–97, Listening exercises on pages 102–103, Audio transcript on pages 136–138 of the textbook. The samples of frames featured on the basis of the texts and exercises of the unit are given below (see Fig. 5, 6).

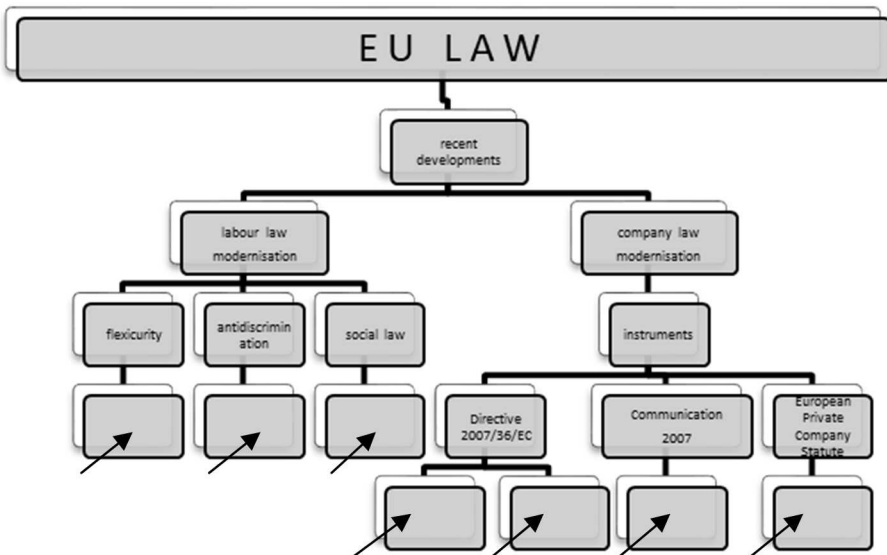


Figure 5. EU LAW frame

The frame based on Reading 2 (see Fig. 5) may be used to test the students’ skill of correctly eliciting the information from the text. The students are instructed to negotiate the distribution of the collocations from the text among the gaps in the frame, that is, to fill in the *terminals* of the

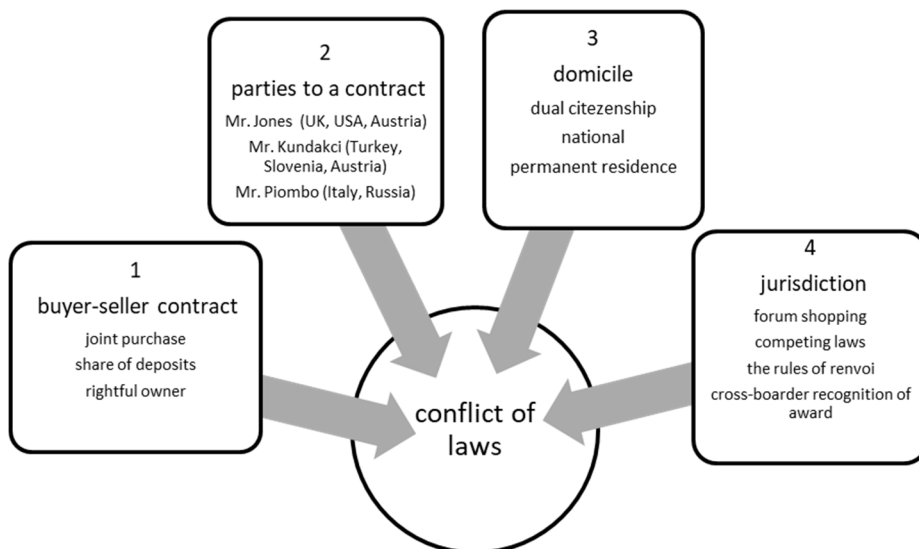


Figure 6. CONFLICT OF LAWS concept map

attached frames “Flexicurity”, “Anti-discrimination”, “Social law”, “Directive 2007/36/EC”, “Communication 2007”, “European Private Company Law Statute”.

The collocations for this activity may be as follows:

welfare state, easy hiring and firing, benefits for employment; gender equality, social rights, internal market, shareholders rights, merges and divisions of companies, business environment, accounting and auditing, transfer of companies registered office.

The Listening exercises section (Krios-Linder and Firth 2008: 102–103; 136–138) deals with a case involving the laws of more than one jurisdiction, and is intended to familiarize the students with the *conflict of laws* doctrine. The graphical presentation of a frame featured as a concept map can supplement exercise 26 on page 102, and exercise 28 on page 103, helping students to focus on the facts, the participants and the legal issue of the case and to put together the stages to a case involving a conflict of laws (see Fig. 6).

Once certain that students have grasped the linkages between the terms and the concepts that they represent, one can proceed to an advanced stage of work on International Law. I call it the “*avalanche strategy*” when students are given a relatively long text with a mass of legal terms, with the caveat, that the content of the text reconstructs and/or reinterprets the material learned at the initial stage.

The text can be taken from various sources at the discretion of the instructor. The sample text discussed below is an excerpt from ‘ABC on International Law’ (2009). The book is a glossary providing explanations of the most important concepts of international law preceded by an easy-to-understand introductory text encompassing key pillars of international law. This introductory text is given to the students for the search and analysis of terminology. The task combines the two cognitive dimensions of involvement: search and evaluation. “Search” here is an attempt to find the L2 word or collocation expressing a given concept; “evaluation” is a selective decision about the fitness of a lexical element to a particular context.

The feedback on the task is given below in Table 3.

Table 3
Vocabulary categorization ABC on International Law
(the “avalanche” text)

<i>General academic vocabulary</i>				
<i>Verbs/collocations</i>	to refer to, concern, is created by, played an increasingly important role in, are of considerable importance for, to respond to, affiliated with, taking on an increasing number of tasks, come under the scrutiny of, be invoked and upheld before...and by, ceased to be exclusively concerned with, extending directly into, increasingly focuses on, being called into question, is created entirely differently than, are the result of			
<i>Law-specific vocabulary</i>				
<i>Verb collocations/chunks</i>	are the result of negotiations, be a vote in treaty making, lacks enforceability, to decide freely whether to accept the treaty, to impose appropriate sanctions, evade obligations, be marginalized			
<i>“Objectives of IL”</i>	international cooperation, predictable pattern, international peace and stability			
<i>“IL domain”</i>	individual rights, environmental protection, combating crime, protection of individuals, responsibility of individuals			
<i>“Norms and standards of IL”</i>	core peremptory rules	basic institutional regulations	operational norms for cooperation	provisions of a technical-administrative nature
	the prohibition of the use of force, human rights guarantees	the law on treaties, the law on international organizations	judicial assistance	air travel safety, radio frequency allocations, food
<i>“Areas of IL provisions application”</i>	Prohibition of the use of force, Human rights, Protection of persons in armed conflicts, Fight against terrorism and other serious crimes, Environment, Trade and development, Telecommunications, Transport			

“Vehicles of IL”	International organizations	Intergovernmental organizations
	the United Nations, the International Criminal Court in The Hague	non-governmental organizations, transnational companies, academic institutions
“Branches”	international humanitarian law, international criminal law	
“Sources”	multilateral instruments of law, international treaties	
“Controversial issues of IL”	democratic legitimacy, enforceability, absence of a genuine world police force	

Once the table is completed, I proceed to instruct the students on how to utilise the concepts. Exercises on using the concepts learned in the discourse may involve “concept map” activities motivating the students to extract information from the text, and pay attention to significant details which can be found in different parts of the text. (see Fig. 7).

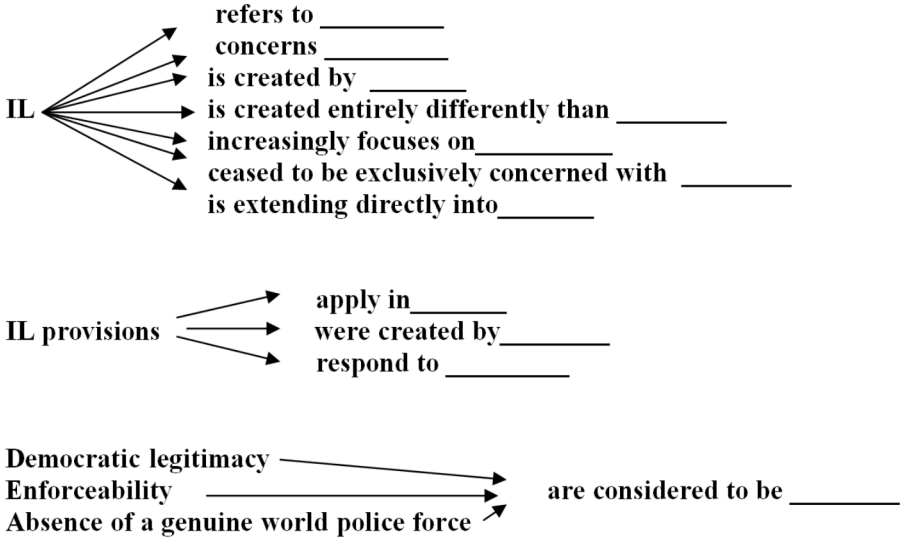


Figure 7. Examples of “concept map” activities

Finally, the students are instructed to study the frame model featured on the basis of the initial text and to add new data based on the “avalanche” text. Thus, three *thematic frames* (“International humanitarian law”, “International criminal law”, “Controversial issues of International law”) and one *sub-frame* (“Objectives”) have been added (see Fig. 8).

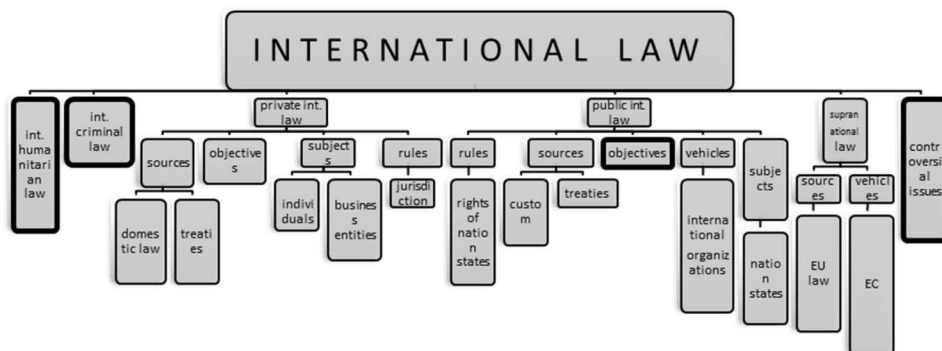


Figure 8. INTERNATIONAL LAW frame (with additions from the “avalanche text”)

The work on terminology may be certainly continued in different forms, for instance, in the form of a students’ project on a specific aspect of International Law given as a homework assignment. Whatever the task, it should be aimed at expanding law-specific vocabulary and lead the students towards better understanding of the subject area.

Conclusion and recommendations for further study

At the initial stage of ELP as second language instruction it is vital that students be equipped to engage with law-oriented assignments and produce (simple, initially) a legal discourse. Having assumed that mind modelling is the basis of human knowledge, I have attempted to show that the frame modeling method enhances the learners’ information processing capacity and lays down the foundations of their future progress in advanced learning. Implemented in the author’s ELP classes for the purposes of teaching and learning legal terminology, the frame modelling method is a useful tool enabling to draw a comprehensive terminological map of the studied area of law and to show possible links among its elements. Conceptual and linguistic knowledge, acquired via frame modelling, helps students to put together linguistic form and legal meaning, and, thus, to make an important step towards comprehension and production of legal discourse. The possibility of graphical presentation of frames serves to develop a coherent presentation of information to be properly understood, memorized and eventually learned. Of course, the real world is complex and intricate, and a frame model is still an approximation to the reality of law with its specific areas and processes. Nonetheless, the properties of clarity and visualization capacity make

frame modelling transferable in ELP instruction as a complementary teaching method.

The method can be further adapted to different needs of ELP teaching and learning: frame modelling of the sequence of operations to be undertaken in order to fulfil a particular legal task (e.g. arrest, punishment, discovery); the study of the hierarchy and complexity of the relations between different legal roles (e.g. judge, plaintiff, defendant); contrastive analysis of the professional worlds of different legal cultures, by tracing the differences found in the content and presentation of a specific legal concept (e.g. the elements of a crime in different jurisdictions).

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