



**Across Cultures**  
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## CONTENTS

<b>Foreword</b>	5
Diana Al-Aghbari <i>Pragmatics in the ESP context: an interdisciplinary study</i>	9
Richard Chapman <i>Questioning assumptions in English language teaching and ESP</i>	25
Stefania Consonni and Michele Sala <i>Taboo, tabloids and Trump: the rise and twilight of a US President in digital mainstream news media</i>	37
Ester Di Silvestro and Marco Venuti <i>Populist leaders and masculinity: a multimodal Critical Discourse Analysis of hegemonic masculinity performances on social media</i>	57
Daniele Franceschi <i>Fostering multimodal literacy in ESP teaching: the case of lawyer-client interviews</i>	81
Christopher Goddard <i>Legal terminology in English: the challenges of international contexts</i>	105
Jennifer Lertola <i>Free commentary to enhance writing and speaking skills in EFL teacher training</i>	125
Ian Michael Robinson <i>Preparing for CLIL in southern Italy and beyond: CLIL teacher training</i>	141
<b>Notes on contributors</b>	159
<b>Instructions for contributors</b>	163

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# ESP Across Cultures

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*ESP Across Cultures* is a double blind peer reviewed international journal that publishes theoretical, descriptive and applied studies on varieties of English pertaining to a wide range of specialized fields of knowledge, such as agriculture, art and humanities, commerce, economics, education and vocational training, environmental studies, finance, information technology, law, media studies, medicine, politics, religion, science, the social sciences, sports, technology and engineering, tourism, and transport. The journal addresses a readership composed of academics, professionals, and students interested in English for special purposes particularly from a cross-cultural perspective. The aim of the journal is to bring together scholars, practitioners, and young researchers working in different specialized language domains and in different disciplines with a view to developing an interdisciplinary and cross-cultural approach to the study of ESP.

*ESP Across Cultures* is indexed in Scopus and is covered in *Linguistics & Language Behaviour Abstracts*, *MLA International Bibliography*, *Translation Studies Abstracts* and *Bibliography of Translation Studies*.

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## Foreword

Welcome to volume 18 of *ESP Across Cultures*, the eighth to be published in on-line format, and the third to be published in the era of Covid-19. There are eight papers in the current issue, all focusing on particular aspects of English for Specific Purposes from a cross-cultural perspective.

In the first paper Diana Al-Aghbari investigates the importance of developing pragmatic competence for medical students at Taiz University in Yemen using a qualitative approach by conducting interviews with graduate medical students to ascertain their experience and ideas concerning English learning and use. The data show that students are aware of the need to learn English in different contexts besides the medical field. The author thus proposes a three-phase model for integrating pragmatic competence into the teaching of English for medical students, though she warns that the proposed guidelines should not be used prescriptively.

In his paper Richard Chapman “attempts to offer a critical view of the assumptions that inform the claims and practices associated with the teaching and learning of English as a second language, and to tease out possible ideological positions they stem from.” The author then suggests how English teaching might develop after the pandemic and its economic aftermath. Chapman proposes a radical overhaul of the theoretical underpinning of English teaching and he attempts to posit “attested good practice in a changed worldview and altered circumstances and a re-examination of the relationship between the centre and the periphery.”

Stefania Consonni and Michele Sala examine the linguistic and rhetorical formulations of taboo and taboo-related ideas about Donald Trump from a cross-cultural standpoint by investigating how two British tabloids, *The Sun* and *The Daily Mirror*, have represented the former US President over a three-year period. The authors focus in particular on “how what Trump did or said tended to be conceptualized in terms of taboo in headlines”, analysing how British mainstream news media tend to engender a popularized and trivialized image of US and global politics. Taboos in social discourse are seen from both a cognitive and a pragmatic perspective.

The next paper, by Ester Di Silvestro and Marco Venuti, also focuses on politicians, but this time from a multimodal perspective by looking at how five right-wing populist leaders – Donald Trump, Matteo Salvini, Giorgia Meloni, Marine Le Pen, and Boris Johnson – “perform masculinity traits through visual and textual discourse practices on Twitter and Instagram.” The authors conclude that these political leaders “commonly build their public persona, their charisma, and ultimately their leadership also through the (self)representation of typical traits associated with populist masculinity”, even if they come from different cultural backgrounds.

In his paper Daniele Franceschi proposes a “proof-of-concept teaching methodology for developing learners’ communicative skills in the context of lawyer-client interactions” by drawing learners’ attention to the verbal as well as the nonverbal features of this type of encounter. Franceschi proposes a methodology consisting of five main steps: the observation/interpretation of the non-verbal signs of a muted lawyer-client interaction; the acting out of the possible dialogue; reconstructing/transcribing the ac-

tual verbal exchange; the analysis of the multimodal transcription of the interview; and the performance of role plays.

Within the context of the continued dominance of English in global trade, and the need to communicate successfully in legal English in cross-border settings, Christopher Goddard reviews and analyses five academic texts by LLM scholars in Latvia. The author pinpoints the “overlapping common themes, potential pitfalls, and solutions for practitioners” with the aim of identifying the skills required by lawyers, “to open avenues that may lead towards approaches to teaching, learning, and using legal terminology and drafting legal texts in ‘cross-system’ contexts”, in order to further comparative legal linguistic research in the field of legal ESP.

In her paper Jennifer Lertola examines the application of Audiovisual Translation in Foreign Language Learning within a communicative approach. She argues that captioning and revoicing can enhance receptive and productive language skills, allowing language learners “to deal with authentic multimodal material that combines both verbal and non-verbal elements in an innovative and motivating manner.” The author discusses an exploratory study on applying a less-studied revoicing mode, i.e. free commentary, with Infant Education students of English as a Foreign Language in a Vocational Education and Training centre in Madrid.

In the final paper of this volume, Ian Michael Robinson discusses the training of secondary school teachers in CLIL methodology at a southern Italian university. The author explores the issues involved in preparing these teachers and their feelings about their preparation by examining the answers given by a group of CLIL teachers in response to a questionnaire about their motivation and their concerns. Robinson observes that “the different cultural aspects produce a variety of contexts for CLIL to operate in and, therefore, a variety of CLILs.” He concludes that “having limited resources and support does hinder the work that we can do but that Italy has made a start to improve the situation.”

The last time we publicly thanked external referees was in issue 16 (2019). Since then, the following scholars have all reviewed papers for the journal:

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I hope you enjoy the current issue of this journal, and please feel free to look at any of the past issues, all available online.

Christopher Williams  
(Chief Editor)





# PRAGMATICS IN THE ESP CONTEXT: AN INTERDISCIPLINARY STUDY

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## Abstract

This paper represents a liaison between pragmatics and English for Specific Purposes. Pragmatics gives guidance on using language appropriately according to the context. As professionals and practitioners, ESP students will need to use English confidently in addition to their professional skills. In fact, the link between pragmatics and ESP has been dealt with in various ways in ESP research studies. A distinguishing factor in this research is its specific context of study. It deals with medical students as the case to be chosen from the ESP context. The current study investigates the importance of developing pragmatic competence for medical students at Taiz University in Yemen. In order to do that, a qualitative approach is employed to look into this issue. An interview was conducted with graduate medical students to identify their experience and viewpoints regarding English learning and use. Then the data were analysed qualitatively. From the analysis, it was observed that their perspectives have changed after working in the medical field. As students, they wanted their English language course to focus on medical English only. However, the interview data demonstrated that, as practitioners, they have become aware of the need to learn English in different contexts in addition to the medical field. The data showed a positive tendency towards developing pragmatic competence in the English classroom. Based on the conclusions drawn from the study findings and inspired by the literature on pragmatics, the study proposes a three-phase model for integrating pragmatic competence into the teaching of English for medical students.

## 1. Introduction

This paper aims at investigating a topic that lies at the intersection of two disciplines, i.e. English for Specific Purposes and pragmatics. According to Hyland (2019: 338), “ESP has consistently been at the cutting-edge of both theory development and innovative practice in applied linguistics, making a significant contribution to our understanding of the varied ways language is used in particular communities”. This diversity of use has led to a demand for more research in the field of ESP. Hutchinson and Waters (1987) define ESP as an approach to language teaching that aims primarily at learners’ needs or reasons for learning. They emphasize that ESP is not a particular type of language, nor does it involve a different methodology or teaching material,

but rather its content and method depend on the learner's grounds for learning. From another point of view, Robinson (1991) indicates that ESP is seen as an enterprise that on the one hand involves education, training and practice, and on the other hand draws on three fields of knowledge: language, pedagogy and the student's discipline. According to Dudley-Evans and St. John (1998), ESP is a multi-disciplinary approach, which is manifested in two ways: its liaison with other disciplines through teaching and its susceptibility to receive and apply relevant research findings of other disciplines. Similarly, Hyland (2019) asserts that ESP itself has an interdisciplinary nature, thus it receives insights and implications from other fields. It has a strong link with different fields such as pragmatics, communicative language teaching, critical literacy and socio-cognitive theory.

The current study is interested in this sort of interdisciplinarity. It aims at promoting pragmatic competence for ESP students. Thomas (1983: 92) defines pragmatic competence as "the ability to use language effectively in order to achieve a specific purpose and to understand language in context"<sup>1</sup>. It represents a significant part of a learner's communicative competence (Kasper 1997). Additionally, Safont Jordà (2005: 66) states that pragmatic competence "is one of the main components of the global construct of communicative competence".

In teaching English for specific purposes, many studies concentrate on the linguistic repertoire of students in relation to their specific fields. Consequently, students use the structure of language and apply their own norms of communication based on their L1 culture. As a result, they start using utterances that may be liable to misinterpretation. Murray (2009: 1) underlines that "the consequences of misinterpretation or the inappropriate use of language can range from unfortunate to catastrophic". This issue of misunderstanding comes out of the lack of pragmatic competence on the part of students who have learned the linguistic forms separately from their sociocultural associations. Corrizato (2015) confirms that the random use of linguistic structures and communicative aspects will probably lead to misunderstandings. She (*ibid.*: 70) points out that "developing pragmatic abilities in the acquisition of the target language in the ESP courses is one of the primary teaching aims". This competence can help students "avoid mistakes in a complex profession like that of healthcare professionals, in which communication represents, undoubtedly, a critical element to ponder over" (*ibid.*: 70).

In fact, pragmatics plays an important role as it provides guidance on language usage for better understanding in production and reception. As Mey (2001: 12) underlines: "pragmatics is needed if we want a fuller, deeper and generally more reasonable account of human language behavior". The absence of pragmatic input in ESP textbooks plays a major role in students' insufficient pragmatic knowledge. Mino and Sajedeh (2013) point out that the inadequate inclusion of pragmatic input in ESP textbooks leads to an inappropriate development of communicative competence. In the study by Mačianskienė and Bijeikienė (2018), it was found that students did not feel confident about their communicative efficacy of English in their professional life. Accordingly, they suggest that the content of English courses should concentrate more on work-

<sup>1</sup> Context refers to the spatial and temporal circumstances associated with speech in addition to other 'accessories' included in the situation (Garric and Calas 2007). In pragmatics, the context plays a major role in understanding the intended meaning.

place-related situations. Therefore, it is hypothesized in this study that there is a need to develop ESP students' pragmatic competence. This will enable them to become self-confident speakers of the language in addition to their mastery of professional skills. This area of research deserves to be addressed further in the field of teaching English for medical students.

Various studies have investigated the needs of medical students in learning English. Hwang and Lin (2010) conducted a study that described the linguistic needs of medical students and faculty members in Taiwan. The following year, Hwang (2011) provided some pedagogical implications based on the previous study in order to introduce the resulting linguistic needs into a pedagogical practice. Likewise, Chia *et al.* (1999) carried out a study to identify the perceptions and needs of medical students regarding the English language. In a study at Rangsit University in Thailand, Naruenatwatana and Vijchulata (2001) explored the needs of medical students in the use of academic English by using three sets of questionnaires for three groups: the medical students, the teachers of English and the subject teachers. Using a different research tool, Shi *et al.* (2001) examined the possibility of using authentic data from students' performance to develop an English course that addresses students' needs in clinical training. In their article, Gotti and Salager-Meyer (2016) present an overview of the recent studies on the teaching of foreign languages in medical schools. These studies tackle the following topics: teaching approaches, curriculum design, material development, medical discourse, medical healthcare terminology, and communication in medicine and healthcare.

Other research studies have surveyed the importance of English language proficiency for medical students such as Eggly *et al.* (1998) who studied the relationship between proficiency in the English language and success as a medical resident. Additionally, Malcolm (2009) examined the extent of awareness among Arab medical students regarding their reading strategies, and how this is related to their proficiency in the English language. Wang *et al.* (2008) tackled a different area of research where they presented a corpus-based lexical study of the most frequently used medical academic words in articles on medical research. On the other hand, Dahm (2011) looked into the perception and use of everyday language and medical terminology among international medical graduates in a medical ESP course in Australia.

Lastly, in her review of the origin and development of English for medical purposes, Salagar-Meyer (2014) identified three categories of research conducted on spoken interaction in medical settings. The first category is concerned with pedagogy and it aims at developing the language skills of non-Anglophone medical students and health professionals so that they can communicate effectively in academic situations. The second category focuses on the linguistic analysis of medical conference presentations. The third group has a sociolinguistic goal and deals with the literature on doctor-patient communication. Moreover, Fioramonte (2014) investigated the nature of interaction between international medical graduate residents, physicians and patients during the treatment advice. For her study, she employed a discourse analytic approach and a theoretical framework based on pragmatic competence. Her data demonstrated that patients and medical graduates used interrogatives differently to engage in the treatment decision-making process. They both used indirect strategies to maintain each other's face needs.

Therefore, it appears from the review of these studies that medical English has been widely researched from different perspectives. However, the area of teaching pragmatic competence for medical students has not received a similar focus in research. Consequently, this current study aims to fill a gap in the literature by taking a different angle of research as will be shown in the methodology section. The paper focuses on the importance of developing pragmatic competence for medical students. This will hopefully help medical students become efficient communicators in the future. As highlighted by Lu and Corbett (2012), the medical students' needs as future practitioners are various. In addition to their acquisition of the technical language of the discipline, they need to be able to interact effectively in medical situations and they specifically require advanced communication skills to be used in stressful situations. In a similar vein, Aguilar (2018) proposes that intercultural competence should be integrated in the ESP course by means of seminars. She (*ibid.*: 5) affirms: "participation helps students practice their English skills and provides them with opportunities to develop disciplinary knowledge while debating on a specific topic".

Hence, this study is intended to provide teachers of ESP with a model to enhance pragmatic competence for medical students. It represents a collaboration between ESP and pragmatics. The following section explains the methodology used to carry out this study.

## 2. Methodology

As previously indicated, the study aims to raise the awareness of pragmatic competence in an ESP context, with a special attention to medical students. To investigate this issue, the following research question is examined: how important is it to develop pragmatic competence for medical students?

This question is explored by means of interviews. The interview is employed to find out the perceptions of graduate medical students concerning pragmatic competence in learning and using English<sup>2</sup>. According to Schutt (2011: 348): "Conducting qualitative interviews can often enhance the value of a research design that uses primarily quantitative measurement techniques". Hence, the interview is categorized as one of the most widely used instruments in qualitative research. Using interviews enables the researcher to understand a phenomenon from the perspectives of the respondents and to find out the meaning of their experiences (Kvale 1996).

In this study, the interview is semi-structured and consists of a pre-prepared guide of questions. This guide is flexible in a way that enables the interviewees to explain and generate new ideas. The interview was conducted with seven graduate students from the Faculty of Medicine at Taiz University. They were asked about their viewpoints and experience with regard to the use of English and the importance of communicative skills. The interview questions revolved around their past experience with English, current use of the language, and the importance of learning it in different contexts whether in medical or non-medical settings. There were no direct questions with pragmatic terminology. Instead, they were given two versions of an apology and they were

<sup>2</sup> This refers to General English throughout the paper.

asked to identify whether there was a difference between them and to justify their answers. This question was not planned to test their pragmatic knowledge, but rather to engage them in an exercise that exemplified pragmatics in use. The intent was to set the ground for the subsequent question, that is, their opinion about the importance of learning English in use. The questions were formed with the help of reading and reviewing similar studies on pragmatic competence (Chen 1996; Martinez-Flor and Alcon Soler 2004; Martinez-Flor and Uso-Juan 2011; Yuan 2012). The full guide of interview questions is shown in the Appendix.

### 3. Results and discussion

The research question of the study investigates the importance of developing pragmatic competence for medical students. This question is answered by looking into participants' viewpoints and experience with regard to learning English during their study period as well as their use of English after graduation. The aim is to find out their perspectives of using English as previous medical students and as current graduates. The interview data are analysed qualitatively. The method of analysis involves the general steps of coding, growing ideas, interpreting the data and making conclusions. Denscombe (2010: 282) asserts that "Content analysis has the potential to disclose many hidden aspects of what is being communicated through the written text". Therefore, in the interview data, the objective is to look for recurrent ideas in the respondents' comments and opinions regarding the research question addressed in the interview. The analysis process employed in this study is based on Creswell's (2009) process, which includes organizing the data, reading through all data, coding the data, using the codes to generate themes and description, and interrelating themes.

In the data results, it is found that there is a consensus among the participants that it is important to learn how to use a language in context. As students, they were only concerned with medical vocabulary in the English language course. There was a preference for medical English in order to help them understand their medical subjects. Here is an example of what one interviewee stated: "*It was better if the subject was a mini anatomy or histology lecture that the English prof main task is to make the student familiar with science delivered in English language*". Another participant said that the English course should include: "*how I understand the medicine and how I can discuss with our staff in English, how can I discuss with the nurse and lab about result of patient, we need to know about equipment drug and meaning of some ward like patient, nurse, laboratory which help us in medical study*".

However, as physicians, their views regarding learning English have widened. They have become more inclined towards learning how to communicate with others and how to use English appropriately in different contexts, mainly occupational and academic. Their perspectives have changed with time and experience. Here is an example of a participant's opinion in this regard:

In medical university they concentrate on medical terms and sometimes on grammar, but really medical terms are easy to be learnt with studying, the problem is in the speaking fluently and in reading and understanding well and in the communicating with others who

use English as their native language. So reading, speaking and usage of language phrases are important for all medical student and physicians.

Regarding communication skills, another participant stressed their importance by stating: “*most our job is communication between patient and his relative and nurse with staff of lab and social and nutrition, medical record, so all this I have to communicate with them to help the patient, even I have to communicate with the patient and relative about bad news*”.

As shown in the above extracts, the participants’ viewpoints have varied with experience. This might be attributed to the effect of the different circumstances they have encountered as current practitioners. The life of a working doctor is wider than that of a student whose circle of communication is quite limited. As working doctors, their circle of communication has expanded, and they have realized that the use of English is necessary even outside medical settings.

Another obvious result to emerge from the analysis is the consensus among the participants on the importance of pragmatic competence. Their reasons for its importance revolve around two points:

- Avoiding misunderstanding: the participants pointed out that being able to know the different meanings which any utterance has would allow them to produce clear messages and at the same time understand the intended meaning.
- A wide circle of communication: another factor is the wide circle of communication that doctors will have. They will be exposed to discussions with different speakers of English from various nationalities. English will be the means of communication. So being a good speaker will facilitate communication.

Additionally, it can be observed that when the participants were given an exercise<sup>3</sup> exemplifying how to use language in context, all of them stressed the importance of developing pragmatic competence for medical students. It follows that pragmatic knowledge can be of interest to medical students.

These findings are supported by the study conducted by Martinez-Flor and Alcon Soler (2004) which advocates the teaching of pragmatic competence in the ESP context. Similarly, Uso-Juan and Martinez-Flor (2006) stress the need to develop ESP learners’ ability to communicate appropriately. They have designed teaching material that aims at fostering pragmatic knowledge and this material would complement the actual ESP textbook used. Another study conducted by Hafsi (2013) reveals that ESP learners lack pragmatic competence which should be developed by explicit teaching and awareness-raising activities in order to make them effective users of English in the target situation. The idea of exposing medical students to non-medical materials has been strongly encouraged by Tseligka and Koik (2021). In their study, they posit that humanities-based resources should be integrated in the medical English course. They (*ibid.*: 53) reiterate: “such interventions can promote the formation of a professional medical identity which goes beyond scientific and clinical expertise”. They have presented a pedagogical application of literary texts, visual arts and imagery in the context of a medical

<sup>3</sup> Check the Appendix for this exercise.

English course for undergraduate medical students. This will help students to develop “multidisciplinary tasks that foster linguistic, intellectual and humanistic competence which are crucial for the professional development of future doctors” (*ibid.*: 58).

Thus, the interview data leads to the conclusion that pragmatic competence is important for medical students. In order to motivate them further, this competence can be linked to their future career. A provisional model for integrating pragmatic competence in the ESP classroom is recommended in the following section.

#### 4. Research implications: the model

##### 4.1. *The conceptual framework*

Based on the study results, a model is proposed in order to incorporate pragmatic competence into the teaching of English for medical students. Various methods are suggested for teaching pragmatics in the ESP context. Martinez-Flor and Alcon Soler (2004) propose three tasks in their investigation of pragmatic competence in the ESP context. These different tasks are based on the following objectives:

- **Task 1: Use of film or television scenes**

The goal is to develop both learners’ awareness and oral production of speech acts<sup>4</sup> by means of contextualized communicative situations in a specific ESP situation.

- **Task 2: Use of a conversation from an oral corpus**

The goal is to make students aware of real conversations in a particular ESP context: the appropriate use of a specific speech act and its peripheral modification devices.

- **Task 3: Use of a multimedia-based activity**

The goal is to make learners differentiate between various speech acts, and develop their oral and written production of these speech acts (*ibid.*: 184-186).

The aforementioned model is founded on awareness raising. The consciousness-raising approach emanates from the “noticing hypothesis” developed by Schmidt (1993, 2001). This hypothesis focuses on the role of awareness in the acquisition of target language knowledge. It asserts that what we notice in input becomes intake for learning. According to Schmidt (1993), the learning process involves awareness and, in order for any aspect of language to be acquired, it needs to be noticed first. Schmidt (2001: 30) further affirms that “in order to acquire pragmatics, one must attend to both the linguistic form of utterances and the relevant social and contextual features with which they are associated”. These two aspects, namely, pragmalinguistics and sociopragmatics, constitute the core of pragmatics (Leech 1983). Therefore, learners need to concentrate on the pragmalinguistic functions of certain forms and on the sociopragmatic constraints involved in these particular forms. While the noticing hypothesis requires conscious attention to the pragmatic aspects, Schmidt (1993, 2001) reiterates that simple exposure is not sufficient. It is necessary to provide pedagogical intervention to pinpoint the targeted pragmatic aspects. Consequently, he puts forward a consciousness-raising approach for teaching pragmatics.

<sup>4</sup> A speech act is an utterance that has a functional purpose like requesting, promising or apologizing. It is “the basic unit of communication” (Searle 1969: 21).

In view of the research conducted in pragmatics, Martinez-Flor and Uso-Juan (2010: 9) point out that there exist some theoretical conditions for developing pragmatic competence. They indicate that “learners’ overall ability to communicate successfully in a given TL<sup>5</sup> is influenced by three main conditions, namely appropriate input, opportunities for output and provision of feedback” (*ibid.*). Therefore, these three conditions are fundamental for developing pragmatic competence, and consequently they are used as the ground for the suggested model in this study. The significance of giving both input and opportunity for output is strongly emphasized in the foreign language classroom. Based on interventional and observational studies, Kasper (2001: 57) asserts that: “sustained focused input, both pragmatic and metapragmatic, collaborative practice activities and metapragmatic reflection appear to provide learners with the input and practice they need for developing most aspects of their pragmatic abilities”.

The following part sheds light on the above conditions:

- **Input**

Input is the samples of language exposed to learners (Martinez-Flor and Uso-Juan 2010). The setting of learning usually affects learners’ opportunities to acquire the target language in general, and pragmatic competence in particular. EFL learners, for example, have minimal exposure to the target language, which urges the need for providing them with appropriate input. According to LoCastro (2003), learners are exposed to three types of input: the teacher, the materials and other learners. In the current study, the model focuses on the second type. The materials come in the form of written input as in textbooks and audiovisual input as in TV shows, videos and films. Audiovisual sources are highly useful as they present authentic language samples. Rose (1994: 58) points out that although most videos are scripted and so they do not always represent authentic speech, they remain “most likely the closest learners will come to authentic language in EFL settings”.

- **Output**

Creating opportunities for output is the second condition for developing pragmatics. This involves both encouraging learners to active participation as well as providing them with opportunities for practice (Martinez-Flor and Uso-Juan 2010). According to the research conducted in second language acquisition, practising what has been taught improves language learning in all aspects including pragmatic ability (LoCastro 2003). The use of role-play is one possible way for this practice. In the words of Trosborg (1995: 474), using role-plays makes learners “practice a wide range of language functions associated with these roles and positions, and they are responsible for getting the message across and maintaining conversation”.

LoCastro (2003) also indicates that practising language involves engaging learners in group discussions among themselves and interacting with the teacher by asking for clarification and confirmation. Providing learners with discourse completion tasks is another way to practise their pragmatic knowledge. These tasks are performed in oral discussion and in writing.

<sup>5</sup> TL: Target Language.



- **Feedback**

According to Martinez-Flor and Uso-Juan (2010), beside the comprehensible input and output opportunities, feedback is essential in order to integrate communication and accuracy. It proves to be an important step to inform learners about their language use, and to provide corrective feedback accordingly. In this process, teachers need to raise learners' awareness of the areas where they fail to communicate effectively. Feedback is given explicitly by pointing out the error or implicitly by confirmation checks or clarification requests.

#### 4.2. *The proposed model: application*

This part demonstrates how the model is introduced into the classroom. The model employs television series as a way to provide learners with input relevant to their medical context. It is used as a source of authentic language and presents varied and visual contextualization. Ishihara and Cohen (2014) recommend the use of films and TV shows as it is generally approved in teaching pragmatics. Nevertheless, they need to be employed with a specific and obvious purpose, as some pragmatic aspects might be missing in such materials. Furthermore, they highlight that media-based materials can be used to illustrate examples of pragmatic failure especially in situational comedies. Although situational comedies sometimes do not reflect naturally occurring conversations or may exaggerate pragmatic violations, they still provide an opportunity to recognize pragmatic norms in the target language and enable learners to discuss such pragmatic blunders. In fact, media-based input appears to be an appropriate way for teachers and learners to interact with each other and engage in critical discussion (Ishihara and Cohen 2014). Moreover, Viorica (2020) encourages employing authentic materials for teaching and learning medical English; they work as a stimulus for teachers and students. Introducing authentic language into the classroom is useful for students as well as teachers.

The current study employs the medical TV series *Scrubs*. It is an American comedy-drama created by Bill Lawrence. The title "Scrubs" denotes the hygienic costume worn by doctors and nurses at hospital. This series has a very close pertinence to medical students. The characters are interns representing different categories: physicians, surgeons and nurses. The advantage of this series is that the variety of characters adds a sense of appeal and relevance to medical students. The show revolves around a group of medical students: John Dorian, Elliot Reid and Christopher Turk, who arrive at Sacred Heart Hospital as interns under the supervision of their instructors Dr Cox and Dr Kelso. The episodes constitute the diary of Dorian's experiences with his colleagues and working staff at the teaching hospital where he learns the ways of life and friendship in addition to medicine. Besides being an authentic source of input, the show will also help in creating the context where the relationship between the characters is illustrated and the different situational variables are well demonstrated. The main goal is raising awareness and facilitating production of the targeted pragmatic aspects.

Taking the theoretical conditions into consideration, the following figure illustrates the procedure of this implementation.

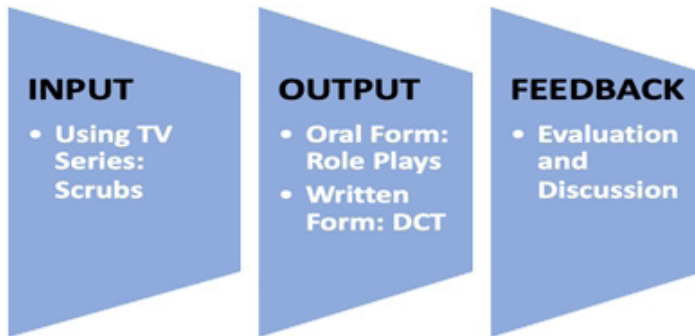


Figure 1. The structure of the model

### 1. The input phase:

- As shown in Figure 1, the initial step is to familiarize the students with the TV series: what it talks about, who the main characters are, and where the events take place. Another part of this orientation is to start a discussion of students' familiarity with *Scrubs*, i.e. whether they have previously watched it or heard of it. At this stage, it is important for students to understand the aim of making use of the show for learning purposes; namely, to present language use in context to develop their awareness and performance of English.

- The teacher chooses specific scenes in order to highlight a pragmatic aspect. The scenes will serve as the context for the targeted speech acts.

- The students are asked to pay attention to the contextual variables of the selected scenes in terms of social power and distance between the interlocutors. They are also encouraged to pay attention to the way in which the speech act is performed in the target language, and how politeness is represented through direct and indirect strategies.

- As part of raising students' awareness, the teacher guides them to notice the targeted pragmatic failure, the linguistic forms and their occurrence in different contexts in their L1 culture and the target culture. Accordingly, the students can identify the similarities and differences of speech act strategies, as well as the concept of politeness in both cultures. By means of observation tasks, the students will make connections between linguistic forms, pragmatic functions and cultural effects.

Here is an example. The following excerpt is taken from *Scrubs* season 1, Episode 5:

**Dr. Kelso:** *Well, sport, it looks like a permanent spot just opened up on the golf course. How does joining the Chief of Medicine for a weekly round sound?*

**J.D.:** *Actually, sir, I'm not really that into golf.*

**Dr. Kelso:** *[curt] Well, I guess that's your choice, isn't it... Dr. Dorian.*

In this example, the speech act of refusal is presented in context where Dr Kelso, who is superior in social power, asks J.D. (Dr Dorian) to go with him to the golf course. The refusal strategy employed by J.D. in this context is an indirect strategy where he

provided a reason for his inability to accompany him<sup>6</sup>. Using this excerpt, for example, the teacher can discuss with the students about the strategy employed to realize a refusal that is appropriate to this context. Then the students can compare this refusal strategy with the one used in their mother tongue and think what other strategies can be used in order to turn down the offer.

## 2. The output phase:

- After the students grasp the general idea of the targeted speech act, how it is used in different contexts, they are encouraged to practise what is learned. The production can be in the written or oral form.

- As for the written form, the teacher employs Discourse Completion Tasks (DCT) in order to enable students to write what they would say in various situations. To create a comprehensible context, the teacher can use the situations of the DCT based on the TV series. In this way, the students know the social variables and can evaluate the appropriate ways to express the speech acts.

- In the oral form, the students are encouraged to engage in a role-play to practise the speech acts learned in the input phase. They can imitate the speech act but with the context of their L1 or they can perform the speech act in the same situation as the one they have previously analysed. In the first case, the focus would be on the sociopragmatic aspects in terms of the effects of the social variables on the use of the speech act and the sociocultural repercussions. In the second case, the attention is directed at the pragmalinguistic aspects in terms of the different strategies used to perform a speech act and the ways of mitigating the speech act.

- During the performance, the teacher and the rest of the students take notes in order to evaluate and discuss the activity.

## 3. The feedback phase:

- At this stage, the teacher provides an evaluation of the performance of students and pinpoints the areas that require further development.

- The feedback on the oral production is provided in the form of discussion with students who express their opinions regarding the performance of their peers. The teacher highlights and explains how these specific areas can be improved.

- In the written form, the teacher checks students' responses in the DCT and provides an evaluation.

- The feedback phase is a learning step, as well. The teacher can check students' understanding and accordingly adjust the learning targets and procedures.

## 5. Conclusion

Finally, yet importantly, it should be remembered that in the ESP classroom, specialized linguistic terms such as pragmatics, pragmatic competence or speech acts would not be used during the three stages. These terms are irrelevant to medical stu-

<sup>6</sup> Beebe *et al.* (1990: 72-73) classify this strategy as an indirect strategy: Excuse, Reason, Explanation.

dents. Their implementation is what matters in the ESP classroom. Medical students are not interested in lengthy language-based discussions.

This illustrated model was a tentative attempt to introduce pragmatic instruction in the ESP classroom. The proposed guidelines should not be used prescriptively. Practically speaking, there are important elements that determine the line of adjustment, for instance the teacher's skills, the constraints in the instructional setting, the students' proficiency level and individual characteristics. Taking these elements into consideration, the teacher can modify and choose the most convenient techniques. Furthermore, the role of the students is significant as they are active parts of the learning process.

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<sup>7</sup> It is mentioned in the references.

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## Appendix

### Interview Questions Guide

1. What is your current educational status or profession?
2. As for your study in secondary school, was it a private or public school?
3. Have you studied English in any language institutes? If yes, please give details.
4. How do you rate your English proficiency level?
5. During your bachelor studies, in which academic year did you take the English subject?
6. How was the course structured in terms of grammar, vocabulary, comprehension exercises, etc.?
7. What was your attitude towards the subject? And how was your motivation level at that time?
8. Did you find the subject useful? Explain your answer please.
9. At that time, did you prefer to learn English in a different way? Explain how.
10. At present, in which situations do you use English?
11. How often do you use English?
12. Have you had any embarrassing situations, or misunderstandings because of language use?
13. Have you had any difficulties, or problems due to language use?
14. Do you think that it is important for a medical doctor to be proficient in English?
15. Do you think that it is important to study English at the faculty of Medicine? Why?
16. According to your current views and experience, what are the language aspects and areas that should be integrated in teaching English for medical students?  
*Here are two versions of Apology:*
  - a. *I am sorry*
  - b. *I am absolutely devastated. Can you possibly forgive me?*
17. Is there a difference between the two versions? If yes, what is it?
18. What are the criteria that govern the choice of one of them?
19. What do you understand by these sentences?
  - a. At the end of the lecture, your teacher says: you may like to read the article entitled “so and so”.
  - b. It is very hot/cold in this office.
20. Do you think that it is important to learn this area of language use (when to say something, how, to whom)?





# QUESTIONING ASSUMPTIONS IN ENGLISH LANGUAGE TEACHING AND ESP

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## **Abstract**

At a time of crisis it is natural to re-examine the underlying assumptions of our behaviour, and the purposes, both spoken and unspoken, that might be at their origin. The present paper attempts to offer a critical view of the assumptions that inform the claims and practices associated with the teaching and learning of English as a second language, and to tease out possible ideological positions they stem from. The analysis is followed by a series of suggestions as to how English teaching might develop after the pandemic and its economic aftermath.

Assumptions of practicality, neutrality, efficiency, knowledge and value are all identified in current English language teaching practice and the literature associated with it, and these are questioned. The significance of these observations is underlined in relation to practices such as international examinations and certification, the introduction of CLIL, and attempts to encourage ELF. Of particular importance is the role of English as a language of science and of global communication: a reality with both educational and political aspects, but one usually accepted as a given, with little examination of its nature beyond the excessively optimistic or rather polemical critique (Phillipson 1992, 2010). Potential effects of the technological mediation of learning are also discussed, with reference to language use in new contexts.

A radical overhaul of the theoretical underpinning of English teaching is proposed in the concluding section of the article, attempting to posit attested good practice in a changed worldview and altered circumstances and a re-examination of the relationship between the centre and the periphery. This ties in with the eternal challenge of cross-cultural communication: both to interact and analyse interactions without subservience to a single socio-political outlook.

## **1. Introduction**

The intense challenges presented by a crisis invariably prompt reflection on the sometimes automatic assumptions that underpin our behaviour. A desire for change after suffering or threat, or the enthusiasm to embrace new modes of action and interaction often make up the effort for renewal, making a virtue of the necessity of having to respond to an emergency. It is not surprising that during this process hidden confusions in past practice are revealed and are subject to questioning. The crisis engendered by the Covid virus epidemic is, however, more complex than merely a medical emergency

and will perhaps be more far-reaching, affecting a vast range of human activities, of which language teaching is very likely to be one.

The momentum of the Covid crisis is much more than a series of effects of a global pandemic. In the United Kingdom, social disparity and unequal healthcare outcomes have been laid bare, with death rates more than twice as high among ethnic minorities<sup>1</sup>, and around the world the effects of an integrated global economy have been seen in the sweeping speed of the spread of the initial outbreak and its devastating results in terms of lives lost and economies severely damaged. But this pandemic arrived in a world already in the throes of a prolonged climate crisis, and in what might be termed a ‘crisis of truth’: fake news and unregulated social media were already calling into question, not only the ways in which we may wish to communicate, but also the skills people need to learn in order to communicate clearly and successfully. Not surprisingly, English language teaching has a part to play in the re-examination of our capacity to interact meaningfully, both on a global scale, and at the personal, local level.

## 2. The situation pre-Covid

English language teaching has developed hugely since 1945, and this growth has largely followed both British and, perhaps to a greater extent, American interests and ideologies (Phillipson 1992; 2010). We can identify a number of defining assumptions in English language teaching, even if we allow for changes in methodology or approach over previous decades. Firstly, and most clearly, there is a strong *practical* bent to the pursuit of English language proficiency, perhaps most obviously expressed in the Common European Framework of Reference (CEFR, Council of Europe 2020) which has been highly influential in language teaching and learning since 2001 (it was updated in 2020). The can-do statements at its heart emphasize the practical objectives of learning a language, expressed in terms of being able to achieve things in the real world using the language of one’s choice, and this is true at all levels (A1-C2). Along with a laudable interest in empowering learners of all kinds (one recent example is the awareness of signing in the 2020 updated version of the CEFR), the predominant element of practicality in this approach to languages is also to be seen in the framework’s stated attempt to influence state language teaching policies by defining (largely practical) outcomes (Council of Europe 2020: 3).

We can accept that an assumption of practicality is hardly controversial, even if it is still to be seen historically in direct and conscious contrast to the much reviled grammar-translation methodology of the nineteenth and twentieth centuries. Indeed, much English language teacher training has specifically aimed at eschewing ‘theory’ and instead is expected to offer practical “tips as to classroom procedure” (Ur 1996: 3). Closely allied to this practical approach, we can identify an *assumption of neutrality* in the claims of approaches to English language teaching. English is presented (e.g. Montgomery 2013: 12-15) as a scientific and objective language, ideal for the international community of economists, researchers, and even internet users. But we are aware that neutrality in language is a myth, and potentially deceptive. A language deemed suit-

<sup>1</sup> See the Health Foundation website (<https://www.health.org.uk/>) for an informative breakdown on disparities, particularly affecting women in deprived areas and ethnic minorities.

able for western scientific discourse probably embodies those same discourse practices and so will be culturally influenced by them. It matters in which language certain values are first postulated and described, or advertised as ‘normal’, or inherently a part of that language itself, as Dunton Downer (2010) makes clear in her introductory chapter. Claims as to the objectivity of English and of its intrinsic appropriateness for scientific endeavour perhaps leading to universality (c.f. Wilkins cited in Montgomery 2013: 21) reinforce the vision of English as having both a suitable structure for scientific debate and having historically come about at just the right moment (Dunton Downer 2010). The presence of English all over the world seems to offer a greater likelihood of overcoming cultural limitations and specificities: as Montgomery says (2013: 54), it is attached to ideas such as progress and internationalism, and carries “[w]hat it means to be cosmopolitan, worldly”.

This historical chance (English inheriting the earth in the post-war period) is implicitly linked to another assumption: that of its essential *efficiency*. English is at once the briefest of languages and of reduced morphological complexity, and at the same time it is the language of neoliberal cost-cutting and high productivity. Although the supposed efficiency of using English in multinationals has been questioned (e.g. by Jenkins 2015, citing misunderstandings between native and non-native speakers, and especially Jenkins 2007: 253), the general view is that having only one pragmatic language aids quick, virtually costless communication (translation costs, for example, are all but eliminated). The financial advantages in terms of internationally shared advertising slogans, research papers or investment proposals are clear.

These assumptions become more significant when we realize that it is human knowledge itself that is often made, adjusted, interpreted and communicated in English, not just scientifically, but in the arts and entertainment or in politics and society. The hegemony of predominant discourses emanating from English (the ‘centre’?) and influencing linguistic and intellectual practices in other cultural areas is in plain sight (witness, for example, the prevalence of calques from English in economic discourse in Italian). While this is an area of some controversy (see Blommaert 2010: 14-20), it appears justifiable to suggest that English teaching risks both following, and imposing, norms of belief and interpretations of knowledge that are far from being culturally neutral (Fairclough 2010), and which are reinforced both through the social practices of teaching and learning English and by its transactional use (Fairclough 2010, citing Bourdieu 1991). Put simply, the implication is: if you can understand English you can ‘know’ something more quickly or upload a more recent app.

But nestled beneath all of these assumptions is the sense that English, perhaps, has a special ‘value’: for Dunton Downer (2010) it is certainly the language of freedom and emancipation (though others in other parts of the world might disagree), and even the enlightened *English as a Lingua Franca* (ELF) movement (exemplified by Jenkins 2007) risks ignoring or accepting the air-brushing of many facets of the British imperial past that has been so skilfully detached from the role of the English language in the post-war era (for example, ‘Operation Legacy’, a UK Foreign Office strategy explicitly designed to eliminate incriminating evidence and documentation of crimes against humanity: see Daley 2018: 144). Daley (*ibid.*: 75) even suggests that British English is a language unequipped to articulate an era beyond the empire, citing the lack of significant history teaching in schools, describing it as “little more than aristocratic nation-

alist propaganda” but which somehow left the suggestion that “Britain had basically invented democracy” (*ibid.*). These arguments are dealt with in more detail but with a similar stance by Sanghera (2021).

It is precisely this *historical* dimension that is missing from these assumptions (and indeed much linguistics and sociolinguistics until at least the 1990s). Blommaert (2010: *xiv*) criticizes the essential synchronicity of modernism (of which Saussure and Chomsky are striking examples), stressing the contribution of ethnology (Hymes among others) in identifying the complexity of the role of language in the world of social interaction. The endless catalogue of moments of linguistic behaviour has a history and meaning that, at the same time, is a product of this behaviour and influences its future characteristics and possibilities of interpretation. Here we might be tempted to think of Bakhtin’s (1986: 103-122) dialogic view of texts or utterances which has a clearly sequential and so historical element. Halliday’s (2004: 29-33) textual and social functions of language are effectively combined in history. The moral aspect of these linguistic, and so cultural, events for language teaching has been underlined by Holliday (2009), and this leads us to recognize that, due to the timelessness with which modernism conceived language, the teaching of English has perhaps enjoyed a ‘free pass’ from historical conscience, if not something more politically manipulative (Phillipson 2010): while taking account of generally accepted current social or political consensual views, as in concern for the environment or a general idea of fair play discernible in most current course books (e.g. Latham-Koenig *et al.* (2020: 36-39) “Are you really as environmentally friendly as you think?”), English teaching materials avoid issues of intense political controversy<sup>2</sup>. This might be an understandable policy from a commercial point of view, but it is always going to be a case of ‘truth’ being mediated, explicitly by text, but also socially in our teaching practices.

An appreciation of language at the level of discourse makes the extraction of language from time unsustainable, as Blommaert (2005, 2010: 20) makes clear, and allows him to state unabashedly “My effort is, in that sense, deeply historical” (*ibid.*: *xiv*), and this results in our understanding the power inherent in the globalization process in which English language teaching has played a significant part. The power of English in this sense comes from its perceived and unquestioned importance, firstly through simple numbers: we can accept Statista’s 2022 estimates of 350 million native *speakers*, but more interestingly 1.5 billion *users* (also cited in Anthony 2018: 28-29, but Ethnologue’s figures cited in Montgomery (2013: 27-28) are comparable), even if they are, of their very nature, highly approximate. While we may accept the caveats as to the future growth of English (Graddol 1997; Ostler 2010: 267-286), its numerical importance is clear. Secondly, though, this power derives from the huge influence it exerts as the language of business and academia: “the de facto language in many company workplaces and in academia as a whole” (Anthony 2018: 27; see also the table in Montgomery 2013: 35 of domains in which English is dominant). This means that English meanings

<sup>2</sup> We might mention here the absence of gender issues in course-books such as Latham-Koenig *et al.* (2020) as an example: even though it is quite reasonable that such delicate topics are avoided in a text that will possibly be used in schools, the ideal way to deal with such issues might be local and not in an international, one-size-fits-all way (avoidance of politically charged topics).

will achieve social stability through practices expressed and ritualized in English (c.f. Bourdieu 1991 in Fairclough 2010) repeatedly, on a daily basis.

Perhaps it is in the world of English for Specific Purposes (ESP) that this becomes most clearly apparent, not merely because ESP fits neatly into our description (above) of English as the global default language of efficiency, science and practicality, but also because of Anthony's (2018: 2) claim that ESP "addresses many of the challenges that language learners face in our increasingly globalised world". We can suggest ESP as in some ways the epitome of today's English language teaching and learning. Anthony (*ibid.*: 9) mentions some features of ESP that he describes as unique to it, but which we might see instead as being highly representative of current thinking in English language teaching: "a commitment to learner-centeredness, a close connection to specialist subjects, and a focus on collaboration in both planning and teaching". The first and last of these are standard practice advocated by most teaching handbooks (e.g. Scrivener 2011, Ur 1996), while the second perhaps links more closely to CLIL methods than Anthony (2018) realizes.

But is ESP simply a highly efficient way of learning English in a rather unreflective manner? At first glance, this may seem to be true: "the main challenges in ESP seem to be deciding what the needs are, prioritising them in some way, and then finding a way to balance them all" (Anthony *ibid.*: 190). It is a "pragmatic approach that prioritises the immediate or near-future needs of learners" (*ibid.*: 191). Again, however, it is impossible to simplify these needs within the framework of the neutral, efficient global tongue that English is supposed to represent. Difficulties experienced in the workplace or in academic settings can include reduced efficiency, high costs in training, stress and feelings of inadequacy that can lead in extreme cases to documentation being excessively simplified or not being read or produced, and, worst of all, discrimination and resistance. Anthony (*ibid.*: 40) quotes Neeley: "Using English as a business language can damage employee morale, create unhealthy divides between native and non-native speakers, and decrease the overall productivity of team members". The development of critical ESP (see Starfield 2013 for an analytical summary) is a response to these problems and is of particular interest to us in the challenge it offers to the norms of English-led social behaviour, the assumption of non-native speaker communicative inadequacy, and the supposed need to have publications checked before publication.

This reaction in ESP can be seen in parallel with the attempts of the ELF movement to democratize English language use and behaviour (see especially Jenkins 2007 and 2015), but both have had little transformative effect: Jenkins (2007: 58-59) complains about this and little has really changed since. Native speaker norms are still prevalent, for example, in international certification (which is, by definition, highly influential), as bemoaned by Jenkins (*ibid.*: 241-243), and this has not changed greatly in the intervening years. Nowhere are the meritocratic, practical, neutral and internationalist claims of English more explicitly made palpable than in the arena of language testing; the reasons for this may be perfectly laudable (fairness and tests that are professionally produced and economically accessible, among others), but the centrality of certain linguistic behaviours (and so, potentially, values) is blatant. Despite a growth in local and nationalist politics in recent years (the 'sovereigntist' movement is one example of this, and perhaps Brexit is another), the global role of English appears established and on a continuing trajectory (e.g. Anthony (2018: 40) and Montgomery (2013: 19): "As the

developing world advances, it will become a greater and more complex user of English”), and most commentators have found themselves suggesting linguistic and social mitigation through careful policy rather than radical philosophical reconsideration.

### 3. The jolt of the virus

“It would require a profound and disrupting change to the global scene for any other language to replace English” (Montgomery 2013: 18). Montgomery, does, however, immediately afterwards qualify his statement with the recognition (*ibid.*) that “such change is always possible”. The crisis engendered by the pandemic surely qualifies as sudden, disruptive and deep, perhaps most of all because it has revealed itself to be longer-lasting than we might have imagined. Two years after the Covid 19 virus reached western Europe (in February 2020, if not before), we are still in the midst of transformed circumstances, not least in our social interactions and educational practices. But it is not only our modes of interaction that have changed. There is also a significant and highly visible failure of the supposed global system to respond to the threat of the virus. The nationalistic race to buy up vaccines is the most salient sign of this, but the disjointed, somewhat aggressive diplomatic reactions (the strained relations between the World Health Organization and the Trump administration in spring and summer 2020 are testament to this) revealed the sheer lack of solid reality to many of the claims made for globalization. Pennycook’s (2010) critique of simplistic notions surrounding globalization have been borne out by events, and any advantages of assumed unity in discourses about medicine or economics have turned out to be less beneficial than imagined or assumed.

And where does language learning find itself in this? English, as we have seen, is not merely a hugely popular or effective lingua franca, it is also an arena for ideas and discourses, and a locus for rituals of social interaction. As both Bourdieu (1991) and Halliday and Matthiessen (2004) postulate, repeated iterations of expected behaviour reinforce themselves, and English experiences this, and benefits from it, to the tune of a market of 50 billion dollars in 2010, according to Montgomery (2013:13). In other words, each and every decision to use English as a medium of communication reinforces its role and importance, and potentially gives pragmatic salience to patterns of behaviour associated with the language (the forms of greeting used, honorifics expected, typical ways of making requests and apologizing, among many others). The decision to use or to teach English can thus influence, or even define the nature of cross-cultural interactions, and this can be seen in assumptions as to the role of English, sometimes enshrined in company policy (Anthony 2018: 31).

But here we risk committing ourselves to a classical modernist fallacy: that a language is something homogenous that can be measured, counted and adequately described with some permanence. Pennycook (2010) argues the opposite, and both he and Blommaert (2010) convincingly describe languages which we conveniently name as “English” or “French” as complex groups of repertoires that shift and alter in a fluid way, and which no two people share perfectly. So, the first understanding of the (possibly) post-globalized world is the absolute complexity of linguistic experience, and of what we call languages themselves. This, incidentally, is one of the reasons we can suggest for the difficulty of mastering another tongue. It also means that our descriptions

(linguistic or pedagogical grammars, and even dictionaries) will always be slightly out of date (lacking a few new developments)<sup>3</sup> and a little inadequate (hence ‘exceptions’, as these details in complexity are often called).

Reflection on language teaching is hardly ill-equipped to deal with the scenario of complexity. In many ways, the ELF debate attempts to tackle exactly this issue with its concern for and acceptance of variation, both of accent and of grammar and lexis, and its interest in the pragmatics of successful but non-standard (judged by native-speaker norms) interactions (see Jenkins 2007). Plurilingualism is another attempt to face up to the significant social issues involved (Beacco and Byram 2007). According to the Council of Europe (2007: 36):

The development of plurilingualism is not simply a functional necessity: it is also an essential component of democratic behaviour. Recognition of the diversity of speakers’ plurilingual repertoires should lead to acceptance of linguistic differences: respect for the linguistic rights of individuals and groups in their relations with the state and linguistic majorities, respect for freedom of expression, respect for linguistic minorities, respect for the least commonly spoken and taught national languages, respect for language diversity in inter-regional and international communication.

It is to be noted here that the text cited is immediately followed by a clear declaration of the importance of language teaching as the “ideal locus” for intercultural contact. Perhaps the models of most classroom approaches to learning English have underplayed, or even ignored, what is the essence of language teaching: meeting the other in all its variety and specificity<sup>4</sup>. If we have been working on promoting practical (and marketable) abilities in what is supposed to be the global tongue, then we should hardly be surprised if a crisis like the present pandemic has been so challenging, intellectually and politically (because it is so *linguistically*). The contrast between the accelerated scientific success in producing several vaccines against Covid within a year, and the inability for us to distribute them quickly and equitably around the planet is blatant. It is as if the scientific community is able to communicate the information necessary for research, but the world community is wholly unable to share and negotiate experience empathetically and with an awareness of local difficulties.

#### 4. A modest proposal

Canagarajah’s (1999: 233) definition of proficiency in languages in the postmodern world as “the ability to shuttle between different varieties of English and different speech communities” is relevant here and it gives us the beginning of a possible answer to the dilemma of a globalized English that has failed to unite the world. It is the

<sup>3</sup> It is worth noting in this regard that even corpus-based or corpus-driven descriptions of language and dictionaries suffer from a time lag between planning, data collection and compilation, interrogation and eventual publication. Some corpora, such as the British National Corpus (BNC), which is still often used today, have achieved surprising longevity, even though it was assembled from 1991-1994 and has been described as “no longer an accurate reflection of the English language” (Burnard 2002: 64).

<sup>4</sup> This can be considered true of the Direct Method or the Audio-lingual method, but even the communicative approach is not always rich in its understanding of the complexity of encounters: see Holliday 2009 for an analysis of this.

objectives of current teaching and learning that require re-evaluation and, perhaps, a substantial overhaul. The environment has already been changed by the advent of technology that has created entirely new contexts for language use: the social media, that are essentially multi-modal, are the most obvious example (Twitter, Instagram, Snapchat and TikTok etc.). There are new modes and channels, but teaching approaches have failed to truly take these into account, linguistically and pragmatically. English language teaching has done little to adjust to this new reality, besides superficial uses of text types, or, more often, practical tips on netiquette or being media-savvy (as an example, see “8 tips on how to spot fake news” in Latham-Koenig *et al.* 2020: 83), which do not explore the transformations in language use that these technological innovations are provoking. People can participate in these new contexts surprisingly easily, but deeper understanding and awareness are lacking (which goes some way to explain the fake news problem mentioned in the text that gives the eight tips, cited above). It is quite possible to contribute on social media, writing and responding, without ever achieving a detailed level of comprehension (with the inherent risks involved).

The overhaul that is needed might be founded, I would like to suggest, on a much greater focus on reception skills. English morphology, and its propensity to homophones and homographs, along with the vagaries of its non-transparent system of transcription, have contributed to wariness of comprehension issues and an imbalance in methodological approaches that tend to favour productive skills which give a certain instant satisfaction, offer a practical appearance (you notice what you can say at each new level attained) and give an illusion of control (you know what you are trying to say) to the detriment of receptive skills, and, especially, deeper understanding (which would include negotiation of meaning and so of social values and culture). This renewed emphasis would have distinct significance for ESP courses as well, as misunderstandings are one of the greatest threats to effective use of English in a professional context, along with other serious difficulties as outlined by Anthony (2018: 41) considering academia. Threats to local languages might be mitigated in this approach, and it should indeed include translation, the ‘fifth skill’ in language learning, repeatedly forgotten, often for commercial reasons (an examination or course-book ceases to be marketable worldwide if translation is a significant component). But translation requires exactly the depth of interpretative understanding that we see is missing, for example, not only from audio-lingual methodology, but also from communicative approaches and associated tasks (see Cook 2010 for an argument in favour of translation in language learning).

Instead, perhaps we have been offering students little more than add-ons to their truncated repertoires (Blommaert 2010: 103-106). As Blommaert explains, our linguistic knowledge will always be incomplete, and when we learn a new language it is inevitable that our experience of it will be somewhat fragmentary, but it is awareness of this that is lacking in learners. Even in a limited context such as ESP, it is the gaps which can be fundamental for failures of communication, and it is a fundamental linguistic skill to be aware of these risks and to know how to deal with them (checking information, asking for a translation, questioning assumptions etc.). This might also offer a solution to the problem with idioms presented, quite polemically at times, by Jenkins (2007: 41): “NS idiomaticity is irrelevant or counterproductive” Jenkins’ critical attitude emphasizes the non-transparent and culturally limited aspects of idioms, which may result in misunderstanding, particularly in communication between native- and



non-native-speakers. Hostility to the use of idioms is thus understandable as they are opaque and depend on shared knowledge. However, outlawing linguistic behaviour is seldom savoury, as it risks being discriminatory or highly subjective, and even more rarely is it successful. This is tantamount to approaching the problem from the wrong end (of the stick!): it is precisely this idiomaticity that defines and localizes varieties of language, and there is no reason why ELF speakers cannot develop their own. It is the reception skills that need to be developed, along with cultural knowledge and having the pragmatic tools necessary to clarify an utterance and its nuances.

The local aspect is most important of all. All understanding happens in situ, and each locality will add its gloss of accent, implication and context (Pennycook 2010), even to phrases in the most generalized forms of English, or any other language. Indeed, this is linguistic behaviour: it is partly what Bakhtin (1986: 105-121) means with dialogic relations and dialogic understanding. Developing the ability to explore these relations and possibilities should be an aspect of every language lesson. Instead, our practical, efficient version of English prioritizes one message, often to the elimination of all others (e.g. in multiple-choice or true-false listening tests). It is context that allows us to make meaning, and decontextualized language has been the bugbear of linguistics and language training throughout the modern era. Localizing the learning experience, on the other hand, offers enhanced authenticity (see Gilmore 2007 for a good analysis of this controversial issue) and contrasts with the challenge of creating authentic learning experiences with globalized materials (it is certainly possible, but not automatic or easy, to render a course-book perhaps published in the UK intensely real in a distant society, and meaning risks being diluted or lost if a text is distant from the locality in which it is used, or far from learners' realities: *ibid.*: 6-23). This localization should go further. The advent of online materials presents an opportunity and a challenge for language teachers. On the one hand, learners are faced with a plethora of courses (Language Massive Open Online Courses: LMOOCs) that are free and potentially attractive, but which invariably represent the very extreme of this globalized lack of context and meaning. On the other, we as teachers can find a significant quantity of OER (Open Educational Resources) that are ripe to be selected and transformed (known as 'remixing') into suitable and meaningful materials in our classrooms. Open Learn is a typical example of a particularly good quality site offering resources free of charge and with high compatibility (an important consideration), and the Open University explains how to go about putting together your own resources (Open University 2016).

## 5. Conclusion: will it work?

At this stage, it is legitimate to ask whether this highly localised approach, which is, in some respects, in contrast with current (international) practice (e.g. the global market in course materials and international examinations and certification), will have any traction in the language learning or teaching community. One of the few advantages of a crisis, the COVID-19 pandemic is the case in point, is that it tends to offer opportunities, as there is a general acceptance that things can, and perhaps should, change. In addition, technology has already transformed our linguistic world, and it is time that pedagogy recognized this explicitly, not merely in making use of tools and devices in class, or adjusting teaching techniques, but in recognizing significant changes in linguistic

behaviour (e.g. the habitual use of multi-modal ways of communicating such as Twitter or Instagram) and so in rethinking the basis of teaching goals and practices. We should be developing greater selection and comprehension skills in our learners who are faced with a plethora of TikTok clips and an infinite variety of YouTube tutorials, all of which require negotiation of relatively new kinds of instances of language, that hold cultural values and assumptions as well as any information explicitly offered. Also, our assumptions about mobility will probably be renegotiated after the pandemic, changing both the habits and expectations of social interaction. More profoundly, we may even face the end of the economic hegemony of globalization, with calls for increased regulation, social and environmental responsibility and some kind of legal and political mechanism to deal with potentially huge migratory flows. Language will need to adapt in order to enable understanding and debate about these highly political issues, and different discourses and narratives used<sup>5</sup>. This will require precisely the more complex skills we have mentioned (deeper awareness, better techniques of understanding, contextualization), along with an intense intercultural, or better, multicultural element in language learning. This is not an impossible challenge, as it indeed represents a transformation of the underpinning of the aims of learning, but will allow many classroom routines to continue: good practice is possible in any approach or method, it is merely the context and purpose that is changed. Indeed, there are many aspects of current techniques that fit well with this view of learning, exemplified, for instance, in the lexical approach (e.g. Dellar and Walkley 2016: 7-32). We will never create complete repertoires, of course, but we can deepen them, and help our learners to make them communicatively more effective. Perhaps ELF offers an ideology for this. Indeed, in many ways education is all about expanding and opening up repertoires, and enriching students and society.

This connects seamlessly with issues in cross-cultural communication. In the post-war era we have largely been teaching language learners how to communicate, but the approach proposed here aims to help them work on nuanced understanding, deepening awareness of interlocutors and honing delicate skills of interaction. In other words, Hymes' model (1974) can be deepened and made more relevant to cross-cultural communicative needs. Critical assessment of meanings, the examination of translation skills, and awareness of complexity should all be significant parts of what we consider language learning to be, and this in turn equips learners better to engage with 'others' rather than communicate *to* them. Language education is at the basis of cross-cultural experiences and we should recognize this and how it can empower or delimit these experiences.

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<sup>5</sup> It is worth observing the complete inadequacy of the English language to deal with immigration in a way that is, if not necessarily fair (a political perspective perhaps), but at least accurate. Blommaert (2010: 154-159) describes the deleterious effects of inadequate linguistic skills on both sides of the classic immigration situation (a hearing for asylum in the UK) in detail.

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# TABOO, TABLOIDS AND TRUMP: THE RISE AND TWILIGHT OF A US PRESIDENT IN DIGITAL MAINSTREAM NEWS MEDIA

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## Abstract

This paper examines linguistic and rhetorical formulations of taboo and taboo-related ideas about Donald Trump from a cross-cultural standpoint, analysing how British mainstream news media have represented his political figure along a time span of three years, and more precisely at the start and end of his Presidency. The analysis focuses on how what Trump did or said tended to be conceptualized in terms of taboo in headlines collected from the online version of two British tabloids, *The Sun* and *The Daily Mirror* (100 headlines from 2018 and 100 headlines from 2021 each). Despite the scant interest of tabloids in politics, these headlines provide a basis for exploring the selection criteria for informative material to become news, as well as the ways of reporting and linguistically construing news information. By taboo we refer here to behaviour to be avoided in that it generates social “anxiety, embarrassment, or shame” (Gao 2013: 2310). Although the term itself usually points to ideas related to sex, excretion, ugliness, violence, death, religion, etc., with institutional figures the range of taboo can be extended to include any conduct failing to match the expectations associated with such a role and that would disqualify such behaviour. In terms of language, taboo applies to words or meanings dealt with through strategies such as euphemism, dysphemism or orthophemism, in order to neutralize, exorcize or emphasize their inappropriate meanings. The codification of taboo may significantly be influenced by cross-cultural factors, such as the perception of political and cultural identity (and stereotypes) from opposite sides of the Atlantic, and the different editorial policy of rival publications such as *The Sun* and *The Daily Mirror*, which nevertheless collaborate in the construction of traits of identity and otherness between communities and cultures. While tackling the array of taboos associated with Trump in the popular press, the paper explores the “altered state of political participation” (Conboy 2006: 10) to be found in today’s trivialization of media contents and modes, as well as the construction of a carefully planned audience to whom a popular vision of both Britain and the US is constantly offered, and which the digitalization of the news industry is even amplifying.

## 1. Introduction

Donald Trump spent his first day at the White House on 21 January 2017. That day, 600 #WomensMarch protest demonstrations took place worldwide (BBC 2017). As he joined one such event in London, British actor and civil activist Sir Ian McKellen pro-

\* Although this paper has been planned jointly, Stefania Consonni is responsible for Sections 1 and 3, while Michele Sala is responsible for Sections 2 and 4.

duced a tweet in which Trump's name is transliterated into schoolyard English: "President Breaking Wind has impacted us all: and personally" (Tweet, 22 Jan 2017). A longer post followed, elucidating the exact opposite reactions typically elicited by Trump, both in the US and abroad: on the one hand, people may "identify with him, believe him because they've seen him" on TV and "think the billionaire and his billionaire team are truly their friends". Many others "see through the charade" and are outraged at how "he has turned democracy into a tv/twitter spectacular". Aimed at debunking and ridiculing Trump's public image and institutional aura by mocking his very name in a childlike, candid manner, McKellen's vernacular name-calling pivots on the socio-political hijacking of a classic conceptual taboo linked to bodily effluvia.

Taking the cue from this histrionic tweet, in this paper we analyse a wider range of linguistic and rhetorical formulations linking Trump – what he said and did from 2018 to 2021 – to taboo, i.e., what is not only scurrilous, but commonly held to be "revolting, untouchable, filthy, unmentionable, dangerous, disturbing, thrilling – but above all powerful" (Burrige 2004: 199). More specifically, we consider how different types of taboos relating to Trump's persona have been formulated in British tabloids, such as *The Daily Mirror* and *The Sun*, along a time span of three years – more precisely, at the 'honeymoon stage' and the end ('bitter divorce?') of his presidency (2021). We also aim to highlight some cross-cultural trends in the codification of different cultural identities and stereotypes from opposite sides of the Atlantic, by questioning the ways in which, by building a taboo-laden framework for both Trump and US politics, the popular press may have propagated a specific political ideology among its readers. We will as a consequence also explore the relationship between ideologies (i.e. discursive "maps of [a] problematic social reality" and matrices "for the creation of collective conscience"; Geertz 1964/1973: 218-219, cf. also Gerring 1997) and the construction of taboos (i.e. behaviours taken to be harmful to members of a specific cultural setting because, by drawing on unpleasant or offensive contents such as sex, excretion, ugliness, violence, death, religion, they produce "anxiety, embarrassment, or shame"; Gao 2013: 2310).

Taboo is the pointing to certain "behaviour or objects believed to be harmful either for moral, religious, or social reasons" (Crespo-Fernández 2006: 32). It is therefore a way of dealing with what is ideologically impactful or disturbing, in order to perform a variety of social actions, including minimizing *vs.* emphasizing problematic aspects of reality, sounding polite or offensive, etc. Taboo naming is a basic skill in people's socio-discursive competence, allowing them to interact not only with others, but also with reality, that is, with the particular state of affairs in a specific situation. This function of taboo becomes particularly remarkable when public communication – e.g. political discourse, journalism, news media – is involved, for it produces hard-hitting, even iconic configurations of the world which impinge on social interactions as well as on the world itself (Fernández-Smith and Casa Gómez 2018: 26).

This study stems from the interrelated standpoints of linguistic constructivism and discursive-pragmatic analysis. We consider taboos concerning Trump in a corpus of texts from British tabloids from within a cross-cultural perspective, i.e., investigating how British mainstream news media may propagate a popularized and trivialized image of US and global politics. We therefore look at taboos in social discourse from a cognitive as much as pragmatic perspective.

### 1.1. *A cognitive perspective on taboo*

#### 1.1.1. Word taboo: Negative expressions codifying no (real) referents

Taboo can be conveyed through *taboo words*, i.e. expressions (swearwords, profanities, four-letter words) used to lexicalize what is commonly considered to be obscene or unmentionable (e.g. sex, excretion, the sacred). Often “an outlet for frustration and pent-up emotion and a means of releasing nervous energy” or disappointment, anger or anxiety, without material violence (Crystal 1997: 61), these manifestations may be meant to either mark off identity and solidarity between members of the same social group, or to shock the hearer and provoke embarrassment or aversive reactions. Suffice it to think, on the one hand, of those cases in which a taboo word is used as a marker of a restricted sociolect or even cryptolect (i.e. as a particular ‘password’ granting access to a particular group), thus signalling common ground and establishing a certain level of informality (“Don’t you *fucking* love this!?”). On the other hand, the aggression embodied by the taboo word may target an object of stigma that is perceived as such by both interlocutors (“Mr. X is a *dickhead!*”).

In either case, taboo words are not so much employed for their reference, but by reason of the impact they produce on the hearer. In this sense, they are extreme examples of indirect speech acts (Searle 1975): empty at the level of locution, they function at the locutionary (i.e. communicative intention) and perlocutionary (i.e. communicative effect) level.

#### 1.1.2. Concept taboo: positive, neutral or negative expressions codifying negative referents

Taboo can also be conceptualized. *Concept taboos* – i.e. forbidden contents (Varela 1997), forbidden reality (Casas Gómez 2012), forbidden meaning (Pizarro Pedraza 2013) – are ideas that, within specific cultural frameworks, are considered to be disturbing, dangerous, disrespectful, distasteful or obscene. Such topics are very much context-based, and range from traditionally proscribed referents (sex, bodily effluvia, death and diseases, blasphemy, etc.), which seem to be shared cross-culturally, to more specific ones, stemming from particular settings. Examples from Western cultures may be the otherization of social minorities, the stigmatization of differences or eccentricities, or other strategies aimed at discriminating individuals or groups on the basis of ethnicity, religion, sexual orientation or age.

In these cases, the referent is *in itself* considered to be taboo, or at least delicate or challenging. As a consequence, its linguistic representation – the very mention of that idea – is liable to be perceived as repugnant, uncomfortable or harmful, not because of the words the concept is spoken in, but because of the very concept being spoken of (Allan and Burridge 1991: 4). Taboo thus goes beyond the basic idea of substitution at a lexical level, as in the case of euphemism or derogation, for it addresses a conceptual interdiction from a cognitive perspective. In these cases, language can play an important mitigating function, smoothing the representation of problematic meanings through the use of ‘neutral’ language. This is the realm of Political Correctness and related language (Hughes 2011), in which lexical substitution makes it possible to express certain meanings in a way that is more socially acceptable through paraphrases, circumlocution or synonyms (e.g. *sex worker* for *prostitute*, *pre-owned* for *used*). However, taboo

concepts can also be formulated through taboo words, when the purpose is not just to represent the referent but to unsettle the audience or to stigmatize the targeted object.

### 1.1.3. Representation taboo: negative expressions codifying neutral (or positive) referents

*Taboo-laden representation* covers strategies meant to cast conceptual interdiction on referents which are not *per se* disturbing, thus instantiating the most radically performative dimension of taboo. This form of stigmatization can be realized both at word level (e.g. by referring to a female person as a *bitch*), or at a higher or discursive level through association of meanings, parallelism, or metaphors meant to codify a given stretch of reality in terms of taboo.

On the blog *American Thinker*, we can for instance find an entry like this: “Using the expression *hard worker* to describe a white person is now an offense against slaves and working mothers who don’t have health care coverage” (Lifson 2015). The phrase *hard worker*, which in itself has a positive (or, at least, neutral) connotation, is considered to be disparaging towards specific social groups, hence disrespectful and therefore taboo-laden.

As shown by these examples, taboo language is not merely unwelcomed. It can be used to perform a wide array of key social goals, e.g. to control (either reinforce or dissipate) stereotypes, to neutralize dangerous interpretations of problematic concepts or, on the contrary, to disqualify *per se* neutral meanings. We may thus observe that taboos are conceived and shared in specific cultural groups on the basis of commonly accepted or rejected values, in order to reinforce a pre-determined ingroup’s worldview, rather than to critically address reality. As such, taboos are powerfully evaluative resources (Martin and White 2005; Thompson and Hunston 1999). The three categories above are synthesized by Allan and Burrige (2006: 2) when they claim that “human beings react to the world around them by imposing taboos on behaviours”, manipulating and censoring “their language in order to talk about and around those taboos”, so that language becomes both “a shield against malign fate and the disapprobation of human fellow beings”, a weapon “against enemies” and “a release valve when we are angry, frustrated or hurt”.

### 1.2. *Taboo and language: a working typology*

From a pragmatic perspective, taboo discourse is characterized by three main functional strategies by which the standard informativeness of language is combined with emotive and expressive meanings, namely:

a) euphemism (or ‘sweet talking’), codifying negative referents through positive expressions: through euphemization “the taboo concept is stripped of its most explicit or offensive overtones” (Crespo-Fernández 2018: 9), allowing delicate or dangerous topics to be dealt with in ways that are perceived as more acceptable (e.g. *end of life* for *death*);

b) orthophemism (or ‘straight talking’), codifying negative referents through negative expressions: in these cases, the taboo topic is referenced literally, i.e. on the basis of its dictionary meaning, by establishing bare axiological references between meanings and words (e.g. *death* for actual death);



c) dysphemism (or ‘offensive talking’), codifying a neutral referent through markedly negative expressions: through derogation, the most problematic aspects of a given meaning (regardless of their being inherently taboo or not) are focused upon, with a stigmatizing aim (e.g. *girly manners* for *good manners*). Dysphemism operates through intensification of certain aspects of reality, which are not *per se* necessarily problematic.

As we can see, with respect to the three taboo categories listed in Section 1.1. above, these x-phemistic categories are mainly used to codify taboo concepts or to cast conceptual interdiction to representations (whereas taboo words, almost by definition, do not participate in x-phemistic meaning negotiation). From a cross-cultural standpoint, they can for this reason help us understand “how taboo topics are conceived in cultural groups and what beliefs are accepted or rejected” (Crespo-Fernández 2018: 10). Among them, the case of dysphemistic language is particularly interesting as far as taboo in tabloids is concerned, since what is unexpected, undesirable or dangerous represents a key value in the spectacularization of newsworthiness that is a typical strategy of mainstream news media’s representative policy – or, in other words, of the ‘tabloidization’ of reality (Conboy 2006).

### 1.3. *Taboo, politics and tabloids*

A political figure, and even more so a president, is expected to comply with a series of qualities, or certain standards of behaviour, or to share beliefs and views that would single him/her out as a representative of what is valued and prized in a specific cultural framework. According to Political Theory studies (Eulau *et al.* 1959; Reingold 2008; Swers 2005), such qualifications include independence and fair-mindedness, wisdom in decision-making and critical trust building (Dovi 2007), as well as representativeness and inclusion (as expressions of ‘symbolic representation’, which “ensures that all groups feel included” (Murray 2015: 771); cf. also Pitkin 1967). Empirical Political analysts (Galasso and Nannicini 2011; Besley and Reynal-Querol 2011; Baltrunaite *et al.* 2014) would also list values such as intelligence, education, experience, competence and commitment. From another angle, Murray (2015) points to other sets of criteria through which politicians are evaluated: party criteria, including features like personal charisma, eloquence, and good media presence (Murray 2010), and voter criteria, including empathy, honesty, determination, considerateness and availability (Campbell and Cowley 2014; Vivyan and Wagner 2015).

Any infringement of this etiquette is likely to disqualify a politician’s public image. It would hence represent a taboo with respect to his/her reputation, both when such violations are merely reported through language (i.e. they are part of an actual ‘taboo order of things’) and when they are specifically managed through language (i.e. they are manipulated through *ad hoc* taboo-laden representation). In the former case, taboo lies within the factual dimension of reality, while in the latter it is construed by the performativity of language.

This implies that any violation of such configuration constitutes fuel for taboo – as much as for tabloids. An event indeed becomes ‘news’ when it is codified as such by newspapers. According to the literature (e.g. Bednarek and Caple 2012; Brighton and Foy 2007; Harcup and O’Neill 2001), both quality and mainstream newspapers select

events to be reported on the basis of their news value, that is to say, the ‘quality’ that a specific stretch of reality must possess for it to be interesting to an ideal audience. Several studies have provided classifications for such values, with negativity proving the dominant parameter – followed and complemented by relevance, timeliness, proximity, prominence, consonance, impact, novelty, unexpectedness, superlativeness, personalization and eliteness (Bell 1991; Brighton and Foy 2007; van Dijk 1988; Schultz 1982; Harcup and O’Neill 2001).

A “basic news value” (Bell 1991: 156), negativity covers a wide range of phenomena, from wars, disasters and violence to conflict between nations and political parties, disagreements between people or groups, “deviance” (*ibid.*), “scandals” (van Dijk 1988: 123) and all “disruptions in the normal current of events” (Golding and Elliott 1979: 120). Negativity therefore crucially imbues the discursive reporting of destabilizing events in news media, and even more so in tabloids, considering the mix of sensationalism and simplification the latter offer to their readers. Pivoting on the straining of borders between private and public, personalization and authentication, trivialization and hegemonization (see Harrington 2008; Sparks and Tulloch 2000; Lefkowitz 2021), tabloids systematically apply the concept of negativity as ‘sensational, non-standard (and therefore newsworthy) behaviour’ to a number of prominent public characters (Lefkowitz 2018), including politicians such as Donald Trump.

Admittedly, British tabloids have traditionally shown scant interest in politics, focusing instead on the spectacularization of media contents and modes, and devoting more attention to sport, scandal, and entertainment and conspicuous details from people’s lives, both famous and ordinary. On the other hand, though, when tackling politics tabloids always choose taboo as their preferred material and codification strategy. As Conboy (2006: 10) claims, tabloids show an “altered state of political participation”: they include political information when it “concerns major issues which can be covered in sensational fashion”, so that “politically, they might describe the contours of a journalistic lowest common denominator”, providing a populist, opinion-based, binary stance on events and depicting a “melodramatic, not a rational public sphere” (*ibid.*), which they may also feed upon as a source of cross-cultural taboo (or taboo-laden) generalizations or ideological stereotyping.

On the basis of the above, this study investigates x-phemistic strategies conveying Trump-related taboos in British tabloid headlines. We chose to investigate headlines because of the key pragmatic functions they perform within the “economy grammar” of news media discourse (Halliday 1967; Dudley-Evans 2000). If tabloid language tends in general to be lexically low-standard and emotionally loaded, for instance through the frequent use of signal words (e.g. *fat*, *desperate*, *poor*, *bald*) and eye-catching qualifiers, headlines are even more specifically characterized by grammatical omissions, compounding, juxtaposition, alliterations, focalization and topicalization (Reah 2002; Marcoci 2014). Obviously due to the limited physical space allotted to the wording of titles, the use of such conspicuous interactional and textual devices produces on the one hand effects of emphasis, conciseness and emotional or persuasive impact, while on the other it performs an instantaneous (and yet extremely effective) perspectivization of news materials, and as a consequence of ‘reality’ itself (Lewison and Hartley 2005; Virbel 2002; Hartley 2005).

Tabloid headlines indeed shape a worldview for their readers, for they work as selective filters with respect to their news content, configuring the ‘reality’ of news events by emphasizing (and often caricaturing) specific portions of it, and steering its public interpretation. On the one hand, they do perform a framing function, in that, like frames, they are used to “select some aspects of a perceived reality and make them more salient in a communicative text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described” (Entman 1993: 52). On the other hand, they also anticipate the type of content to be found in the associated full article, hence helping the reader decide whether or not s/he is interested in reading it. For this reason, they doubly impact interpretation: by attributing grammatical roles and functions (agent, patient/affected, action, attribute, etc.) to specific portions of reality, they shape the way such reality is going to be perceived, thus functioning as “instruments for newsmakers to filter their vision of the world to their readers” (Belmonte and Porto 2020: 55, cf. also Caple and Bednarek 2013; Richardson 2007).

Enormously amplified by the digitalization of the news market and the publishing industry over the last few decades (Franklin and Eldridge 2017; Conboy and Eldridge 2021; Lefkowitz 2021), such a configurational and hermeneutical function of tabloid headlines produces ever increasing levels of popular persuasiveness – especially when headlines are used to codify cultural and political taboos. For resorting to taboo or taboo associations in representing news makes it even easier for mainstream media to effectively forge public opinion “in favour of or against specific political, economic, and societal trends” (Belmonte and Porto 2020: 56, cf. also Ecker *et al.* 2014; de Vrees 2005). In other words, in developing their own specific ‘sense of an audience’, tabloids may benefit from the use of x-phemistic strategies as a systematic tool for readership-design purposes: reproducing the “vocabulary and style of their average reader” so as to fashion a kind of “vernacular ventriloquism” (Conboy 2002: 162), they may reach an ever more propagative power. This seems to somewhat resonate with their preference for taboo as a subject matter since, as van Dijk claims (1988: 121-122), “it is easier to understand and certainly easier to accept” what is already in line with the cultural attitudes and expectations of readers, “that is, with the ideological consensus in a given society or culture” – a consensus which is shaped by the circulation on a daily basis of given ideas, especially when formulated through impactful and value-laden terms (Di-girolamo and Hintzman 1997; Ecker *et al.* 2017), which are likely to then be entrenched in the readers’ worldview.

## 2. Materials and method

The tabloids chosen for our analysis are the digital versions of *The Sun* and *The Mirror*<sup>1</sup>. The two British tabloids are similar, in that they belong to the family of so-called ‘newsstand tabloids’, i.e. publications sold at newsagents, alongside broadsheets and serious press. In spite of the emphasis they give to trivial contents like sport, entertainment and gossip, they do show some news values typical of the quality press,

<sup>1</sup> Respectively available at [www.thesun.co.uk](http://www.thesun.co.uk) and [www.mirror.co.uk](http://www.mirror.co.uk).

for they actively engage in political campaigns, for instance in elections. They differ in terms of their policies for representing nudity and scandal, and their political orientation (Smith 2017), as *The Mirror* tends to be generally perceived as more left-wing (in fact, it is perceived as slightly left-of-centre), while *The Sun* is associated with values such as populism and nationalism, using a vernacular language aimed at ‘the man in the street’ (Rooney 2000).

By entering the search term ‘Trump’ in the “Archive search” function on the tabloids’ homepages, we have downloaded 200 headlines per source, of which 100 (i.e. the top 100 hits) from 2018 and 100 (i.e. the top 100 hits) from 2021, collecting a total of 400 headlines containing a variety of direct or remote references to the 45<sup>th</sup> US president. The chronological span covered by the subcorpora goes – more or less in parallel – from 1 February to 13 March 2018, and from 1 February to 4 March 2021. The reason for choosing the first few months after Trump’s election for our analysis is a specific one. In the light of the many controversies reported and popularized by all media, including British tabloids, during his years in office, our intention is to see in what terms Trump’s presidency – its politico-discursive style and legacy – was used as a benchmark against which to measure other agendas, plans and decisions, including those enacted by the British government and by Joe Biden, the current US president. We have therefore divided the 400 headlines into two different groups:

A) those where the word ‘Trump’ functions as the subject and is followed by a verb phrase, as can be seen below:

- (1) Donald *Trump admits* he has no invite to Prince Harry and Meghan’s wedding (S57)
- (2) Donald *Trump fears* facing criminal charges despite second impeachment acquittal (M120);

B) those where the word ‘Trump’ is the object of a verb (i.e., ‘Trump’ is the ‘undergoer’), or introduced by a preposition in adverbial clauses, as in the following cases:

- (3) Did Melania ‘refuse’ to stand as audience gave ovation to Donald *Trump’s ‘faith and family’* remarks? (M95)
- (4) *Trump impeachment* lawyer says Capitol riot was ‘nothing’ to do with President and thinks trial will ‘tear nation apart’ (S122)

Our analysis focuses on the former group of formulations, in which Trump is grammatically represented as the doer/utterer of specific actions/propositions. We consider this type of formulation as particularly relevant with respect to taboo-naming strategies, for they identify him as the individual responsible for certain sayings and doings, their consequences and impact (on the people directly affected and on the reading public at large). In 2018, at the onset of the presidency, *The Sun* has 34 such headlines, *The Mirror* 36. In 2021, numbers are lower and proportions less balanced between the two tabloids: *The Sun* has nine such headlines, *The Mirror* 21 (see Table 1).

Within each subcorpus, we have further distinguished headlines according to their content, with specific regard to the standards of behaviour discussed with reference to Political Theory and Empirical Political studies (cf. Section 1.3. above):

	<i>The Sun</i>	<i>The Mirror</i>	Tot. considered headlines
2018	S1-S100 34	M1-M100 36	70
2021	S101-S200 9	M101-M200 21	30

**Table 1.** Distribution of considered headlines

a) headlines with major socio-political content, i.e. pivoting on news values such as the impact, significance or relevance of given actions performed by (and institutionally expected from) Trump with respect to his role as US president (e.g. political decisions, diplomatic relationships, etc.);

b) headlines with problematic socio-political content, i.e. centred on news values such as problems or conflicts associated with (unexpected or anti-institutional) actions or behaviour performed by Trump as US president (e.g. his public conduct, comments on social media platforms, etc.);

c) headlines with little or no socio-political content, i.e., gossip, news emphasizing trivial or private aspects of Trump's character, his idiosyncrasies, etc.

For all three groups we have analysed x-phemistic strategies, distinguishing between orthophemisms and dysphemisms<sup>2</sup>. More specifically, we have noticed that dysphemism can be realized in three different ways:

i) by mentioning or quoting Trump's words without rhetorically introducing, contextualizing, hedging or explaining them: this strategy exploits the maxim of informative quality (Grice 1975), for although it is a seemingly objective, unfiltered mention of Trump's words, it may produce a destabilizing cognitive effect, by giving the reader few cues as to how to disambiguate the meaning;

ii) by using strong, ideologically saturated or taboo-inducing expressions (e.g. *brag* vs. *point out* or *remark*; *dump* (v.) vs. *fire* (v.); *lie* vs. *insist*, *proclaim* or *assert*), thus exploiting the maxim of informative manner (Grice 1975), and casting conceptual interdiction on meanings and actions so as to emphasize the violation of some specific requirement of the etiquette for the 'good' politician (cf. Section 1.3. above);

iii) by using banalizing comments, useless details, irrelevant pieces of information or minimizing preciseness and detail so as to undermine the (possible) relevance of the main meaning – that is, dissipating it by scattering relevant pieces of information among non-relevant ones, thus flouting the maxims of relevance and quantity at the same time (Grice 1975).

<sup>2</sup> At this first stage of investigation, we have not considered euphemisms as the latter are to be frequently found in headlines where 'Trump' grammatically appears as object, affected or adverbial, whereas they do not seem to be used in headlines where 'Trump' is subject.

### 3. Results

The results of our searches are set out in Table 1 (above) and in Tables 2 and 3 (below), where frequencies are expressed in absolute terms, the size of our corpus being manageable and the indication of absolute quantities fairly transparent. Table 1 shows that the frequency of headlines with ‘Trump’ as subject significantly drops if we compare 2018 with 2021. At the start of his mandate, the president himself was the subject of 70 headlines equally distributed between *The Sun* (34) and *The Mirror* (36), while three years later there seems to be a clear preference for using ‘Trump’ as object or in prepositional/adverbial clauses (only 30 headlines having Trump as grammatical subject). The decline is particularly visible in the case of *The Sun*, with only nine such titles in 2021, while the rest build upon other subjects – mainly (and predictably) Joe Biden, as shown by the following example:

- (5) Biden signs executive orders to ‘ease naturalization of 11 million migrants’ as he rips up Trump immigration policies (S120)

Table 2 details the frequency and distribution of x-phemistic strategies and relative contents in 2018 and 2021 in both *The Sun* and *The Mirror*, and Tables 3 synthesizes the distribution of such occurrences in the corpus as a whole, evidencing some further trends that are discussed in the next three Sections.

#### 3.1. *Relevant contents*

This group of headlines codifies contents of “considerable significance for large numbers of people” (Golding and Elliott 1979: 117). These are events that are not only important, but politically predictable, in that they are in line with a president’s agenda and in accordance with his institutional function (e.g. political decisions, meetings, comments on facts of public impact). In other words, these titles concern the conduct that the US president – or any president, for that matter – is expected to have. The presentation of such contents in the corpus may be carried out through orthophemistic formulations such as the following<sup>3</sup>:

- (6) Donald Trump declassifies secret memo alleging FBI and Justice Department conspired against him in Russia probe (M89)  
 (7) Donald Trump returns to social media with post on Gab account after online exile (S178)

In these cases, meanings are transferred by emphasizing informativeness over evaluation (on the part of the writer), i.e. without making room for taboo-laden interpretations. As regards these formulations, however, we should point out that in some cases (nine in 2018, five in 2021), *The Sun* resorts to a very specific strategy, which consists in placing a ‘kicker’ above the headline with the purpose of steering the interpretation of what, in the headline itself, is presented in orthophemistic ways. Consider the following examples:

<sup>3</sup> In this case, as well as in the following, we discuss examples from both tabloids and from both 2018 and 2021.

RELEVANT (e.g. political agenda, decision-making roles and actions)		PROBLEMATIC (e.g. unexpected, contrary to role, non- politically correct)		NON-RELEVANT (e.g. personal, gossip, mode of reaction)		TOTAL
ORTHOPH.	DYSPH.	ORTHOPH.	DYSPH.	ORTHOPH.	DYSPH.	
<i>The Mirror</i>						
9	7	4	3	4	8	2018 Orthoph. 17 Dysph. 18
1	2	0	3	0	3	2021 Orthoph. 1 Dysph. 8
<i>The Sun</i>						
16	6	2	2	3	7	2018 Orthoph. 21 Dysph. 15
1	2	0	3	0	3	2021 Orthoph. 1 Dysph. 8

**Table 2.** Frequency and distribution of x-phemistic strategies and relative contents in the two subcorpora

RELEVANT (e.g. political agenda, decision-making roles and actions)		PROBLEMATIC (e.g. unexpected, contrary to role, non- politically correct)		NON-RELEVANT (e.g. personal, gossip, mode of reaction)		TOTAL
ORTHOPH.	DYSPH.	ORTHOPH.	DYSPH.	ORTHOPH.	DYSPH.	
<i>The Mirror + The Sun</i>						
25	13	6	5	7	15	2018 Orthoph. 38 Dysph. 43
2	4	0	6	0	6	2021 Orthoph. 2 Dysph. 16

**Table 3.** Frequency and distribution of x-phemistic strategies and relative contents in the whole corpus

(8) ROYALLY TRUMPED. Donald Trump admits he has no invite to Prince Harry and Meghan’s wedding (S57)

(9) DON’S DOWN TIME. Trump is ‘relaxed’ out of White House & ‘happy’ off Twitter but could soon start social media platform, aide claims (S198)

As shown by examples (8) and (9), the all-caps introductory expressions are meant to (respectively) poke fun at Trump through a semantically articulated and disparaging pun (*trumped*), and to present a reformulation of his current situation, as reported in the headline (*is relaxed*), in a trivial, mocking way (*down time*).

As shown in Table 3, the frequency of orthophemisms in both *The Sun* and *The Mirror* drops from 38 (namely, 25 ortho. + 13 dys.) in 2018 to only two dys. in 2021 – these two to be found in relevant content titles, while no examples can be found in problematic and non-relevant content titles. This indicates that there has been a preference over time for the construction of such contents through dysphemistic formulations. While representing 43 entries in the 2018 subcorpus, these still amount to 16 occurrences in 2021 (a lower number which is to be contextualized in the general decrease of ‘Trump’-subject headlines). The following examples show how dysphemistic strategies work:

- (10) When Trump met Kim: the fire and fury of a summit between the world’s most powerful manbabies (M12)
- (11) Chaotic Donald Trump wanted to ‘take out’ Syrian President and took US to brink of war (M125)

These examples typify the possible realizations of dysphemistic discourse: the first by employing words (*manbabies*) which discredit the authoritativeness and role of the two leaders, and the second by representing Trump’s intentions through the use of an informal phrasal verb (*take out*), which banalizes the president’s agenda with respect to the Syrian crisis and portrays it as a possible cause for international crisis.

### 3.2. Problematic content

These headlines deal with duties, tasks, actions, comments ascribable to the role of a political leader, i.e. allowing for the possibility of preferred behaviour. ‘Expected’ responses, which are typical in the category of relevant contents seen above, are violated here by behaviour which is presented as being uncalled for or incongruous. By creating embarrassment or even conflict, this conduct is inherently taboo. As evidenced in Table 3, in 2018 orthophemisms are used in six (out of 11) problematic content headlines, as shown by the instances below:

- (12) Donald Trump suggests he could be president for life after congratulating China’s Xi Jinping on consolidating power (M24)
- (13) Trump blames FBI for Florida massacre saying they ‘wasted time on Russia’ (S24)

In example (12), while a president can indeed consider re-running or hope for re-election (a legitimate aspiration common to all US Presidents running for a second term), presidency for life is rather distinctive of dictatorships around the world – against which the US has often taken a stand. Similarly, in (13) it is the president’s duty to reprimand faulty behaviour carried out on behalf of the government, but not by blaming officers for focusing too much on matters concerning himself rather than public security (the reference here is to the investigation concerning the possible Russian intervention in Trump’s 2016 election, i.e. the affair now known as ‘Russiagate’).

In 2021, orthophemisms drop to zero, while dysphemisms are used in all six headlines introducing problematic contents, as the following examples show:

- (14) Donald Trump brags about his ‘legacy’ and ‘military equipment he can’t even talk about’ in newly released footage (S179)



(15) Donald Trump so angry at being booted off Twitter he now ‘writes other people insults’ (M103)

In example (14), the direct quotation introduced by the evaluative verb *brag* is meant to emphasize the awkward comment made by Trump in a delicate situation, thus pointing out, along with his error in judgement, his ill-timed attitude in communication. In (15), the colloquial words *angry* and *booted off* emphasize his lack of self-control and indicate his arrogant and irresponsible reaction to the permanent cancellation of his Twitter account (which occurred on 8 January 2021, as a measure against the incitement to violence after the storming of the US Capitol).

### 3.3. *Non-relevant content*

This category includes all headlines where socio-political news value is very limited. This is the case of news concerning Trump as a private citizen, e.g. a (bad) father and husband, a golf player, a blunderer, etc. This is the realm of gossip, expressing criticism about given targets “as though they were members of our own social group”, so that social conversation about celebrities becomes “indistinguishable from our gossip about family, friends and neighbours” (Fox 2004: 42). Associating irrelevant topics, eccentricities, trivial comments or inconsistencies to a political figure is a taboo-inducing way of damaging his/her reputation, especially in the age of digital information and social networks (increasingly the undisputed domain of personal opinion).

The codification of non-relevant content can to some extent be controlled through orthophemism, the vacuity or triviality of meanings needing no rhetorical emphasis to be perceived as such, as can be observed in these titles from 2018:

(16) “I try like hell to hide it”: Donald Trump admits having bald spot as he gets distracted by own hair during conference speech (M44)

(17) Trump is ‘terrified of sharks’ says porn star ‘ex’ Stormy Daniels (S80)

And yet, orthophemistic strategies (seven in 2018) drop to zero in 2021. This seems to indicate that the same inconsistencies come to be fully highlighted through dysphemistic resources in non-relevant content headlines. Citations, negative evaluation or banalizers appear as the most frequently used resources in this regard, as shown by the following examples:

(18) Picky Donald Trump needed Diet Coke opened in front of him say staff who served him (M127)

(19) Trump resigns from Screen Actors Guild and says “who cares!” after threats to expel him from TV union (S156)

(20) Donald Trump tries to hold wife Melania’s THUMB amid Playboy model scandal (S34)

(21) Donald Trump repeatedly tries to hold wife Melania’s hand in awkward video (M200)

In example (18) Trump is represented as a *picky* boy bullying the White House staff with silly requests about soft drinks. In (19), Trump’s exclamatory disregard for threats of expulsion from the TV Union (after the Capitol riots) more subtly reveals his previous experience not only as a Hollywood film extra but also as a reality-TV star, which may imply a reiterated conflict of competence in his career. In examples (20) and (21),

the emphasis on a caricatured detail like a clumsy attempt at holding his wife's thumb (or hand) becomes particularly noticeable when such an attempt is made more than once, or while the subject himself is caught up in a major sex scandal.

#### 4. Discussion

In February-March 2018, which is the time span of the first part of the corpus under scrutiny here, Donald Trump was in office as the 45<sup>th</sup> US president, and allegedly – as the expression goes – the 'leader of the free world'. The very concepts of 'president', 'leader' and 'free world' bring about structured sets of expectations and culture-based ranges of beliefs related to specific ideas of power, control, leadership, trust, representativeness, progress, protection, which are valid not only in the US but in the Western world, of which Britain is part. In fact, not only has the US massively influenced Western culture, especially after World War II (in terms of media products, communication practices, language tendencies – i.e. Political Correctness, popularization, inclusive non-discriminatory policies), but its impact can also be observed from an extended geopolitical perspective, in that the US is a member of several international organizations (e.g. NATO, the UN, observer state for the Council of Europe) where it often holds a pivotal position.

In such a scenario, there are rules of action and behaviour which the US president needs to respect (cf. Section 1.3. above), as a public figure (in terms of knowledge, experience and competence), a leader (in terms of fair-mindedness and communicativeness), and a private citizen (for matters concerning his personal and family life, past and present). With respect to these parameters, before his election Donald Trump did not even seem to have the potential for being a credible candidate. At the time, what people knew of him – including US voters and British tabloid readers – was his being a 'political outsider': a tycoon, a billionaire who built towers, married fashion models, bought football teams, a mediocre actor and TV host and an outspoken interviewee. Moreover, his candidacy was for the more conservative faction within the GOP, the one often associated with nationalism, supremacism, racism and misogyny.

These are clearly all taboo-related elements when associated with a political candidate. As a consequence, after Trump's election in 2016, these elements required some form of re-negotiation and re-definition of the idea of 'president' and 'leader of the free world'. Two tendencies may be identified in this respect – in the US, in Europe and the UK – which can be generally synthesized as:

- a) alignment, represented by those (arguably a minority) who welcomed the election of an 'outsider' and were prepared to adjust the idea of 'president' and 'leader' so as to include Trump's idiosyncrasies, that is, by considering his discarding of expectations as a sign of rejuvenation and political revitalization, no matter the possible consequences;
- b) resistance, the dominant position, which opposes renegotiation and points out the importance of established political and personal standards as the only guarantee for the effective exerting of the presidency, for democracy, and for maintaining manageable relationships within and outside the US.

In both cases, taboo may represent a major discursive device for efficiently controlling representations. More specifically, from a resistance perspective, by associating Trump with taboo (i.e. violence, materialism, discrimination, lack of competence), any act – both discursive and factual – meant to resist or attack him as a taboo perpetrator is a way of marking off the newsmaker’s identity as being as distant as possible from such negative notions. On the basis of this perspective, in this section we address the issue of how British tabloids use these strategies to possibly mark their distance from the US, its policies and its president.

In February-March 2021 (the time span covered by the second half of our corpus), Trump is a former president whose public figure has permanently been damaged by the muddled handling of the Covid-19 pandemic and the rise of social unrest, notably epitomized by the Black Lives Matter movement, by the incitement of the US Capitol riots, by his refusal to recognize the Georgia recount and by his removal from social networks for hate speech. In other words, in 2021, not only is Trump no longer president (and for this reason no longer considered as ‘newsworthy material’), but after all these controversies there does not seem to be any need to discursively associate him with taboo, since his words and actions have become part of everybody’s shared socio-political knowledge.

In the light of these considerations, turning now to the occurrences set out in Tables 2 and 3, some observations can be made. The first and very general comment concerns how differently the two tabloids, which have markedly different political orientations, represent meanings (and taboos). In 2018, both tabloids use approximately the same number of taboo-related headlines – the only possible exception regards orthophemistic references for relevant contents in *The Sun* (16 occurrences), which are almost twice as many as those in *The Mirror* (nine occurrences). Both tabloids, then, seem to be consistent in their relatively homogeneous resistance perspective, with *The Sun* possibly trying to read as more objective and relatively less evaluative (i.e. fewer dysphemisms).

Moreover, while in 2021 both *The Sun* and *The Mirror* devote equal (if limited) attention to relevant, problematic and non-relevant socio-political contents (each of them counting six headlines), in 2018, at the ‘honeymoon stage’ of the presidency, priority is conferred to headlines that in the first place concern relevant contents (38 occurrences, respectively 25 ortho. + 13 dys.) and, secondly, non-relevant contents (22 occurrences, respectively seven ortho. + 15 dys.). Attention is being devoted, we may thus hypothesize, to taboo-laden aspects of the recently inaugurated presidency which may be said to confirm important traits of divergence between the tabloid readers’ perceived identity of Britain as distinguished from the US.

The higher frequency of orthophemistic strategies (25 ortho. *vs.* 13 dys.) used in 2018 for dealing with socio-politically relevant taboos seems to indicate that, while codifying fallacies of Trump’s that are linked to key rituals of democratic life through the reliable (or assumed as such) linearity and transparency of ‘straight talking’, tabloid headlines may indeed be aimed at reinforcing – on the British side of the Atlantic – the importance of the very principles being flouted by Trump’s conduct. Orthophemistic titles may, in other words, produce the persuasive effect of boosting (*ex negativo*) the binary awareness of a different (i.e. smoother, more polite) institutional life in Britain. This hypothesis seems confirmed by the (frequently evoked) comparison with the British PM of the time, as evidenced in the following example:

(22) Trump doesn’t let Theresa May speak for more than ten seconds (S77)

When presenting politically irrelevant contents, on the contrary, the higher frequency of dysphemistic strategies used in 2018 for codifying non-relevant taboos (15 dys. vs. 7 ortho.) seems to mark off an expressed distance between British tabloid readers and the target of stigmatization and ridicule – i.e. Trump and possibly also those boastful aspects of US cultural life that his presidency may be said to epitomize, such as materialism, consumer culture, anti-welfare policies, industrialism. The persuasive effect is in this case produced by outspoken criticism – carried out through exaggeration and caricature – of a social and cultural element of stereotyping (or target of humour) as a way to express a common identity as clearly distinguished from the one of which Trump is a key representative.

Both of these attitudes may be read as the result of the tabloids' editorial policy and the specific type of political perception they promote, which is nurtured by simplification, spectacularization, populism and stereotyping (Buckledee 2020; Smith and Higgins 2013). This hypothesis seems substantiated by the fact that, in both *The Sun* and *The Mirror*, headlines published in 2018 show a very limited occurrence of problematic contents, that is, truly and univocally conceptual taboo (11 occurrences in total, respectively 6 ortho. and 5 dys.). Those awkward aspects of Trump's presidency indeed appear in our corpus to be minimized, perhaps even neutralized<sup>4</sup>.

Comparing the frequencies of x-phemistic strategies in 2018, it appears that *The Mirror's* use of such strategies is more even: their distribution ranges between a minimum of three (problematic/dys.) and a maximum of nine (relevant/ortho.), which makes the presentation of the various contents more uniform and harmonized. In *The Sun*, the differentiation is more strongly emphasized: frequencies go from two (problematic/dys.) to 16 (relevant/ortho.). In both cases, different contents tend to be presented in rhetorically different ways, pivoting on different cognitive mechanisms. When introducing relevant topics, orthophemism is the preferred strategy – more noticeable in the case of *The Sun* (16 ortho. vs. six dys.) than in *The Mirror* (nine ortho. vs. seven dys.); when presenting problematic contents, no particular emphasis is made on dysphemistic representation (perhaps because the content itself is already perceived as negative); when presenting irrelevant contents, dysphemistic language (i.e. representation of taboo) is noticeably used, possibly with the aim of turning the lack of news value of such contents into a taboo itself. Dysphemistic language predominates only when trivial topics are covered.

However, the polarization between *The Sun* and *The Mirror* in terms of x-phemistic resources seems to fade in 2021, for frequencies become very similar (and low) for both tabloids, ranging from 0 (in all orthophemistic strategies, except for relevant contents) to a maximum of six (problematic/dysphemistic and non-relevant/dysphemistic topics). In comparison with three years earlier, headlines in 2021 seem less inclined to confine problematic (concept-taboo) contents as a distant, not particularly threatening background to nationalist 'straight talking' and 'offensive' gossip 'talking'. Moreover,

<sup>4</sup> In 2021, the distribution of relevant, problematic and non-relevant contents in both tabloids appears to be more balanced, with each category being devoted six headlines. We may perhaps speculate that, as mentioned above, after such episodes as the US Capitol riots in January 2021 there is less need for British tabloids (and their readers) to reaffirm boundary lines that the whole world seems to have meanwhile acknowledged. One thing is for sure: the stigmatization of the Trump presidency seems in 2021 to allow for no counter argument.

if orthophemistic resources were in 2018 significantly less frequent than dysphemistic resources (38 ortho. *vs.* 43 dys.), in 2021 the gap increases (two ortho. *vs.* 16 dys.). Again, it seems fairly unsurprising that conceptual taboos about Trump would become more manifest within the British mainstream press context, given the rapidly spreading crisis of credibility that Trump's persona and administration have met, especially (as mentioned above) after his refusal to accept the election results, his altercation with media and social networks, etc.

In consideration of the above, by presenting a typology of socio-political taboo contents relating to Donald Trump through a range of x-phemistic representations over a period of three years, both *The Sun* and *The Mirror* seem to be mostly concerned with a twofold mission. They seem, in other words, to have developed linguistic, pragmatic and cognitive strategies in order to balance, on the one hand, the value of informativeness (expected from any kind of news discourse, including quality press sources) and, on the other, evaluation, even over-emphasized evaluation (which is typical of 'tabloidized' news discourse). In other words, as shown by the emphasis given to relevant topics both in 2018 and 2021, the two tabloids present themselves as – primarily – sources of relevant socio-political information. Even though dysphemism happens to be used for relevant contents (which is what differentiates tabloids from quality newspapers), in 2018 this is balanced off, or even superseded, by the use of orthophemism. Although proportions are reversed in 2021, probably by reason of the perceived loss of hegemony of Trump's role in US and global politics, this attitude appears to be coherent with *The Sun* and *The Mirror's* status as newsstand tabloids.

On the other hand, both tabloids tend to boost the newsworthiness of reported events, especially when they emphasize values of negativity, novelty and relevance, and when, often by contrast, these happen to signal and consolidate the self-perception of a distinctive and coherent national (as with the case of socio-politically relevant contents) or cultural unity (as in the case of non-relevant contents) of *Britain as different from the US*. This is not only coherent with the politics of tabloid representation, with their trivialization of media contents and modes, but above all with their linguistic construction of a carefully planned audience, to which a popular and populist vision of both Britain and the US is constantly being offered.

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# POPULIST LEADERS AND MASCULINITY: A MULTIMODAL CRITICAL DISCOURSE ANALYSIS OF HEGEMONIC MASCULINITY PERFORMANCES ON SOCIAL MEDIA

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## Abstract

This work is a multimodal critical discourse analysis of masculinity performance on social media. Specifically, we aim to analyse, using a multimodal qualitative approach, how populist leaders, Donald J. Trump, Matteo Salvini, Giorgia Meloni, Marine Le Pen, and Boris Johnson, perform masculinity traits through visual and textual discourse practices on Twitter and Instagram. The results of the investigation show that these right-wing populist leaders perform – from a multimodal perspective – masculinity in a similar way, despite the different cultural contexts in which they are reproduced.

## 1. Introduction

Populism is a heterogeneous political phenomenon that is currently spreading around the world as a result of the combination of various social and economic circumstances, such as the financial crisis of 2008 (Tormey 2019: 53), affecting many people's view of the world in terms of a heightened sense of precariousness. In addition, both immigration and terrorism have contributed to an overall concerning and unstable situation. Mudde and Rovira Kaltwasser (2017) define populism as an essentially contested concept since scholars do not agree on its definition, some of them having even questioned its existence. Consequently, literature about this phenomenon is quite heterogeneous: populism has been considered as a 'thin-centred' ideology (*ibid.*), a discursive and performative style (Moffitt 2016; Ekström *et al.* 2018), and a political strategy (Hidalgo-Tenorio *et al.* 2019). In this regard, it is argued that heterogeneity is not necessarily a negative trait. Not only does heterogeneity represent a fertile ground for an interdisciplinary field of study, but it is also one of the most important defining characteristics of populism itself. Indeed, populism is a border-crossing phenomenon that is profoundly shaped and affected by different cultural contexts (Taggart 2000).

For this reason, it is important to highlight the existence of right-wing populism and left-wing populism which are two different phenomena deeply influenced by distinctive ideologies (Mudde and Rovira Kaltwasser 2017: 21). However, most populist phenomena share common characteristics such as the invocation of the people, the fight

against the elite and the presence of a charismatic leader who embodies and protects the people's will (against the elite or any other enemy). In addition to opposing pluralism, the opposition between the corrupt elite and the virtuous people is the main characteristic of populist phenomena (*ibid.*: 3). According to this dichotomy, the people is a homogeneous group and usually populist parties do not differentiate between genders or highlight gender matters (Lefkofridi 2019: 14). Even though populism is not inherently gendered, most populist leaders are powerful men (Mudde and Rovira Kaltwasser 2015). Moreover, studies show that populist parties – especially far-right ones – seem to attract more male voters (Mudde 2019: 143-144; Spierings and Zaslove 2017). However, it is important to take into consideration also the presence of female right-wing populist leaders who perform populist masculinity (Mudde 2019: 143; Moffitt and Tormey 2014) to represent themselves as being reliable and reassuring.

This paper is a multimodal critical discourse analysis of masculinity performance on Twitter and Instagram. Specifically, the present work analyses how masculinity is performed by both male (Donald J. Trump, Matteo Salvini and Boris Johnson) and female (Giorgia Meloni and Marine Le Pen) right-wing populist leaders in different cultural contexts. Starting from these premises, we aim to investigate: a) to what extent hegemonic masculinity traits converge with characteristics associated with charismatic populist leaders; b) if the same assumption can also be corroborated for female populist leaders; and c) whether the notion of populist masculinity can prove to be a useful analytical framework in the understanding of populist movements.

In the following section we will focus more in depth on the relationship between right-wing populism and masculinity, while in section 3 we will introduce data collection and methodology. Section 4 will focus on each individual politician, paying particular attention to their masculinity performances. Conclusions and further research perspectives are presented in the last section.

## 2. Right-wing populism and masculinity

In addition to the political, social and economic reasons briefly mentioned in the previous section, the current rise in populism is strictly interwoven with the rise of male and authoritarian leaders around the world (e.g. Donald Trump, Jair Bolsonaro, Viktor Orbán etc.), who can reassure an insecure and uncertain electorate through the display of hegemonic masculinity traits (Buschmeyer and Lengersdorf 2016: 192-194; Christensena and Qvotrup Jensen 2014: 61-63; Milani 2015: 14-16). The concept of hegemonic masculinity was introduced by Connell (1995) as the most dominant and most socially prized form of masculinity available to men; within this perspective, it is regarded as a practice that legitimizes men's dominant position within society, and that justifies the subordination of women as well as the subordination of other forms of masculinity, as it constitutes the most socially valued form of masculinity (Connell and Messerschmidt 2005). In society, masculine dominance over women and other nonhegemonic (subordinated) masculinities, favoured by patriarchy, is perpetrated through cultural and institutional persuasion and homophobia (*ibid.*: 831). In this regard, it is important to specify that hegemonic masculinity is also perpetrated through the complicity of subaltern groups such as some (heterosexual) women and men who do not perform strongly hegemonic masculinity traits but who still benefit from patriarchy

(*ibid.*: 832–841). Moreover, hegemonic masculinity is connected to toxic masculinity (Daddow and Hertner 2019; de Boise 2019), a social phenomenon that involves dangerous behaviours – such as violence, trans/homophobia, misogyny and inability to express emotions (de Boise 2019: 147; McQueen 2017) – and practices (e.g. physical violence) useful to maintaining hegemonic dominance (Connell and Messerschmidt 2005: 840). The emergence of (right-wing) populist leaders is supported by the notion that charisma is strongly associated with a masculine leadership style and contains the framing of predominantly masculine attributes such as a personality cult, strength, directness, firmness and authoritarianism (Meret 2015: 83), but also the representation of the leader as a common man – through the performance of linguistic and social behaviours that belong to the people – in order to create a strong bond with the electorate. Furthermore, the enactment of charisma and of social stability makes room for a display of political masculinity on behalf of female leaders: they provide a public space for self-representation of both masculine power and hegemonic femininity, in what Geva (2020: 39-40) identifies as a successful mixture of authority, virility, beauty, and *caritas*.

This tendency to rely on politicians embodying a strong, authoritarian model of masculinity is caused by a pervasive feeling of uncertainty and instability, mainly due to the worsening of socio-economic conditions, phenomena relating to migration, and the rise of global terrorism that followed 9/11. Specifically, right-wing populist leaders strategically trigger fear through their discourses and then offer stability and security to people who, in already uncertain circumstances, real or perceived, feel threatened by otherness and struggle to accept social changes prompted on the one hand by migration, which alters the texture of a traditional national identity (Wodak 2015), and on the other by a growing visibility of the LGBTQ+ community's fights for rights, equality and inclusiveness, which underpins notions of a traditional family. Indeed, sectors of the electorate feel safe trusting populist leaders who embody a reliable and strong leadership.

As stated earlier, populism is thought to be non-gendered. However, gender does matter in some circumstances such as the gender gap inside far-right populist parties (Meret 2015; Spierings and Zaslove 2015). Gender often involves values that are not negotiable for far-right populists; indeed, even female populist leaders seem to vigorously protect a conservative vision of society in which human beings have specific gender roles. Some themes of the right-wing populist political agenda do centre around the performance of hegemonic masculinity, and values of patriarchal societies, e.g. misogyny and opposition to gender equality, where masculinity is used as a purposeful rhetorical device to degrade enemies, and is proposed as an answer to restore order in opposition to a rapidly changing society (Mellström 2016).

From this perspective, it could be said that female leaders are able to perform masculinity since they choose to strategically support a heteronormative patriarchal vision of the world (Geva 2018: 6) and to exploit gender stereotypes to their own advantage (Abi-Hassan 2017: 553; Mudde and Rovira Kaltwasser 2017: 70). They often highlight the role of good women as wives and mothers (Mudde and Rovira Kaltwasser 2017: 70). Specifically, the role of the (protective) mother is particularly useful because they can portray themselves as mothers of all citizens – creating a bond with the people – but also as mothers of the Nation (Geva 2018: 7), highlighting the connection between populism and nationalism (Mudde and Rovira Kaltwasser 2017: 70).

Populist leaders are well-known for their peculiar and strategic use of social media (Kreis 2017; Giuffrida *et al.* 2018; Zummo 2020), because the latter allow for a direct relationship between a charismatic leader and the people (Enli 2017). Indeed, the use of social media promotes unmediated self-representation (van Kessel and Castelein 2016), and simplifies the reproduction of hegemonic masculinity traits through multimodal discursive practices. Since populist politicians massively use social media (Gerbaudo 2018), these leaders' masculinity performances can easily be embedded in their daily political communication.

### 3. Data and methodology

Starting from these premises, we decided to focus our attention on how masculinity is performed by populist leaders on two social media: Twitter and Instagram. Firstly, Twitter is the social media that is best suited – because of its limitation of characters and simplification of the message – for the aggressive populist style of communication (Ott 2017) which is very simple and repetitive. Secondly, Instagram allowed us to investigate the visual representation (Mendonça and Duarte Caetano 2021) of populist masculinity performances since it is a social network primarily based on picture and video sharing. We decided to select these two social media because they have two different targets – the majority of Twitter users are young adults and adults (Statista 2021a), while Instagram is used generally by younger people (Sheldon and Bryant 2016: 89; Statista 2021b); consequently, items collected on both social media provide a wider and variegated sample as regards the way leaders' self-representation is built in order to achieve a heterogeneous audience.

The data for the analysis were collected on the official Instagram and Twitter accounts of the politicians considered. Each of the five corpora counts 30 items that focus particularly on the topic of leaders' self-representations. The data were selected during the timespan that goes from 1<sup>st</sup> November 2014 to 31<sup>st</sup> December 2020, and were analysed and compared in order to highlight common and recurring patterns. The posts were selected over a wide range of available options as instances of self-representation strategies that exemplify populist masculinity. More precisely, we collected especially those posts that foreground leaders' self-representation concerning the display of masculine performances and populist attitudes, because one of our main aims is to understand whether masculinity can be considered as an additional interpretation in the analysis of populism. Since each corpus counts just 30 items, they are by no means a representative sample nor are they a thorough illustration of all the features that characterize the context-specific populism enacted by the selected politician, let alone of populism as a phenomenon. Due to space constraints, we present the analysis of just four items for each politician as instances of the general tendencies of masculinity performance that we have identified.

From an analytical perspective, we used a Multimodal Critical Discourse Analysis approach focusing primarily on (self)representational strategies of our main social actors (Machin and Mayr 2012). The multimodal approach is particularly helpful in order to analyse and understand the leaders' self-representation since these leaders can employ powerful visual elements, e.g. gaze and pose that interact with the message already expressed through the textual resources as “the visual component of a text is an

independently organized and structured message, connected with the verbal text [...] and similarly the other way round” (Kress and van Leeuwen 2006: 18). Consequently, we focused on the visual self-representation of masculinity in combination with the textual resources attached in each post (Machin and Mayr 2012). In addition, we paid attention to the strategy of positive self-representation strictly connected to the process of legitimization (van Dijk 1998), and to the enactment of hegemonic masculinity (Connell 1995).

Given the focus on populist masculinity as a discursive/stylistic strategy, we decided to include five politicians. Firstly, Donald Trump, the 45<sup>th</sup> President of the United States, a Republican politician businessman and media celebrity (Jones 2021; Kissas 2019; Kreis 2017; Ott 2017; Reyes 2020). Secondly, Matteo Salvini, leader of the right-wing *Lega*, former Italian Minister of the Interior and vice Prime Minister from 1<sup>st</sup> June 2018 to 5 September 2019 (Aime 2012; Albertazzi *et al.* 2018; Cento Bull and Gilbert 2001; Richardson and Colombo 2013; van Kessel 2015). Thirdly, Giorgia Meloni, leader of *Fratelli d'Italia*, an Italian far-right party with neofascist roots (Bruno and Downes 2020). Fourthly, Marine Le Pen, leader of the far-right and nationalist *Rassemblement National* (formerly *Front National*) (Geva 2018; 2020; Snipes and Mudde 2020; van Kessel 2015). Finally, Boris Jonson, the current leader of the Conservative Party and Prime Minister of the United Kingdom (Jones 2021). We thought it was important to include Boris Johnson in our list of populist leaders since the Conservative Party in the UK has significantly shifted towards right-wing populism (Harris 2021). Furthermore, the choice of including two right-wing populist female leaders is motivated by the fact that the few female populist leaders tend to embody characteristics that belong to masculinity and mix them with traditional characteristics associated with femininity (Meret 2015; Geva 2020).

## 4. Analysis

### 4.1. Donald Trump

When analysing the data regarding Donald Trump, we found strong references to patriotism (especially through the visual presence of flags), together with the need to defend the US identity against *otherness* (with a particular focus on immigrants and Islam). Another feature is Trump’s challenging, ironic, bold and pretentious attitude that is noticeable from certain visual elements (Trump’s facial expression and gesture) in Figure 1.

In addition, the data reveal that there are some references to his family roles (especially as grandfather), which are also linked to gender stereotypes. However, gender stereotypes can be conveyed in other ways, such as the one in Figure 2 that involves male bonding between Trump and the Japanese Prime Minister. The location of the photograph, Trump International Golf Club in Palm Beach, introduces another theme dear to populist leaders, namely sport: he uses this topic to relate to the people in a seemingly authentic way (Mudde and Rovira Kaltwasser 2017: 66-71). Trump was criticized for spending too much time at his personal residences, and specifically playing golf rather than pursuing more important matters. The post hints at his bold defiance of traditional institutional roles, identified by him as the corrupt elites.



Figure 1. Trump's Instagram post 4 January 2019



Figure 2. Trump's Instagram post 18 April 2018

Moreover, Trump aims to enhance his leadership as strong and authoritarian. Indeed, in Figure 3 the combination of visual (the official setting, his pose, gesture and gaze) and textual features (the lexical choices, e.g. *sacred duty*, the parallelism of the syntactic framing *This is*, the overall formal register) allows Trump to depict himself as a proud, serious and strict leader. This post was delivered in the Oval Office on the



Figure 3. Trump’s Instagram post 9 January 2019

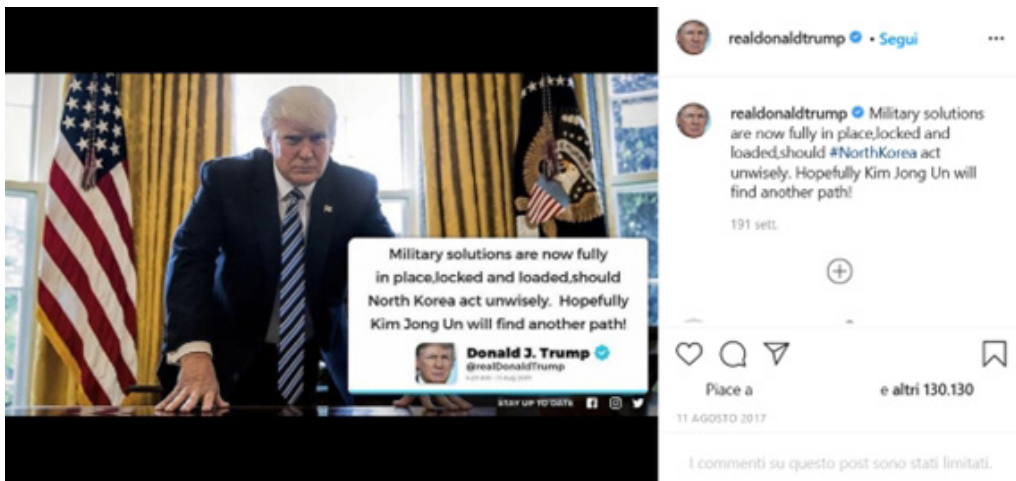


Figure 4. Trump’s Instagram post 11 August 2017

occasion of his address on illegal immigration. Trump’s main aim was to legitimize his decision to build the border wall between the US and Mexico and obtain the necessary funding. Finally, it is worth highlighting that the text shows the populist tendency to provide simple solutions to complex problems, since Trump reduces and simplifies a complex phenomenon such as immigration and its policies to *a choice between right and wrong, justice and injustice*. This tendency is particularly relevant, because it allows

Trump to depict himself as a firm and reliable leader capable of providing concrete solutions.

Trump's authoritarian and strong leadership can also be exemplified by Figure 4. This Instagram post shows Trump, once again, in an institutional setting. However, this time he exhibits a very aggressive, threatening, and intimidating attitude, positioning himself above the camera and giving the impression of being dominant (Machin and Mayr 2012: 70-74). The text translates his physical aggressivity into verbal firmness, establishing a military threat against North Korea. Consequently, this type of representation is employed by Trump to depict himself as a leader to be feared, but also as capable of defending American citizens from internal and external threats, a true man of action, all indexical features of a masculine politician (Meret 2015: 83).

#### 4.2. Matteo Salvini

The analysis of Salvini's data reveals an apparently familiar, genuine, and spontaneous attitude. Indeed, Salvini's massive and thriving presence on social media is due to the work of his social media team that is supported by *La Bestia* (The Beast) (Lorenzetti 2020: 72), a software based on an algorithm useful in the detection of popular topics (*ibid.*: 73). Salvini exploits this attitude to depict himself as a 'common man'. More precisely, Figure 5 shows his boldness (a very common trait among the members of his party) and a typical feature of populist masculinity, exemplified by the visual choice referring to the headline by the *Huffington Post* "an annual budget with balls". It is important to specify that this Instagram post includes, as its visual element, the cover of an article posted on the *Huffington Post* that Salvini – and his social staff – have probably chosen because the headline reflects the discursive strategies previously employed by Salvini and especially by Umberto Bossi (Cento Bull and Gilbert 2001; Mudde and Rovira Kaltwasser 2017: 64-66). Indeed, populist leaders often draw attention to their bodies in order to show their strength, their virility, and to affirm heteronorma-



**Figure 5.** Salvini's Instagram post 23 December 2018 (Headline: *An annual budget with balls*. Post: *We are not geniuses, we did not work miracles, but we are coherent people who keep their promises. In six months, we have accomplished more than the PD big mouths did in six years. And we are not going to stop*)





**Figure 6.** Salvini's Instagram post 13 December 2020 (*Pizza with son and #Milan, yesss!*)

tivity (Moffitt 2016: 66; Starck 2020: 45). In addition to the headline of the news article embedded in the post, the visual elements (e.g. Salvini's pose), combined with the text, allow Salvini to represent himself as a coherent, ordinary and practical common man who makes reasonable choices (concerning budget law) dictated by his commonsense.

Figure 6 highlights how he strategically employs his familiar role as father and gender stereotype, showing an evening at home with his son, eating pizza and watching a football match; the private nature of the event is visually represented by Salvini wearing the jersey of his favourite team and holding a pizza box. The intimacy of the message helps to reinforce the stereotypical reassuring roles of a father-son relationship. Moreover, in the background it is possible to notice the presence of toys typically associated with females such as a pink house that actually belong to Salvini's daughter. This representation clearly supports the idea of heteronormality that implies a strict distinction between gender roles.

Figure 7 shows how Salvini presents his own leadership through the visual element which, even in this case, is the cover of a newspaper article where he is portrayed from a side view with a serious expression and pointing his finger – metaphorically – against the NGO Sea Watch showing a non-negotiable attitude. Indeed, this post was delivered during the Aquarius immigration crisis. Salvini is well-known for his strict policies against immigration that are perfectly summarized in the text of this post. The text is a statement that is not meant to be questioned, since Salvini says that he will never give immigrants his permission to disembark. Furthermore, this combination of visual and textual features seems to be perfectly coherent with his nickname *il Capitano* (the Captain).

This nickname undoubtedly helps Salvini to portray himself as a strong man, a firm and strict leader who has the power and determination to act, as shown in Figure 8.

This tweet shows how Salvini perfectly embodies the populist leader, given that he is among the people, and he is reassuring them. Moreover, it is important to highlight



**Figure 7.** Salvini's Instagram post 20 June 2019 (Headline: *Salvini: "Sea Watch snubs the rules and trades in humans"*). Post: *I won't give permission to disembark to those who couldn't care less about rules and trade in human beings. I won't give permission now or at Christmas or on New Year's Eve. Full stop. #closedharbours*)



**Figure 8.** Salvini's tweet 4 November 2018 (*Now at #Terracina (Latina) where the #roughweather has brought death and destruction, but where there is also a strong Community that does not give up. The government will give the necessary help with 250 million [euros] to rebuild and bring a little bit of serenity to those who are suffering*)

his habit – while serving as Minister of the Interior – to dress as if he were a member of various categories of law enforcement to personify and convey security. In this specific case, he is wearing a firefighter uniform to reassure the people in the picture who, as the text suggests, were victims of rough weather.

Salvini's attitude of dressing up (he also dressed up as a policeman and other law enforcement agencies), something that he shares with many authoritarian leaders (Saviano 2019), his staged interest of being among ordinary people, helping them out actively, is a way of asserting his defiance of traditional, elite ways of enacting power, fulfilling the expectations of a masculine populist leader.

#### 4.3. *Giorgia Meloni*

The analysis of Meloni's posts highlights the strong patriotism of this leader and her party *Fratelli d'Italia*. This characteristic is highly visible through the presence of flags but also through the textual references that are present in all the following posts. Patriotism is often combined with the fight against immigration and the alleged Islamization of Italy, with a particular focus on women's treatment in Islamic societies, a flagship – together with the fear for the “homosexual agenda” – of radical right populist ideology (Mudde 2019: 140-141), to increase fear in their electorate.

Figure 9 shows Meloni's leadership portrayal while she is delivering her speech at *Atreju* 2019 (an event that Meloni has organized every year in Rome since 1998). She has a firm expression combined with the rigid position of her arm and hand suggesting inflexibility; her index finger pointing at the Italian flag suggests determination that – the accompanying text reveals – concerns her opposition to the possibility for immigrants to obtain Italian citizenship. Consequently, Meloni portrays herself as a charismatic leader with firm positions, especially as regards the defence of national identity.

Meloni's non-negotiable positions involve a wider range of traditional values including religion and family. Indeed, in Figure 10 Meloni – in her speech delivered at an



**Figure 9.** Meloni's Instagram post 29 September 2019 (Headline: *Meloni leads the uprising against the invasion*. Post: *The coalition government (PD and 5SM) is busy promoting the law that automatically grants citizenship to immigrants. Fratelli d'Italia is already activated: on Thursday we will be outside Parliament to collect signatures in order to stop this disaster. #NoIusSoli*)



**Figure 10.** Meloni's tweet 23 October 2019 (*We will always fight for our values, our roots, our traditions against the process of the Islamization of Italy and Europe. We will never bow to that nihilist mindset that wants to destroy our identity. We will defend God, Homeland and family!*)

and the values of the LGBTQ+ community, since *Pride* in an expression widely used by this latter community, as well.

Italian identity, strength and determination are visible also in Figure 11 depicting Meloni from behind, facing both her supporters and a huge Italian flag. In the data collected, this visual representation strategy is often adopted to convey a sense of closeness, unity between the populist leader and his/her people, usually reinforced by the presence of symbolic elements such as flags (Geva 2018; Lorenzetti 2020). It is also interesting to notice how the white part of the Italian flag is perfectly blended with Meloni's white t-shirt. This visual element highlights Meloni's patriotism and her embodiment of the people's will as a populist leader. Indeed, this post was delivered after Meloni was attacked and labelled as a populist during the political talk show *Dimartedì*. As a result, she defends herself from this accusation, but at the same time she claims and underlines her populist and nationalist leadership through these visual elements.

Meloni performs masculinity traits mainly through expressiveness to represent herself as a resolute, reliable, and concrete leader; these characteristics are mitigated because she also performs the more traditional role of woman and mother that reassures her electorate.

However, her *piece de resistance* – similarly to other far-right right politicians (Mudde 2019: 138-145) – is the defence of the traditional family against feminism, the LGBTQ+ community and their threats to stability (*ibid.*: 140). Indeed, she uses

event organized in 2019 by her party Fratelli d'Italia, but also by Salvini's Lega, Berlusconi's Forza Italia and the neofascist movement CasaPound – summarizes her ideology through the words, "We will defend God, Homeland and family!". These three cornerstones need to be patriotically defended from Islamization, which – in her view – threatens Italian society and especially women. This approach is strictly connected to the concept of *Femonationalism* (Mudde 2019: 140). This concept focuses on the idea that women and women's rights are threatened by a global Islamic "invasion" (*ibid.*). The defence of Italian roots and traditions is also realized in the visual text by the words *Italian Pride* visible on the stage where Meloni is delivering her speech. These words could be considered even as an implicit attempt by Meloni to build a dichotomic opposition between the values of her party – especially those concerning the traditional family –



**Figure 11.** Meloni's Instagram post 11 November 2015 (*It is not populist to say that Renzi's government gives a pittance when it allocates 600 million to fight poverty that correspond to 40 cents per day for each of the 4.1 million poor Italians, while it gives 37.5 euro per day to each immigrant asylum seeker. For us, Italians come first, before everything and everyone*)



**Figure 12.** Meloni's Instagram post 8 December 2020 (*Happy Immaculate Conception. Even when preparing the Christmas tree, the nativity scene and decorating our houses during the festivities, it is possible to help a lot of companies and workers in this sector that have difficulties: at Christmas buy Italian*)

her role of mother strategically (e.g. Figure 12), in order to legitimize her purportedly reasonable positions against issues such as gay adoptions or surrogate pregnancy. The visual elements in Figure 12 show that Meloni is clearly performing the role of

the mother since her daughter is present in the picture. Furthermore, she represents herself as a common mother who is careful to maintain traditions (on December 8<sup>th</sup> the Italian people usually decorate the Christmas tree and assemble a nativity scene). In addition, the textual resources reveal that Meloni cleverly connects her family role as mother to her institutional role as political leader that is interested in helping Italian workers.

#### 4.4. Marine Le Pen

The analysis of Le Pen's posts reveals that she is the populist leader who makes numerous explicit references and appeals to 'the people' and the nation highlighted by patriotic symbols visible in Figures 14, 15 and 16. Since her party is well-known for its xenophobic positions (van Kessel 2015: 45), her rhetoric often involves the protection of the French identity against the Islamic vision of society, with a particular focus on women's conditions that recall the concept of Femonationalism (Mudde 2019: 140).

Moreover, her formal style (e.g. sober dressing style) and attitude single her out from other leaders. In the collected data, Le Pen seems to use her family role as mother in a less strategic way. However, like Meloni, she exploits her being a woman purposefully to reinforce and legitimize her positions about issues such as gay marriages and adoptions. In addition, she aims to depict herself as a strong and independent woman who, at the same time, is aligned to a conservative way of thinking.

Figure 13 shows how she attacks a specific type of extremist feminism during International Women's Day. Strategically, she generalizes and simplifies a complex phenomenon by undermining its importance, and implicitly defends male roles in society. Indeed, as already mentioned in our analysis on Meloni, contemporary feminism is perceived by far-right politicians as a threat to the nation since it can undermine fundamental traditional values (e.g. the heterosexual traditional family and traditional gender roles) (*ibid.*). It should be specified that Figure 13 clearly does not include visual elements (like other tweets present in the corpora regarding Le Pen), since tweets do not necessarily include pictures; Wignell *et al.* (2021: 205, 217), in a comparison between Obama's and Trump's use of Twitter, identify an underuse of images in Donald Trump's tweets and an over exposition of himself, when he adds an image to the text. However, it is an exemplifying tweet that shows how right-wing populist leaders can perform



**Figure 13.** Le Pen's tweet 8 March 2020 (*To all French women: never allow political correctness to impose a reduction of your rights! And never allow pseudo-feminists to express their hatred for men in your name # International Women's Day*)

masculinity traits without the support of visual elements.

Figure 14 shows Le Pen on a stage from behind while she is speaking in front of an audience waving many French flags which, when combined with the hashtag #ChoisirLaFrance, are a clear display of patriotism. This particular framing is a show of strength (already seen in Meloni's Figure 11), since not only does it allow Le Pen to portray herself as a charismatic



**Figure 14.** Le Pen's Instagram post 1 May 2017 (*The 7<sup>th</sup> of May vote for a free people, for the Republic, and for France! #MarineatVillepinte #ChooseFrance*)

leader (she is in front of many people who support her, and she is also highlighted by the lights on the stage), but also to depict the powerfulness and the unity of her party and supporters. The post was delivered during the presidential campaign of 2017; consequently, the text is a patriotic appeal to French people who should choose her – because of her strong and reliable leadership supported by the visual elements of this post – in order to preserve their freedom and French identity.

In Figure 15 Le Pen exposes her leadership representation. The image shows Le Pen with a red jacket and a blue blouse that recall the two French flags on her left and her party logo (see Figure 16). She is framed from afar giving us the possibility to focus also on the audience. The text frames her as an independent woman, as well as a strong leader who is not tied to nor supported by the press and lobbies: a shared feature of populist disdain of the elites. Independence is a crucial aspect in Le Pen's self-repre-



**Figure 15.** Le Pen's tweet 26 March 2017 (*I am a free woman, who does not have to return favours, who does not have to thank the media or a big commander-in-chief!*)

leader who is not tied to nor supported by the press and lobbies: a shared feature of populist disdain of the elites. Independence is a crucial aspect in Le Pen's self-repre-



**Figure 16.** Le Pen's tweet 6 September 2020 (*I launch an appeal to all the French, to all those people who have understood that what is established is an important societal choice and even a choice of civilization. It is a choice on which our security, our freedom and even our identity depend*). #FrenchWakeup)

sentation; indeed, in the corpus she also makes historical references to Joan of Arc, the French national heroine who symbolizes strength and courage, two qualities that she puts at the service of her country. This post too was delivered during the French presidential campaign in 2017; as a result, her self-representation as an independent and strong leader is useful in presenting her as the right presidential candidate to choose. Moreover, we can observe the presence of several blue roses in the background. The blue rose was the symbol of Le Pen's electoral campaign in 2017 (Geva 2018) and indicates her strategic employment of gendered symbolism used to successfully combine the performances of both hegemonic masculinity and femininity (Geva 2018; 2020).

The post in Figure 16 was delivered during her comeback speech in 2020 – after the summer break – to her party at Fréjus. The visual elements are very similar to the ones already observed in Figure 15; however, in Figure 16 the Rassemblement National's logo and the hashtag #FrenchWakeup are particularly visible. Indeed, as it is also possible to notice from the text of the tweet, she is already starting to campaign for the next presidential election. It is also worth mentioning that the image in the background shows water. This could be a reference to the alluvial plain of Fréjus, but it could be also a reference to the powerfulness of Marine Le Pen and her party metaphorically represented through the source domain (Lakoff and Johnson 1980) of water which is an unstoppable force of nature.



#### 4.5. Boris Johnson

The analysis of the data shows that Johnson presents himself with a less aggressive attitude in comparison to other leaders such as Trump and Salvini. However, he shares some characteristics with them. For instance, Figure 17 recalls a similar peculiar and ironic attitude already seen in Trump's Figure 1.

In the post he boasts about the closing of the Brexit deal, a historic turning point for the UK, in an excessively open (e.g. arms wide open and thumbs up) and non-institutional manner (e.g. creased shirt and crooked tie due to his excessive pose), setting himself apart from traditional elites.

Moreover, he shares Salvini's habit of dressing so as to represent a specific category of people – in order to demonstrate closeness to that particular category and to instil



*Figure 17.* Johnson's Instagram post 24 December 2020

security – as we can see in Figures 18 and 19. In Figure 18, Johnson is dressed up as a worker with a smiling and reassuring expression, who is working, as the text explains, to help a hospital to prepare for winter, checking that funding is spent properly. Indeed, all the posts present in the corpus where he is dressed up aim to represent Johnson as commander-in-chief who has everything under control.

Johnson's similarity to both Trump and Salvini is due to the fact that the Tories are currently shifting towards right-wing populism. Indeed, the visual data in Johnson's corpus often portray Boris Johnson among the people (e.g. at local markets such as Grimsby Fish Market) with a familiar and close approach. In addition to his physical closeness to the people, he represents himself as a man of the people by posting pictures of himself eating traditional meals (e.g. full English breakfast). In this regard, Figure 19 – a post delivered a day before the 2019 United Kingdom general election – shows a picture of Johnson while he is cooking a traditional dish (probably a shepherd's pie). The combination of other visual elements – specifically the writing on the apron – and the text reveals that Johnson metaphorically represents himself as a chef who will finally deliver Brexit.



*Figure 18.* Johnson's Instagram post 11 August 2020



*Figure 19.* Johnson's Instagram post 11 December 2019

Figure 20 shows Johnson on a stage while he is speaking with a serious expression. It is important to highlight the position of his raised arm and especially of his index finger; indeed, the finger could be directed to the audience but at the same time it is connected to the categorical statements expressed in the text concerning the United Kingdom's future regarding Brexit. On the one hand, the text in the picture is an electoral



*Figure 20.* Johnson's Instagram post 24 June 2019

promise (the post was delivered in the transition period between May's resignation and Johnson's election) that presents Johnson's strict and non-negotiable point of view about Brexit. On the other hand, the text in the actual Instagram post metaphorically likens the process of finally getting Brexit done to a march in the desert. Consequently, Johnson presents himself (and Brexit supporters) as a resolute man capable of withstanding suffering in order to achieve his goal.

Many collected posts focus on Brexit and COVID-19. Consequently, Johnson's main aim is to reassure people since he is on the front line to resolve and deal with these economic problems and health emergency. Milizia (2020), analysing metaphorical expressions used by British Prime Ministers on the UK/EU relationship, comments on the need of compromise and cooperation, which, regardless of the Brexit rhetoric, are signs of strength and not weakness for the UK political activities in these difficult times.

## 5. Concluding remarks

The analysis of all the collected tweets and the features highlighted in the posts in Section 4 reveals how the selected political leaders commonly build their public persona, their charisma, and ultimately their leadership also through the (self)representation of typical traits associated with populist masculinity; these include – as already mentioned in Section 2 – a personality cult, an assertive, direct, and yet authoritarian style of communication, a direct connection with the people, a representation, enhanced by social media, of populist leaders as 'one of us', a use of common sense, a display of linguistic and social behaviours which belong to the people. All these features contribute to their self-representation as charismatic leaders who understand the needs of the people and oppose otherness, be it corrupt elites, immigrants, or the LGBTQ+ community, by taking immediate action and providing simple and commonsensical solutions.

The multimodal critical discourse analysis shows that all leaders enact masculinity traits through physical appearance. For instance, through an aggressive, authoritarian and firm pose, body language (e.g. pointing finger), gaze and facial expression (see Fig-

ures 3, 4, 7, 9, 11, 14 and 20). It is also important to highlight that all leaders – except Boris Johnson – strategically employ their family role (e.g. mother, father and grandfather) in order to support their self-representation as populist common men/women. Boris Johnson is the only leader who does not use this strategy. This could be due to the fact that Johnson does not share all right-wing populist values (e.g. the defence of traditional family and traditional gender roles), since the Conservative Party, while recently shifting towards right-wing populist attitudes, still remains a centre-right party. In order to represent themselves as common men who share people's values and habits, both Matteo Salvini and Boris Johnson often represent themselves among the people in everyday situations and as men of action in times of need (see Figures 8 and 18). As a result, these leaders seem to perform populist masculinity in a similar way despite their different cultural contexts.

In the analysis, we have also highlighted how both Meloni and Le Pen – as far-right female politicians – accomplish the same results as their male counterparts through a strategic mixture of political masculinity and femininity. Specifically, their self-representation focuses on both masculine power and hegemonic femininity (Geva 2020). In order to accomplish this balance, the analysis shows that Meloni and Le Pen make frequent appeals to the Nation, also through recurring national symbols such as the display of flags, more frequently than male populist leaders, probably to make up for their femininity.

Populism is a complex and varied phenomenon which has its ramifications and different characterizations according to the specific socio-economic and cultural context. Furthermore, as was already mentioned in Section 3, the analysed data cannot be considered as a representative sample of all the context-specific characteristics of populism that the selected politicians combine with the feature of hegemonic masculinity. Nevertheless, we have seen how populist masculinity can be employed as an additional analytical lens through which we can study the populist phenomenon; indeed, it is a useful lens that makes it possible to magnify and explain some of the main and recurring traits of the consensus-building strategies enacted by populist leaders in different national, socio-cultural and political scenarios, and as an analytical frame of reference it applies to charismatic leaders regardless of their being male or female politicians.

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# FOSTERING MULTIMODAL LITERACY IN ESP TEACHING: THE CASE OF LAWYER-CLIENT INTERVIEWS

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## Abstract

This paper proposes a proof-of-concept teaching methodology for developing learners' communicative skills in the context of lawyer-client interactions. The aim is to start working towards multimodal literacy in this specific ESP domain through a practice-oriented approach that draws learners' attention to the verbal as well as the nonverbal features of this type of professional encounter. The existing mainstream materials give prominence to the verbal dimension of lawyer-client exchanges, to the detriment of other forms of meaning-making. The methodology proposed here builds on the concept of 'Knowledge Processes' identified by Kalantzis and Cope (2010), and consists of five main steps: (1) the observation and discussion of proxemic, kinesic, gaze and facial behaviours of two characters in a video clip from an episode of the American legal drama *The Good Fight*, in which a lawyer-client exchange is represented; (2) the reconstruction and acting out of the lawyer-client dialogue while/after watching the muted video clip; (3) the transcription of the actual lawyer-client dialogue while/after watching the video clip with audio; (4) the analysis of the verbal features of the observed lawyer-client interaction and of the interplay between verbal and nonverbal codes; (5) a final round of role-plays. The question of professional etiquette is also discussed, in order to identify some standards of behaviour expected of lawyers in English-speaking countries.

## 1. Introduction

It is an acknowledged fact that all communication is multimodal, and that meaning is constructed via distinct but simultaneously interacting modes, both verbal and nonverbal (cf., among others, Baldry 2000; Hall and Knapp 2013; Jewitt 2016; Jewitt, Bezemer and O'Halloran 2016; Kress 2010). English as a Foreign Language (EFL) teaching materials, however, have only recently started to include, alongside traditional activities aimed at improving learners' linguistic output, new tasks to raise their awareness of complementary communicative strategies, such as suitable eye contact, body posture, gestures and other nonverbal behaviours<sup>1</sup>. English for Special Purposes (ESP)

<sup>1</sup> Some examples of these new tasks can be found on the Cambridge Assessment English website (<https://www.cambridgeenglish.org>). Last access: December 2021.

text- and coursebooks are also slowly introducing multi-semiotic learning approaches, but they continue to give prominence to the verbal dimension, with a special focus on the acquisition of terminology. In other words, they do not systematically implement integrated, i.e. multimodal, methods. The latter, however, are required to teach how to communicate appropriately and effectively in a number of professional contexts (Franceschi 2017, 2018a).

This paper proposes a proof-of-concept teaching methodology for the improvement of learners' communication practices from a wider perspective in the context of lawyer-client interactions. The existing materials for teaching legal English prevalently contain static activities that do not guide learners in achieving the necessary all-round competence to conduct successful interviews and counselling sessions with prospective clients. Research has shown that lawyer-client discourse is multifaceted and complex (Candlin and Bahtia 1998; Candlin *et al.* 2002), because it is subject to multiple variables, including linguistic but also contextual, i.e. socio-cultural, factors. Learners of legal English do not seem to be aware of the importance of all these aspects and tend to worry mostly about their linguistic performance, often without exhibiting acceptable kinesic/proxemic behaviour (Franceschi 2018b). The intention here is therefore to start working towards multimodal literacy in this specific ESP domain through a practice-oriented approach which may ultimately prepare (future) lawyers to better deal with their clients.

Section Two provides a brief review of the relevant literature on multimodality, with a special focus on the pedagogical approaches used for developing learners' multisemiotic communicative competence. For reasons of space, and because a specific professional genre is under consideration here, only those works that deal with the pedagogies of multiliteracies in the context of ESP teaching will be referred to. The term 'multiliteracy' has to be understood as the variability of meaning-making processes observable in contemporary forms of communication, which are now "increasingly multimodal, with linguistic, visual, audio, gestural and spatial modes of meaning becoming increasingly integrated in everyday media and cultural practices" (Cope and Kalantzis 2009: 166). The theoretical framework underpinning this study is the one originally put forward by the New London Group (1996) and later reframed by Kalantzis and Cope (2010). Section Three contains an overview of the activities for teaching legal English in the context of lawyer-client interactions found in five mainstream course- and textbooks available on the market. The aim is to show that this type of exchange receives marginal attention and is generally treated from a mono-semiotic, i.e. verbal, perspective that does not highlight the importance of those aspects of communication going beyond what is said. Section Four briefly examines the communicative practices, expectations and interaction rules in the culture of English-speaking countries. The fact that English is now used globally as a lingua franca in many fields raises the question of what cultural etiquette should prevail in professional encounters. ESP teaching necessarily has to take this aspect into due consideration. Section Five is the core of the paper. The methodology proposed is presented in a step-by-step manner, according to four major 'Knowledge Processes', i.e., *experiencing*, *conceptualizing*, *analyzing* and *applying*, identified by Kalantzis and Cope (*ibid.*), in order to categorize different learning activity types. Finally, Section Six concludes the paper with some considerations about the

future of language teaching at a time when communication is becoming increasingly computer-mediated.

## 2. Multimodal approaches in ESP teaching

Research on multimodal teaching methodologies has proliferated in the 21<sup>st</sup> century, as a result of the changes in communication practices that have taken place and are continuing to take place in our globalized societies. IT and the Internet now play a fundamental role and their potential can be harnessed for educational purposes, too. The discussion around innovative approaches, however, goes back to the late 1940s when the importance of introducing not just written texts in the classroom was beginning to be recognized, and possibly the first paper on the use of films in language teaching was published (Travis 1947). It later became clear that learning is more effective when information is presented in more than one mode (Mayer and Anderson 1992).

The current communicative landscape sees the convergence of multiple ways in which meanings are made. In our daily interactions multimodality is pervasive, especially in technology-mediated exchanges on the World Wide Web via different media. This is a fact that language instructors need to acknowledge if they want to keep pace with the complexity of communication in our digital era and be able to propose engaging activities that realistically reflect how exchanges take place in real practice. As Marchetti and Cullen (2016: 41) put it, “[c]hanges in communication inevitably lead to changes in language and require the language teacher to be aware of and contemplate the implications of these complex phenomena”. Although Marchetti and Cullen (*ibid.*) had the general English learner in mind, the adoption of a multimodal approach has been found to be beneficial also for the ESP learner.

Gollin-Kies *et al.* (2015) argue that the use of a multisemiotic approach enables both ESP instructors and learners to examine a larger amount of data, thus making it possible to address the richness of communication in a certain specialized domain. As far as legal language is concerned, for instance, the written medium only allows learners to familiarize with the textual features of various documents, such as contracts, wills, deeds, and so on. The use of the visual channel opens up the possibility of accessing and analyzing other forms of communication in a wide variety of situations, including trials, depositions, hearings, mediations, arbitrations, client meetings, etc. In most cases, this is feasible through YouTube<sup>2</sup>, but there are also specific multimodal corpora of film and TV series clips that were purposefully designed to be used in the ESP classroom, such as the one compiled at the Language Centre of Pisa University, Italy (Crawford Camiciottoli and Bonsignori 2015; Bonsignori 2018), in collaboration with the Language Centre of the University of California at Berkeley<sup>3</sup>.

The use of authentic audio-visual materials as well as video clips obtained from films and TV series provides the ESP learner with situated practice opportunities, during

<sup>2</sup> Complete sections of famous trials, such as the ones involving O.J. Simpson or, more recently, Oscar Pistorius, for instance, are available online. Cf. Franceschi (2016) for a multimodal analysis of trial discourse based on the Oscar Pistorius case, which could be used as an initial activity in the legal English classroom to draw learners' attention to the features of this type of spoken legal language.

<sup>3</sup> Cf. the Library of Foreign Language Film Clips (<http://blevideoclips.berkeley.edu/>).

which the interplay of various ways of meaning making can be observed. Vigliocco *et al.* (2014) highlight the importance of relying on the two categories of text and speech in ESP teaching, because non-verbal elements, e.g. facial expressions, hand gestures and other forms of body language, are significant channels of expression, too. Extra-linguistic semiotic resources appear to be particularly relevant for ESP learners, who need to be equipped with all the necessary competences of the discourse community they will be part of. In other words, there are social skills that learners must necessarily acquire in order to ‘fit’ professionally in a particular situation. The importance of the acquisition of these competences is stressed by Martínez Lirola (2016: 77) who argues that the introduction of multimodal activities and resources in the language classroom enables learners to “increase their motivation and acquire different social competences that will be useful for the labour market such as communication, cooperation, leadership or conflict management”. The development of professional communication abilities is a complex process that requires learners to be exposed to contextualized and authentic scenarios. Multimodal approaches to ESP teaching and learning, however, are only starting to be included in course- and textbooks, although many language instructors may already have intuitively incorporated innovative practices and elements in their classes (Knox 2008). The mainstream materials for teaching legal English (see Section 3) even today do not seem to systematically propose activities that ask learners to engage not just with the specialized target language, but also with disciplinary knowledge from a broader perspective.

The use of videos has been shown to draw the ESP learner’s attention to the centrality of social and critical skills (Arnò-Macià *et al.* 2006). Research has demonstrated that watching videos is not enough, though. Learners seem to benefit particularly by creating their own digital artefacts through a process of guided reflection, critical thinking, design and performance. This is because video production gives them choices about what to say, but also about how to say it by selecting particular modes to shape the meaning they want to create (Dal 2010). Put differently, video production is a learner-centred and hands-on activity embracing the social constructivist view that knowledge and meaning emerge in a social context through practice (Arnò-Macià *et al.* 2006, Goldstein and Driver 2015). Learners are therefore no longer just ‘consumers’ but also ‘producers’ of language (Gee and Hayes 2011), in that they negotiate meaning and collaborate, thus engaging in activities that are both meaningful and didactically effective.

### 3. Legal English teaching materials

There is a wide variety of course- and textbooks available to language instructors for teaching legal English, both by internationally recognized and reputed publishers (e.g. Cambridge University Press, Oxford University Press, Routledge, etc.), and by several minor but still respected ones in various countries<sup>4</sup>. Not many of these books, however, contain ad hoc activities for helping learners to develop socio-communicative skills in the lawyer-client interaction. Some of the best-known exceptions are *Introduction to*

<sup>4</sup> Cf., for instance, the major publications which have appeared only in Italy in recent years: Garzone *et al.* (2007), Riley and Sours (2008), Cavallaro (2013, 2014), Fraddosio (2013), Steadman (2013), Cadel *et al.* (2017), Giampieri (2017, 2020), Tessuto (2018), Boyd (2018).

*International Legal English* (Krois-Lindner, Firth and TransLegal 2008) and *International Legal English* (Krois-Lindner and TransLegal 2006), published by Cambridge University Press as preparation courses for the International Legal English Certificate (ILEC)<sup>5</sup>; *Legal English. How to Understand and Master the Language of Law* (McKay *et al.* 2011) by Pearson, which is not exam-oriented but specifically written with the needs of (future) practitioners in mind; *International Legal English. A Practical Coursebook for Speakers of English as a Second Language* (Williams 2012) by the Italian publisher Giappichelli, targeting university students of law and related disciplines; and *Legal English* (Haigh 2018) by Routledge, also aimed at law students and at already practising legal professionals whose first language may not be English.

### 3.1. *Krois-Lindner, Firth and TransLegal (2008) and Krois-Lindner and TransLegal (2006)*

These two coursebooks are intended, respectively, for intermediate and upper-intermediate/advanced learners of English. They both include authentic materials supplied by TransLegal<sup>6</sup> on a variety of legal topics and aim at developing the four skills of reading, writing, listening and speaking.

The speaking tasks proposed are generally preceded by reading and vocabulary practice activities, allowing learners to familiarize with words, expressions and fundamental legal concepts of the common law. Before practising their speaking skills, learners are typically asked to engage in listening comprehension exercises, so they can be exposed to models of verbal interaction that may be internalized and reproduced at a later stage. Various types of role plays are then proposed, accompanied by prompts and instructions for guiding learners through the various phases of the exchange. The so-called WASP approach to planning, structuring and carrying out an interview is suggested, which consists in putting the client at ease (welcoming), listening and finding out what the client needs (acquiring information), telling him or her what to do (suggesting), and saying goodbye (parting). In both volumes, before acting out the conversations, learners are asked to analyze the listening transcripts and to memorize phrases and expressions that may be used in each stage of the interview<sup>7</sup>. Both Krois-Lindner, Firth and TransLegal (2008) and Krois-Lindner and TransLegal (2006) are accompanied by audio CDs and integrated with online research tasks<sup>8</sup>.

The main shortcomings of these two books are, firstly, that they only contain listening material in preparation for the speaking tasks, with no video recordings or any other kind of visual representation of lawyer-client interactions that would instead allow learners to study these exchanges in their natural broader context. The fact that non-

<sup>5</sup> This Cambridge ESOL examination was discontinued in 2016.

<sup>6</sup> TransLegal (<https://www.translegal.com/>) is a firm of lawyer-linguists specializing in legal translation and proofreading, as well as legal English teaching and testing. They have also launched a lexicographic project (the World Law Dictionary project) in partnership with many universities around the world.

<sup>7</sup> The structure of the interview proposed in Krois-Lindner and TransLegal (2006) is more elaborate and includes substages (e.g. the introductory phase is divided up into the greeting stage, the explanation of what will happen in the interview and the discussion of circumstances).

<sup>8</sup> These tasks should be available at <https://www.cambridge.org/elt/legalenglish>. However, when the website was last accessed (22 October 2021) this page could not be found.

verbal features are completely overlooked restricts the learning process to just one component of communication, i.e. the verbal message, which, albeit fundamental, works in combination with other equally important modes of meaning-making. In addition, the approach is not learner-centred and leans towards rote and memorization: learners are not encouraged to collect and analyze their own spoken data in order to reflect on their personal difficulties, also in terms of pronunciation and prosody. While it is true that the latter aspects may always be addressed by the language instructor, the two books do not propose any structured activities to be used in the classroom.

### 3.2. *McKay, Charlton and Barsoum (2011)*

This book targets learners of English as a second and foreign language who need to enhance their legal language skills not just for academic but also for professional purposes<sup>9</sup>. The first part focuses on written communication, while the second part is dedicated to the development and improvement of oral skills, with a specific chapter on client interviewing and advising. Here the various stages of the interview are outlined and described in terms of their macro-functions (e.g. the ‘ice-breaking’ stage consists in introducing oneself and exchanging a few friendly remarks with the client; during the ‘fact-gathering’ stage the lawyer obtains information about the matter that the client wants to discuss; and so forth). Learners are then presented with example sentences and questions to be memorized, adapted and re-used in similar situations. The chapter, however, only addresses the linguistic features of interviews. It shows, for instance, that the advice stage, during which clients are helped to make informed decisions, is characterized by the use of verbs and phrases of advice and probability (e.g. *You ought to/should, my advice would be to, they will try to*, and so on), by conditional sentences (e.g. *I’d act for you if you wished*) and by specific types of conjunctions, such as ‘provided’, ‘supposing’, ‘on condition (that)’ (e.g. *I would advise you to provide contracts of employment to your workers, provided that [or as long as] you want them to be permanent employees*). Grammar notes and vocabulary exercises are also included. At the end of the chapter there is a practice activity, which consists in reading a memorandum from a secretary at a law firm in preparation for an interview with a client.

The book has an accompanying companion website with audio files that learners can use to study spoken language in realistic legal scenarios<sup>10</sup>. Strangely enough, though, the audio files feature negotiation, mediation and advocacy situations that are not addressed in the chapter on interviewing and advising. In addition, there are no video clips or images of lawyer-client interactions and the role played by nonverbal elements of communication is completely ignored.

<sup>9</sup> Unlike Krois-Lindner, Firth and TransLegal (2008) and Krois-Lindner and TransLegal (2006), which are specifically designed as preparation courses for the Cambridge ESOL International Legal English Certificate (ILEC), this book has a more operational focus, because it also aims at providing assistance for vocational preparation, e.g. within the context of legal practice courses, Bar professional training courses, the English language test element of the Qualified Lawyers’ Transfer Scheme, etc.

<sup>10</sup> The website indicated in the preface ([www.mylanguagechamber.co.uk/mckay](http://www.mylanguagechamber.co.uk/mckay)) is no longer active. To see the online resources associated to the book, visit <https://wps.pearsoned.co.uk> (last accessed: 29 October 2021).

### 3.3. *Williams (2012)*

This is not just a legal English textbook, but also an introductory comparative law course conceived for learners of English as a second language, typically university students of Law, Economics, International Relations and Social/Political Sciences. The topics covered span from the Anglo-Saxon legal systems to Tibetan legal history, Mexican law, Islamic law, Philippine legal doctrine, etc. Authentic materials are used, both for the reading and listening activities.

Unit four is entirely dedicated to spoken legal English and contains a subsection on interviewing techniques. Before the speaking activities, there are listening exercises, with pre-task and discussion questions brainstorming learners about clients' expectations with respect to both the contents of an interview with a lawyer and to the setting where the interview typically takes place<sup>11</sup>. The listening activities are followed by comprehension questions and reading passages to be used in preparation for the role plays, but there are no exercises for the analysis of the transcription from a wider perspective. The structure of lawyer-client interviews is presented in a way similar to what is proposed in Krois-Lindner, Firth and TransLegal (2008), namely through the illustration of the so-called WASP method, which is however analyzed more in detail by means of a word-building exercise. The unit concludes with some tips on the type of questions that should be used, on how to encourage the client to speak, to periodically summarize what he or she has said and, finally, to use sympathetic and caring body language. The latter aspect is only mentioned and not developed further; learners are just reminded to smile while making eye contact, to nod their heads with the words 'yes, go on' to invite clients to continue, but nothing else is suggested. There are also no video recordings supporting the listening activities. This is a particularly striking omission, because the book addresses culture-related issues, without providing any evidence of how they translate into practice.

### 3.4. *Haigh (2018)*

This is an e-textbook comprising both traditional paper elements and online resources for learners and language instructors<sup>12</sup>. To date, it is the most comprehensive and detailed book, covering the various different areas of legal English usage<sup>13</sup>. Part 1 focuses on written English, while Part 2 is entirely dedicated to spoken language, addressing both the verbal and nonverbal features of communication in general and for the specific requirements of lawyer-client interviews.

Part 2 begins with an analysis of the areas of contrast between spoken and written English, drawing learners' attention to the unpredictable and flexible nature of speech, being characterized by broken sentences, repetitions, discourse markers (e.g. *you know*, *I see*, *if you see what I mean*), etc. In addition to important linguistic factors, such as vocal emphasis, tone of voice and speaking techniques (e.g. the use of humour, euphemisms, rhetorical questions, metaphors and similes, diplomatic language), proxemic

<sup>11</sup> At the beginning of the unit there are two black-and-white photos of what should be lawyer-client interactions.

<sup>12</sup> The companion website can be found at [www.routledge.com/cw/haigh](http://www.routledge.com/cw/haigh).

<sup>13</sup> The new 6th edition of the book was due be released in 2021.

behaviour is examined, with several examples of body language signs and associated meanings<sup>14</sup>.

The section on interviewing and advising opens with a discussion on the essence of lawyer-client interactions (what they are and what clients expect), followed by preparation activities with tips on how to conduct successful sessions (e.g. the importance of structuring meetings appropriately and of determining their purpose, how to take notes and to use checklists and factsheets, etc.). Before presenting the recommended language for the various stages of the interview (opening, listening and questioning, summarizing, concluding), several observations are made concerning stylistic aspects (the lawyer should ensure that the structure of the questioning stage is not too rigid and that the conversation also flows naturally from one topic to the next; feedback should be given continuously via backchannels to let clients know that they are being listened to, and so on), as well as nonverbal factors (the importance of demonstrating interest also with your body language). The latter aspect is introduced with the presentation of five crucial skills summed up by the acronym SOLER (Table 1).

S-	Face the client <b>squarely</b> , adopting a posture that indicates involvement.
O-	Adopt an <b>open</b> posture, one that suggests you are receptive to the client.
L-	<b>Lean</b> slightly forward; not aggressively, but enough to show that you are interested in the client.
E-	Maintain <b>eye</b> contact, but do not stare. Use your eyes to show interest, but vary your eye contact in response to the flow of questioning.
R-	Stay <b>relaxed</b> . Do not fidget, and try to be natural in your expressions.

*Table 1.* Appropriate body language (adapted from Haigh 2018: 18.3.4)

The most innovative aspect of this e-textbook is that it comes with a companion website featuring videos of lawyer-client interviews, together with exercises and the transcriptions of the conversations, in which different legal scenarios are presented. This audio-visual material allows learners to observe quasi-real professional exchanges, on the basis of which they will be able to develop their own speaking and behavioural style. What still needs to be improved, though, are the types of activities accompanying the videos. The online tasks are exclusively comprehension and language development exercises, in the form of multiple choice and true/false questions; they do not include any activities explicitly aimed at developing nonverbal encoding competence.

#### 4. Interpersonal communication in the culture of English-speaking countries

Interpersonal communication in both professional and non-professional contexts has been thoroughly investigated in different, often overlapping, fields of study, ranging from linguistics to psychology, the social sciences, etc. The existing literature on the topic is vast and continuously expanding (cf., among others, Antos and Ventola 2008;

<sup>14</sup> However, most of the body language signs mentioned (e.g. arms crossed, highbrows raised, fist clenched, hands behind hands, etc.) indicate negative attitudes or feelings, which learners are implicitly advised to avoid.



Matsumoto 2010; Knapp and Daly 2011; Hall 2020; and references therein), because societal changes impose a renewed reflection on the nature of communicative exchanges between people, which necessarily undergo a process of constant adaptation and transformation.

In our globalized world, it has become common for people with different backgrounds to meet for professional purposes and use English as a lingua franca (Jenkins *et al.* 2018). In English language teaching, it is therefore important not just to develop learners' verbal skills in the various domains, but also to enable them to negotiate the distance between their own and another culture. This is a challenging task for several reasons. Firstly, while language as a code is finite, cultures are in constant flux and not easily controllable. Secondly, EFL instructors themselves are often not formally trained to understand cross-cultural issues and the complexities of social interactions. These aspects are generally considered of secondary importance, thus leaving them to rely just on their subjective and impressionistic interpretation of and ability to deal with cultural differences. This is probably also due to the fact that the nonverbal dimensions of communication are not systematically addressed in English language teaching materials, either for general or specific purposes.

It is an incontrovertible fact, however, that cultural models impact communicative practices and determine our patterns of interaction. Although all the latter aspects are subject to change, in the context of professional language teaching there is a need to identify a set of model behaviours and attitudes which learners can refer to while developing their communication skills for various specific purposes. Lawyer-client interactions are formal exchanges, regardless of the country where they take place or the cultural background of the interactants, but in the culture of English-speaking countries, namely the UK, the USA, Canada, Australia, New Zealand and South Africa, there are certain specific (unwritten) rules that must be followed.

Eye contact, for instance, is crucial. It is probably the best way to build rapport with a client. This does not mean that lawyers need to stare constantly and directly into the client's face. Appropriate eye contact consists of looking alternatively at the client, perhaps at a computer screen or down at notes, and then looking up and establishing contact with the client again, and so forth. Different cultures have different rules for eye contact. In certain countries, direct eye contact between men and women, for instance, is avoided (Samovar *et al.* 2009). However, if a woman lawyer working in one of the above-mentioned English-speaking countries did not look at her clients in the eyes, she would most probably lose them. This is because failing to maintain eye contact may be interpreted as rude and as showing a lack of self-confidence. Similarly, in English-speaking countries communication is expected to take place at varying distances depending on the level of intimacy between speakers. In a lawyer-client interaction, people are generally comfortable when they keep a distance between four and 12 feet. Failure to observe this rule on the part of the lawyer may affect the quality and/or outcome of the interaction. Posture, body movements and facial expressions also play a significant role. A lawyer standing next to a seated client may be perceived as a sign of role power. By sitting at the client's level, instead, he or she will signal the intention to make the interaction as equitable as possible. Handshakes rather than bows are common and expected. In addition, welcoming a client with a smile establishes a good connection with him or her, at least initially. These are just some of the most important

elements of nonverbal behaviour that should be kept in mind when engaging in a professional conversation with a client.

Learners of legal English, who may be already practising lawyers in other countries, need to be aware of the importance of having not just strong speaking skills, but also an ability to use appropriate nonverbal cues. These may vary from the ones commonly used in non-English-speaking countries, thus making it necessary to examine and practise them in the language classroom.

## 5. Designing a multimodal didactic activity

The didactic activity proposed here aims at allowing learners of legal English at an intermediate/advanced level, enrolled in a university course or training privately for professional advancement, to start developing a more holistic communication competence in the context of lawyer-client interactions. The approach followed relies on the basic assumption that learning is a process of moving backwards and forwards across and between different pedagogical methods and paradigms (Luke *et al.* 2004). There are four main ‘Knowledge Processes’, namely *experiencing*, *conceptualizing*, *analysing* and *applying* (Kalantzis and Cope 2010), which can be made to correspond to specific didactic ‘moves’: (1) the observation of a contextually situated communicative event consisting of a lawyer-client exchange selected from a film or TV series, followed by a discussion of the characters’ proxemic, kinesic, gaze and facial behaviours; (2) the reconstruction and acting out of the imagined lawyer-client dialogue while/after watching the muted video clip; (3) the production of a multimodal transcription of the actual lawyer-client dialogue while/after watching the video clip with audio; (4) the analysis of the verbal features of the observed lawyer-client interaction and of the interplay between verbal and nonverbal codes; (5) the enactment of a final round of role-plays followed by feedback. The five steps of this activity will take approximately five hours to complete. Therefore, it is best to perform the various tasks on two different days, preferably in the same week. On day one, learners will be asked to observe the exchange, to focus on the nonverbal elements of the interaction, to reconstruct the possible dialogue between the lawyer and the client and to act it out in pairs in front of the class. This first part should not last more than two hours. On day two, learners will instead have to transcribe the actual conversation between the lawyer and the client multimodally, which is likely to take them at least a full hour<sup>15</sup>. It is then desirable to devote 30-45 minutes to the discussion of the transcription, before learners start memorizing and using it for their role plays. Instructors should expect this second round of activities to last between two and half and three hours in total.

### 5.1. Observing non-verbal behaviour

The initial move in this pedagogical approach consists in allowing learners to experience *the known* and *the new* of a particular situation outside the educational setting by means of audio-visual representation. Because authentic video-recorded lawyer-client interactions are not available or easily accessible for privacy reasons, it is necessary

<sup>15</sup> Video clips should not exceed 2-3 minutes, otherwise it will be too time-consuming and challenging for learners to prepare a multimodal transcription.

to rely on fictional sources such as films and TV series to expose learners to representations of lawyer-client encounters that closely resemble those in real life<sup>16</sup>. Although what we see in films and TV series is often dramatized for effect, an attentive selection of suitable scenes will make it possible to effectively use filmic depiction and language in the legal English classroom. This preliminary and careful choice on the part of the language instructor of adequate audio-visual materials to work with is time-consuming, but extremely beneficial for learners, who will be able to observe 'close-to-real' exchanges. The alternatives to video clips from films and TV series would be fabricated scenes produced by non-professional actors and actresses for teaching purposes, which would however present even greater limits in terms of spontaneity and realistic replication of professional situations. It is important, however, to select films and TV series scenes representing the wide range of contexts in which lawyers work and the different legal issues they have to deal with, both civil and criminal.

To exemplify the methodology proposed here, a fragment from an episode of the American legal drama *The Good Fight* will be used<sup>17</sup>. The scene shows an interaction in a law firm between Ms Diane Lockhart, the main character of the sequel series<sup>18</sup>, who plays the lawyer, and Mr Stack, her client, who has been accused of cyberterrorism. Although it is unlikely that learners of legal English will represent a client in a criminal case outside their countries of origin, the dynamics of this interaction from *The Good Fight* make it suitable to be applied also to situations falling under the civil/common law. This is because it presents recurrent verbal and nonverbal patterns typically employed in any effective and successful lawyer-client exchange, which can therefore be reused in a number of different professional contexts.

Before starting with the activities described below, learners should be asked to read and talk about the plot of this TV series as a warm-up speaking exercise. They may not be familiar with the characters or the key events in the story, so a quick introduction will be helpful to give them an overall context to the video clip conversation.

The first step consists in projecting the whole video clip without audio, asking learners to pay attention to and then comment on the characters' presumed feelings, attitudes and behaviours and on the way the latter are expressed. Specific reference should be made to the lawyer's nonverbal communicative mode. The aim is to give learners the possibility to confirm *the known*, i.e. what they are already familiar with on the basis of their expectations or past (professional) experiences, while also drawing their attention to *the new*, i.e. what is unfamiliar to them. Experiencing *the new* entails careful observation and subsequent decoding of new facts and data. Learners need to be brought to a 'zone of proximal development' (Vygotsky 1978: 86), not too distant from their own life-worlds, but also sufficiently different to justify new learning. Table 2 includes some of the possible questions that the teacher may ask to elicit learners' responses and stimulate reflection.

<sup>16</sup> Recent studies have shown the existence of similarities between filmic representation and authentic face-to-face interactions in terms of spontaneity (Bonsignori 2013; Forchini 2012; Kozloff 2000).

<sup>17</sup> The video segment is approximately two minutes long and it is taken from season 1, episode 10 (05:03-07:15).

<sup>18</sup> *The Good Fight* is a spin-off and standalone sequel to *The Good Wife*. The first season of *The Good Fight* was aired on CBS in 2017.

- 1- How would you describe the lawyer's attitude?
- 2- Does the lawyer behave professionally?
- 3- How is the lawyer probably feeling during the interview? How do you know that?
- 4- What impact does the lawyer's conduct seem to have on the client?
- 5- What kind of relationship is established between the lawyer and the client?

**Table 2.** Initial questions after watching the muted video clip

The next step consists in replaying the muted video clip in segments in order to observe and describe the lawyer's behaviour more in detail. Learners should be encouraged to identify and name the exact nonverbal elements accompanying speech, such as the proxemic and kinesic codes that she uses (e.g. her posture/positioning and proximity to the client), her facial expressions (e.g. smiling, frowning, aggressive, doubtful, etc.), her gaze (e.g. type and length of eye contact), as well as her head, arm and hand gestures. The type of her clothing should also be considered. Table 3a is an example of an exercise that each learner may be asked to do while the instructor pauses the video clip at relevant moments. Every image frame in the exercise should correspond exactly to the moment of the video shown on screen to the whole class. It may be necessary to stimulate responses using direct questions, such as 'How does the lawyer welcome her client?', 'How close to the client is the lawyer standing/sitting?', 'What movement(s) does the lawyer make with her hands?', 'What facial expression(s) does she have?', and so forth. Learners will then have to interpret the various nonverbal signs they have identified. Therefore, the instructor could again prompt them with questions prepared in advance, e.g. 'Why doesn't the lawyer shake hands with her client?', 'What do the lawyer's hands with intertwined fingers suggest?', 'What do her facial expressions indicate?', etc. Table 3b shows what learners should ideally come up with at the end of this first activity.

There should be a final group discussion and exchange of ideas about the quality of the interaction observed, followed by a wrapping-up session, moderated by the language instructor, during which an agreement should be reached about the behaviour(s) that learners view as suitable and appropriate for lawyers while interacting with clients in this as well as in similar circumstances. Learners should also be encouraged to reflect on how a different context might affect the course and outcome of the interaction itself. It could thus be useful to repeat this activity with another video clip showing another setting.

### 5.2. *Reconstructing the conversation*

The second step of this teaching method entails asking learners to imagine the dialogue taking place between the lawyer and the client in the videoclip and to write it down. The focus, therefore, shifts from activities based on the observation of the nonverbal features of the exchange to a verbal production task, to be performed first in writing and then orally. This stage entails a process of *Conceptualizing by Naming*, during which learners develop vocabularies to describe specialized, disciplinary knowledges, thus becoming "active concept creators, making the tacit explicit and generalizing from the particular" (Cope and Kalantzis 2015: 19).

The instructor will replay the video clip without audio for the whole class, stop it after a short segment and ask learners to work out the dialogue in pairs using their own




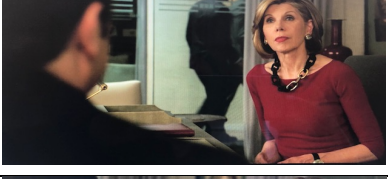


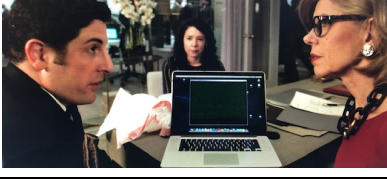






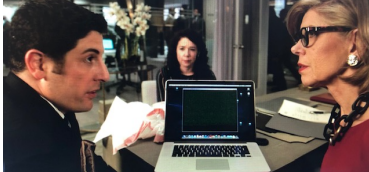
Describe and interpret the lawyer's behaviour (gaze, facial expressions, hand gestures, body posture, etc.)		
	Image frame	Non-verbal behaviour & interpretation
1		
2		
3		
4		
5		
6		
7		

Table 3a. Example of a video clip observation exercise

Describe and interpret the lawyer's behaviour (gaze, facial expressions, hand gestures, body posture, etc.)	
Image frame	Non-verbal behaviour & interpretation
1 	Stands up and looks at client (shows respect and interest), keeps distance and does not shake hands (formal welcome).
2 	Raises right arm while indicating/looking at chair (invitation to sit down).
3 	Sits down first (indicates she is in control and ready to start the conversation), hands with fingers intertwined, looks at client (waiting for him to sit down and start talking).
4 	Body projected forward while seated (indicates connection and engagement), looks at client straight in the eyes (expresses interest), eyebrows slightly raised (shows curiosity/surprise).
5 	Sits closer to client, keeps looking at him straight in the eyes (expresses amicable attitude and willingness to listen carefully).
6 	Looks at client while he is using laptop, puts her left hand on table, near client's laptop (suggests willingness to understand/gather information).
7 	Sits much closer to client, looks at him straight in the eyes (shows intention to create empathy).

*Table 3b.* Example of a completed video clip observation exercise

words. Learners will be given the same sequence of image frames used for the silent observation phase in order to match each of them with the transcription of their imagined dialogue. They will then have to memorize and rehearse the script before acting it out in pairs. Should learners give their consent to be video-recorded while doing the role-plays, instructors will later have the possibility of better analyzing their performance and discussing it with the whole class. Corrective feedback may be given at this stage regarding both the verbal and the nonverbal communicative strategies that learners have used during the simulated interaction.

### 5.3. *Watching/listening actively and transcribing*

Learners now watch the video clip with audio and transcribe the actual conversation (or, at least, part of it) between the lawyer and her client. This activity is not a classic listening comprehension exercise. The aim is, on the one hand, to reconstruct and then analyze the verbal exchange in order to learn new legal words/expressions and, on the other hand, to become familiar with the rhetorical strategies that lawyers use in this specific context. This stage of the teaching unit should thus stimulate a certain kind of critical capacity, following Cope and Kalantzis's (2015: 14-16) 'reflexive pedagogy' approach. Being 'critical' entails both the ability to analyze functions and to be evaluative with respect to power relationships (Cazden 2006). This can be done by *critically framing* the participants' interests during the exchange observed in the video clip through the production and analysis of a transcription. This activity has many advantages. Firstly, instructors may obtain insights into learners' listening behaviour and vocabulary knowledge. At the same time, learners have the chance to memorize new vocabulary, correct language structures and communicative conventions, in addition to analyzing the interests of people and the purposes of knowledge. The fundamental goal of the reflexive approach is essentially that of bridging academic learning with grounded, real-world practical experiences, even when they are simulated applications as in the case of filmic and TV series representations.

Transcription exercises, however, are time-consuming and generally considered challenging. There are three main reasons why learners struggle with transcription tasks. Firstly, conversation at natural speed may be difficult to follow. This is because words are not pronounced in isolation but in connected speech. Secondly, learners sometimes know the spelling of a certain word, but are not necessarily familiar with its correct pronunciation, thus being unable to 'hear' it. Lastly, gaps in the transcription may suggest an actual lack of knowledge of a specific term, phrase or expression, especially when the conversation contains technical vocabulary. The instructor will therefore have to constantly gauge which pedagogical move is appropriate at different moments of the activity, which is also what being 'reflexive' is about. They may have to play the video clip several times, pause, rewind and replay it as often as necessary<sup>19</sup>. In other words, the sequence may vary slightly, because the instructor needs to read students' reactions and decide the next best move for them.

By the time learners finish transcribing the lawyer-client conversation they will have noticed that there are many differences between the imagined dialogue they have

<sup>19</sup> There are also software programmes that can be used to slow down the audio portion of videos, thus making comprehension easier.

previously produced and the actual one. A careful comparison between the two versions and a group discussion about the areas of overlap and variation conclude the activity.

#### 5.4. *Analysing the transcription multimodally*





At this point learners should be given the actual transcription of the lawyer-client conversation they have watched (Table 4). This activity should be divided into two parts. The instructor will first ask learners to examine the verbal features of the dialogue and then move on to considering the supporting role played by nonverbal signals.



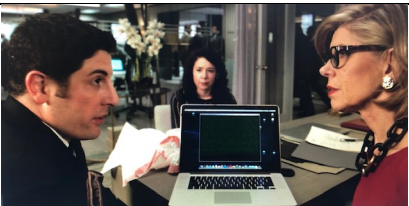
The analysis could start with the identification of the legal words, phrases and expressions appearing in the conversation. The instructor will make a list on the board of the vocabulary items that learners are able to find, e.g. *hack*, *cyber-terrorism*, *to argue a case*, *to be set up*, making sure they understand their meaning (or explaining it if it is not clear), and possibly also adding related ones. So, for instance, after talking about what 'hacking' means and distinguishing between 'a hack' and 'a hacker', learners might be brainstormed about crimes involving identity theft and gaining illegal access to personal data, such as skimming, phishing, pretexting, bugging, etc. It could be worth introducing the topic of white-collar crimes, both with the aim of activating learners' knowledge of relevant vocabulary and to start a discussion on what could be done to prevent them. The reason why the client in the video clip seeks legal advice, however, has to do with bitcoins. Therefore, the instructor should also ensure that learners are familiar with the relatively new concepts of cryptocurrency, blockchain, mining, etc.

Learners' attention should then be directed to the formulas used for welcoming the client (*Mr Stack?*) and for conducting the interaction (*So, what's the case you want to argue?*). It is also important to ask learners to notice stylistic features: Diane, the lawyer, addresses the client using his surname and title, thus showing that she intends to maintain a formal relationship. On the other hand, Mr Stack, the client, replies informally and calls the lawyer by her first name (*Yes, hi. How are you, Diane?*). Mr Stack's language is colloquial (*I'm being set up*), while Diane, albeit sympathetic, tends to keep a professional attitude (*Well, that's certainly serious*), although she is sometimes emotionally more responsive (*Why wouldn't I want you as a client?*). The interaction becomes relaxed after Diane explicitly accepts Mr Stack as her client (*But here you'll fit right in*). This change is also reflected in their close physical proximity in the second half of the exchange, when Mr Stack explains what exactly happened to him.

The second part of the analysis will have to focus on the observation of how body language accompanies the verbal message with a supporting function. The aim is to show learners not just what behaviours should be avoided when interacting with clients, but especially what facilitates communication with them and how trust and clarity can be achieved nonverbally, too. In image frame 1, it can be observed that Diane stands up as soon as Mr Stack arrives in the office. This is certainly a sign of politeness and acknowledgement of his presence. The most striking aspect of the first moments of this professional encounter, however, is that Diane does not physically approach Mr Stack to shake hands with him. This element should be discussed with the learners who may be asked to explain why the lawyer initially keeps his physical distance from her. After a quick greeting, Diane immediately points at an armchair and invites Mr Stack to sit down (image frame 2), which can be read as a sign of self-confidence and assertiveness. The interesting thing to notice here is a sort of mismatch between the verbal



Describe and interpret the lawyer's behaviour (gaze, facial expressions, hand gestures, body posture, etc.)		
Image frame	Verbal text	Non-verbal behaviour & interpretation
1 	<p>DIANE: <i>Mr Stack?</i></p> <p>MR STACK: <i>Yes, hi. How are you, Diane?</i></p> <p>DIANE: <i>I'm well. I, um...</i></p>	Stands up and looks at client (shows surprise and interest), keeps distance and does not shake hands (formal welcome).
2 	<p>DIANE: <i>Please sit down.</i></p>	Raises right arm while pointing/looking at chair (invitation to sit down).
3 	<p>DIANE: <i>Why, uh... didn't you give your name?</i></p> <p>MR STACK: <i>Oh, I was worried you wouldn't want me as a client. I wanted to get a chance to argue my case.</i></p> <p>DIANE: <i>That's crazy. Why wouldn't I want you as a client?</i></p> <p>MR STACK: <i>Oh, Bitcoin. I thought it was all a bit too "disruptive economy" for you.</i></p> <p>DIANE: <i>Well, maybe for Lockhart/Gardner. But here you'll fit right in. So, what's the case you want to argue?</i></p>	Sits down first (indicates she is in control and ready to start the conversation), hands with fingers intertwined, looks at client (waiting for his reply).
4 	<p>MR STACK: <i>I'm being set up.</i></p> <p>DIANE: <i>For what?</i></p> <p>MR STACK: <i>Cyber-terrorism.</i></p> <p>DIANE: <i>Well, that's certainly serious.</i></p>	Body projected forward while seated (indicates connection and willingness to listen), looks at client straight in the eyes (expresses interest), eyebrows slightly raised (shows curiosity/surprise).

5		<p>MR STACK: <i>Chicago is converting to a smart-grid power infrastructure, run on computers, and during the switch-over the system is vulnerable to a malware attack like Grizzly Steppe.</i></p> <p>DIANE: <i>OK. I understood about five of those words.</i></p>	<p>Sits closer to client, keeps looking at him straight in the eyes (shows intention to listen carefully).</p>
6		<p>MARISSA: <i>Grizzly Steppe was a Russian hack on the Vermont power grid last year. Don't ask me how I know that.</i></p> <p>MR STACK: <i>This code is identical. It's been injected into ETB Energy and will cause a Chicago blackout in nine hours.</i></p>	<p>Moves close to the client while he is using laptop, puts her left hand on table, near client's laptop (suggests willingness to understand/gather information).</p>
7		<p>DIANE: <i>And why is it on your computer?</i></p> <p>MR STACK: <i>I don't know. I encrypt everything. I run all my Net contacts through eight, ten servers. Nothing viral ends up on my hard drive and yet I woke up this morning and there it was. Somebody put this code on my laptop and wants me to be arrested for cyber-terrorism. How much are your retainers?</i></p> <p>DIANE: <i>Um... for clients? It depends.</i></p>	<p>Sits much closer to client, looks at him straight in the eyes (creates empathy).</p>

**Table 4.** A multimodal transcription of the video clip

and nonverbal code: while the conversation suggests that Diane and Mr Stack already know each other (the rising prosody used while uttering *Mr Stacks?* shows surprise, as if Diane were implicitly asking ‘What are you doing here, Mr Stacks?’), and Mr Stack’s informal question *How are you, Diane?* suggests some degree of familiarity between the

two), this is not mirrored in the way they behave. Diane, in particular, remains still and only directs the client towards the chair. She sits down first (image frame 3), indirectly giving permission to Mr Stack to do the same and signalling with her intertwined fingers that she is ready to listen. Learners should notice that the decrease in the level of formality in the second part of the conversation is accompanied by signs that indicate the establishment of personal connection. Not only does Diane now look at her client straight in the eyes and raises her eyebrows to express curiosity and surprise, but she also projects her body forward while seated, which communicates her willingness to be there for Mr Stack (image frame 4). Eye contact is always maintained and the physical space between them is progressively reduced (image frame 5): Mr Stack shows Diane something on his laptop and she moves closer to him and almost touches his computer with her hand. We have reached some sort of climax at this point in that rapport has clearly been established (image frame 6). The scene ends with the two facing each other and with Diane nodding in comprehension and empathically listening without losing eye contact with Mr Stack, as he explains why someone wants him to be arrested for cyberterrorism (image frame 7).

The aim of carrying out this multimodal analysis is to show learners that the non-verbal dimension of communication works as an equally fundamental component of the interaction. It would be ideal if learners managed to use some of the observed behaviours while acting out their lawyer-client role plays. Although it is not possible to predict how an interaction with a client will evolve, and, consequently, what our feelings and reactions will be, it is useful to be aware of some general nonverbal signals that we can send to make the message clearer and the exchange more effective.

### 5.5. *Role-playing*

The last but fundamental stage of the methodology proposed consists in asking learners to reproduce first the exact same interaction they have observed in the video clip and then use it as inspiration for an improved version of the role plays performed at the beginning of the activity. This time they should feel more confident and able to produce a better dialogue, with proper vocabulary and adequate body language, too. In terms of the ‘Knowledge Processes’ mentioned above (Kalantzis and Cope 2010), there is a ‘transfer of knowledge’ prior to this stage enabling learners to experiment with *Transformed Practice* through the application of improved communicative modes, and the enactment of creative strategies. Put differently and more simply, learners now ‘re-practise’ in a context where they can “simultaneously apply and revise what they have learned” (Cope and Kalantzis 2000: 35).

Before engaging in the role plays, it will be useful to have a final brainstorming session about the paraverbal and nonverbal aspects of communication that learners view as suitable in the context of lawyer-client interactions. The instructor will prompt learners to produce a table covering a number of different attitudes (e.g. professional, welcoming, respectful, aggressive, passive-aggressive, passive) and associated behaviours. Table 5 is an example of what learners should ideally prepare before the speaking activity. They may also be encouraged to add examples of phrases and short sentences corresponding to each of the behaviours included in the table.

The possibility of video-recording also this second set of role plays represents a major advantage for learners, who may then be able to compare their initial performance

Type of attitude	Professional	Welcoming	Respectful	Assertive	Aggressive	Passive/ Passive-aggressive
Verbal communication	<ul style="list-style-type: none"> <li>▪ Polite</li> <li>▪ Neutral/semi-formal</li> <li>▪ Direct</li> </ul>	<ul style="list-style-type: none"> <li>▪ Polite</li> <li>▪ Neutral/semi-informal</li> </ul>	<ul style="list-style-type: none"> <li>▪ Polite</li> <li>▪ Not judgemental</li> </ul>	<ul style="list-style-type: none"> <li>▪ Medium pitch</li> <li>▪ Emotionally expressive</li> </ul>	<ul style="list-style-type: none"> <li>▪ Demanding</li> <li>▪ Threatening</li> <li>▪ Loud voice</li> </ul>	<ul style="list-style-type: none"> <li>▪ Sarcastic</li> <li>▪ Apologetic</li> <li>▪ Unreliable</li> <li>▪ Does not take responsibility</li> </ul>
Non-verbal communication	<ul style="list-style-type: none"> <li>▪ Appropriately dressed</li> <li>▪ Shakes hands</li> <li>▪ Confident</li> </ul>	<ul style="list-style-type: none"> <li>▪ Smiles</li> <li>▪ Relaxed</li> </ul>	<ul style="list-style-type: none"> <li>▪ Listens</li> <li>▪ Sympathetic</li> </ul>	<ul style="list-style-type: none"> <li>▪ Eye contact</li> <li>▪ Open body posture</li> </ul>	<ul style="list-style-type: none"> <li>▪ Big/fast gestures</li> <li>▪ 'Bigger than others' posture</li> </ul>	<ul style="list-style-type: none"> <li>▪ Pretends to be friendly</li> <li>▪ Insincere smiles</li> <li>▪ No eye-contact</li> <li>▪ Tends to fidget</li> </ul>

**Table 5.** Verbal and nonverbal communication strategies

with the skill levels achieved after completing the whole activity. Therefore, this will most probably also produce a feeling of satisfaction and a perception of having made steps forwards in the learning process.

## 6. Conclusions

This paper has attempted to propose an alternative technique in the context of ESP teaching, integrating traditional listening and speaking tasks with activities that engage learners more actively, while also drawing their attention to aspects of communication going beyond the verbal dimension. The methodology outlined here consists of five main components, namely the observation/interpretation of the non-verbal signs of a muted lawyer-client interaction, the acting out of the possible dialogue, the reconstruction/transcription of the actual verbal exchange, the analysis of the multimodal transcription of the interview and, finally, the performance of role plays. The approach is learner-centred, i.e. the role of the language instructor is that of a guide, reflective practitioner and active researcher rather than of an authority imposing linguistic choices and behaviours. This is because the context of lawyer-client interactions may vary considerably, thus making it necessary for both instructors and learners to jointly consider all the dynamics of the communicative process.

The question of professional etiquette has also been briefly discussed, trying to identify some standards of behaviour expected of lawyers in English-speaking countries. This aspect is normally overlooked in teaching materials. However, it deserves to be properly addressed because learners' cultural backgrounds may affect the choice and appropriateness of their conduct while interviewing clients. The discussion on this topic is particularly relevant now that our societies are becoming more and more multicultural and globalized, but at the same time it is also problematic due to the ensuing difficulty of clearly demarcating between cultural boundaries. Future research on professional English teaching should therefore take this aspect into due consideration in

order to design materials that satisfy the actual needs of ESP learners, which are not just strictly linguistic.

At the time of writing this paper, the vast majority of language courses around the world, both at university and school level, were taught online due to the coronavirus pandemic. This imposed limits and an adaptation of teaching methodologies, while also sparking discussion on the future of communication, which is now largely computer-mediated. Although the current pandemic is likely to come to an end at some point, it is realistic to think that there will continue to be a demand for online courses in the future. The method proposed, however, is meant to be used in in-person teaching rather than remotely, in that it presupposes a careful observation and analysis of the interaction, but, above all, its (re-)enactment. It would be problematic to do the role plays and simultaneously monitor them in an online learning environment. If forms of online legal assistance become more common due the continuous spread of technology into our daily lives, ESP teaching methods will necessarily have to be adapted to the changing modes of human communication. At the same time, the importance and the role played by proxemics and kinesics will also need to be reconsidered.

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# LEGAL TERMINOLOGY IN ENGLISH: THE CHALLENGES OF INTERNATIONAL CONTEXTS

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## Abstract

With English dominant in global trade, individuals communicating in legal English as a genre of ESP in cross-border settings require an assortment of skills and competences to ensure they are equipped to meet professional standards. Being equipped requires awareness of legal-linguistic, cross-cultural and comparative legal factors involved in using legal English terminology and underlying concepts in cross-border contexts. It also requires an ability to ensure that meaning and legal effect are mutually comprehensible between the parties and in line with the governing law. For ESP professionals operating cross-border between two or more legal languages or systems, research in this field is a task of the discipline of legal linguistics. Law and legal systems, along with their related concepts framed in legal language, do not exist in a vacuum, nor does legal language itself: all are shaped by surrounding events and ideas so that each legal system is specific to its own jurisdiction. These factors are reflected in laws and legal instruments, and their expression in legal language. This chapter explores a selection of specialist literature in a field where English dominates, by reviewing and analysing five academic texts, synthesizing them by identifying overlapping common themes, potential pitfalls, and solutions for practitioners. The overall aim is to uncover skills needed by lawyers, to open avenues that may lead towards approaches to teaching, learning, and using legal terminology and drafting legal texts in 'cross-system' contexts and further comparative legal linguistic research in the field of legal ESP.

## 1. Introduction

This chapter continues an investigation into the author's hypothesis in the context of doctoral research<sup>1</sup>, namely that (comparative) legal linguistics should form an integral part of modern legal education and training (see, e.g., Goddard 2009, 2010, 2013, 2016, 2018). What is unclear is the nature of legal and linguistic skills that tomorrow's

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<sup>1</sup> This paper forms part of the author's ongoing PhD research in legal linguistics at the University of Lapland.

lawyers need to learn and how best to ensure it. This, in turn, would involve establishing key (i.e. central ‘must-do’) teaching components, what methods to apply, and what teachers need to know in order to promote learning.

This interdisciplinary research in a fledgling field takes place at the interface between law, language, education, and training. With that in mind, the research question in this chapter is narrow: can we use the results of several distinct but overlapping studies about legal terminology to develop something resembling a general approach to teaching and learning such terminology and drafting legal documents in cross-system contexts? Further questions that track the content of this chapter are: (1) Can qualitative research such as the kind here reviewed help to develop approaches to teaching, learning, and using legal terminology and drafting legal texts in ‘cross-system’ contexts? (2) Does the research reviewed in this chapter point the way toward developing such approaches for legal terminology and legal texts in ‘cross-system’ contexts?

Section 2 begins by illustrating the challenges and complexities of achieving agreement on the content of legal terminology of international significance.

Section 3 briefly reviews and analyses five high-scoring master’s theses defended under the legal linguistics master’s programme at the Riga Graduate School of Law (RGSL), each focusing on English in international legal contexts and chosen for their overlapping legal and linguistic themes and their novel subject-matter to form a corpus in its own right from a specialist programme<sup>2</sup>. Only two other theses might have met these criteria<sup>3</sup> but they were reluctantly discarded due to length limitations in this article. This section first considers two theses on maritime legal English, their novel subject-matter not found in any publication to the best of my knowledge, then two on contracts in international contexts, and finally one on share and asset purchase agreements, again with novel subject-matter not found elsewhere. Following a concise review summary of each of the five texts, the analysis consists in comparing their salient points with a view to identifying common themes as a basis for discussion.

The notion of ‘plain English’, especially in legal contexts, has been extensively discussed in the literature. For those unfamiliar with this notion, a wide bibliography is available (e.g. Mellinkoff 1963, 1982; Kimble 1992; Garner 2009, 2013; Adams and Scherr 2015; Bain Butler 2013; Johnson 2015; Plain Language Association International n.d.; Williams 2004, 2011, 2015; Riera 2015; US Government n.d.; Loranger 2017; Schriver 2017; Burton 2018; Zödi 2019; Cutts 2020; Torrez 2020; Azuelos-Atias and Plato-Shinar 2021; Singh 2022). In addition, Ingersone (2014: 5-9) in this chapter defines plain legal English. Section 4 discusses the results from Section 3 in greater detail. Section 5 concludes by answering the research questions.

<sup>2</sup> All RGSL programmes are interdisciplinary, with all instruction in English and students drawn from Latvia and abroad. Many former students operate in English in international, cross-jurisdictional contexts. The master’s degree in legal linguistics, launched in the academic year 2007-2008, continued until the end of the academic year 2015-2016. So far as is known, RGSL is the only institution to have run such a programme (see also Goddard 2018: 39-42).

<sup>3</sup> *Is there a case for the abolition of ‘shall’ from EU legislation?* (Paul Cooper) and *Arbitrability: problem issues of the legal term* (Natalja Freimane).

## 2. Defining a common meaning in legal terminology: ‘rule of law’

An important first step is to see how the meaning of seemingly incompatible, mutually irreconcilable terms – a recurring theme in the theses under review and analysis – is negotiable due to the importance of finding a common understanding. This would especially apply to key terms used internationally.

Establishing meaning of legal terms in English that is acceptable in multiple legal systems requires discussion and negotiation. A practical example is the Venice Commission Rule of Law Checklist on establishing a common understanding of the concept of ‘rule of law’. This needed very considerable discussion and was tentatively drafted twice, in 2011 (‘VC Report 1’ in European Commission for Democracy through Law (Venice Commission) 2011) and 2016 (‘VC Report 2’ in European Commission for Democracy through Law (Venice Commission) 2016).

VC Report 1 highlights (European Commission for Democracy through Law (Venice Commission) 2011: 3 (Introduction, para. 4) [footnote omitted]) that:

[a]lthough the terminology is similar, it is important to note [...] that the notion of ‘Rule of law’ is not always synonymous with that of ‘Rechtsstaat’, ‘Estado de Direito’ or ‘Etat de droit’ (or the term employed by the Council of Europe: ‘prééminence du droit’). Nor is it synonymous with the Russian notion of ‘Rule of the laws/of the statutes’, (*verkhovenstvo zakona*), nor with the term ‘pravovoe gosudarstvo’ (‘law governed state’).

VC Report 1 (European Commission for Democracy through Law (Venice Commission) 2011: 9 (In Search of a definition, para. 34) justifies and explains the need to define a common meaning of the concept of ‘rule of law’: “it needs to be understood and therefore be defined, both because it appears in many legal texts, and because the rule of law is accepted as a fundamental ingredient of any democratic society.”

VC Report 1 (European Commission for Democracy through Law (Venice Commission) 2011: 10 (In Search of a definition, para. 41)) presents six elements that comprise the essential components of the rule of law. Additionally, its annex presents a checklist to establish whether a state complies with those components ((European Commission for Democracy through Law (Venice Commission) 2011: 15-16. Annex: Checklist for evaluating the state of the rule of law in single states).

VC Report 2 builds on the results of VC Report 1 to develop benchmarks (European Commission for Democracy through Law (Venice Commission) 2016: 11-33) to test whether the criteria for essential components are met. A second step to the test sets certain defined standards (European Commission for Democracy through Law (Venice Commission) 2016: 34-46).

Given the time and expense involved, could this rule-of-law model be applied to other legal terms? This is a question to bear in mind concerning the five texts examined in this chapter. However, the significant input into negotiating the meaning of ‘rule of law’ suggests that a terminological item of international importance requires more than a mere brief dictionary definition. This factor, too, should be kept in mind in analysing the texts in Section 3, which begins with highlights of the main themes followed by a concise review summary of the focus, analysis, and recommendations of each thesis, explored further in the discussion in Section 4, with further details of certain terminological items in the Appendix.

### 3. The five theses considered

Three key themes of these theses are (1) maritime legal English, with one thesis on legal English as used in contracts of carriage of goods by sea and another on the terms *seafarer* and *shipowner*; (2) commercial contracts, covering two theses, on (a) civil-law and common-law approaches and on (b) legal English in international commercial contracts; and (3) plain English, covering not only a thesis on plain English in Latvian asset purchase agreements but also the plain English concerns raised in some of the other theses. These themes are developed further in Sections 3 and 4, with further detail in the Appendix on ‘problem terminology’ between the civil-law and common-law legal systems.

#### 3.1. *Legal and linguistic characteristics of maritime legal English*

Prikule’s (2014) study devoted to maritime English (ME) as an international language used at sea and to one of its subsystems – maritime legal English (MLE) – undertook a legal-linguistic analysis of MLE in a contract of carriage of goods by sea: a time charter party<sup>4</sup>, in the light of plain English principles. After explaining why and how English became the international language used at sea and its relation to MLE, an example of English for Specific Purposes (ESP), Prikule examines the origin, usage and reflection of ME standards in legal instruments issued by the International Maritime Organization. Against that contextual background, she analyses the notion of MLE as a subsystem of ME, examines contracts of carriage of goods by sea, narrows the view to time charter parties, and discusses MLE terms encountered in a time charter<sup>5</sup>. These include *ship*, *delivery*, *hire*, *seaworthiness*, and *suitable port* (*ibid.*: 29-38), though none of these are suggested as impeding comprehension of a time charter party and thus do not fall within the focus of this chapter. However, Prikule’s detailed legal and linguistic analysis of time charter ExxonMobil Time 2005 (‘Charter’) identifies the following lexical and syntactic characteristics of MLE that influence – i.e. are factors likely to impede – comprehension of a time charter party by a non-lawyer:

(a) Use of archaisms (e.g. *hereinafter*, *thereof*, *whereof*, *said* and *aforsaid*). As we shall see, this factor arises again in the thesis by Jakubane.

(b) Compound constructions > Plain English equivalent, e.g.:

for a period of	for
have the option of	may
in the event that	if
prior to	before
in order to	to
in connection with/in relation to	about, concerning
in accordance with	by, under

<sup>4</sup> A time charter party is a contract whereby the lessor places a fully equipped and crewed ship at the disposal of the lessee for a period for a consideration called hire. The lessor may be the shipowner and the time charterer will be the lessee.

<sup>5</sup> Briefly put, a time charter involves leasing a vessel for a fixed period, on a per-day rate, where the charterer is free to use the vessel. The owner only looks after maintenance-related cost. Clauses are inserted to protect the charterer from having to pay for hours that were spent due to events that could not have been foreseen.

## (c) Passive structures

Giving many examples, Prikule observes that “use of passive voice [...] reflects the drafter’s awareness of the ambiguity the passive voice can create. Therefore [...] the doers of the actions are mentioned. However, if the doers are known, then the active voice should be used so that sentences have the usual order of words”<sup>6</sup> (*ibid.*: 49).

(d) Synonyms (doublets): e.g. *over and above*, *null and void*, *full and complete*.

(e) The deontic modal *shall* as used in its multiple meanings leads to confusion. Citing well-known authorities (e.g. Wydick 1998; Tiersma 1999), Prikule (2014) proposes avoiding *shall* as unsuitable to make legal language more precise and avoid ambiguity, and advises using other modal verbs (e.g. *must*, *may*, *will*), giving many examples of how this can be achieved.

Among many examples of ‘before and after’ the following will suffice (*ibid.*: 54):

Before	After
Charterer shall be entitled to deduct from hire payments [...].	Charterer is entitled to/may deduct from hire payments [...].

Prikule’s analysis shows that proper understanding of a charter party requires knowledge of the basic concepts of shipping law, a factor that would apply to the MLE terms examined, though it should not apply to items other than MLE terms. On that basis, Prikule suggests that, since non-lawyers might also need to read the Charter, the text should be redrafted according to the principles of plain English but retaining its legal and linguistic meaning.

### 3.2. *Concepts of seafarer and shipowner*

Lielbarde’s (2014) study examines the link between a legal concept and its eponymous legal term, in this case *seafarer* and *shipowner* – both key concepts in international maritime labour regulation codified by the Maritime Labour Convention 2006 (MLC), in force since 2013 and seen as an important international regulation in terms of securing seafarers’ rights. The MLC significantly affects a shipowner’s responsibility in respect of seafarers’ employment on board ship, in that it determines the scope of its own application. However, Lielbarde stresses that the meaning of both concepts is controversial and was intensely discussed during development of the draft MLC text, as well as after adoption and entry into force of the MLC. A clear and uniform understanding of these key concepts is essential for effective implementation and application of the MLC.

Lielbarde defines the goals of the research as follows: to address problems associated with a seafarer’s employment agreement in shipping practice; to perform a conceptual and linguistic comparative analysis of the concepts of *seafarer* and *shipowner* in international maritime labour regulation; to analyse the implementation of both concepts in

<sup>6</sup> While the recommendation that the passive be avoided in cases where the doers are known is a standard one in discussions of plain English, it flies in the face of research into the pragmatic factors favouring use of the active or passive (e.g. Ward *et al.*: 1443–1447) on which length limitations rule out discussion here.

national law; and, finally, to address the effect of the new MLC-guided concepts *seafarer* and *shipowner* on enforcing ship arrests for seafarers' claims.

These terms are the technical designation of concepts belonging to the conceptual system of a language for special purposes: maritime (legal) English, which we have already encountered in the thesis by Prikule. Lielbarde examines dictionary and other definitions of *seafarer*, in particular several International Labour Organisation (ILO) and other conventions, citing a summary of multiple *seafarer* legal definitions in existing maritime conventions.

A similar examination of the term *shipowner* reveals that the term can even apply to persons or organizations that are not actually shipowners and that some ILO conventions simply do not define the term at all (*ibid.*: 14).

The wording of the definition *seafarer*, while clear, is also very wide, covering not only categories of persons traditionally associated with the seafarer's profession such as master, engineer, first mate, officer, bosun, but also other categories which may be involved in work on board ship, such as cruise ship personnel (e.g. cleaners, entertainers, casino personnel, kitchen staff, fitness instructors), cadets, harbour pilots and port workers, ship inspectors, superintendents, repair technicians, and on-board armed security personnel (*ibid.*:15).

An MLC resolution (*ibid.*: 35) provides member states – whose final decision it is – with guidelines to take into account in deciding whether to grant seafarer status to a specific occupational group. Factors to consider include:

- (i) duration of stay on board;
- (ii) frequency of working periods spent on board;
- (iii) location of the person's principal place of work;
- (iv) the purpose of the person's work on board;
- (v) protection normally available as to labour and social conditions to ensure comparability to the Convention (*ibid.*: 18).

Lielbarde (*ibid.*) concludes that there was a clear legislative intention to apply MLC standards to those working on board passenger ships in a capacity other than related to operating the ship to cover “persons employed in the cruise and passenger ship industry who are working on board for a considerable period of time but do not perform tasks that are normally regarded as maritime”.

As with *rule of law*, achieving these definitions, according to Lielbarde, required a series of tripartite meetings involving the ILO and representatives of shipowners and seafarers, as well as governments. These meetings also defined the term *shipowner* to address current shipping practice involving diverse contractual arrangements and organizations involved in operating a ship. However, from a seafarer's perspective, Lielbarde finds that a direct answer is still lacking as to how to establish which of these can be considered a shipowner – the one with final responsibility.

Lielbarde notes that the shipping term *shipowner* and the general labour law term *employer* cannot be considered fully equivalent: the two can only be considered fully equivalent when they are one and the same. Importantly, only the shipowner has the asset – the ship – which can be arrested for enforcement of seafarers' maritime claims.

### 3.3. *Legal drafting of contracts in a comparative perspective. Civil law and common law approaches*

The aim of Jarkina's (2014) comparative analysis of different doctrinal approaches to contract law in civil-law and common-law legal systems is to explore the possibility of attaining equivalence in legal drafting between the terms of these two legal systems and to develop guidelines for legal contract drafting acceptable to both systems.

Jarkina observes that both systems retain significant differences stemming from fundamental legal concepts influencing legal terminology in contract drafting. These differences hinder attaining equivalence in legal contract drafting and legal thinking between the civil-law and common-law legal systems.

She adds that learning contract drafting technique requires at least a basic knowledge of the legal system from which that technique derives. From this she infers that, to achieve improved contract drafting, lawyers should be acquainted with general differences between civil-law and common-law legal systems as well as different approaches to some practical legal aspects (Jarkina 2014: 38).

Jarkina asserts that one of the clearest distinctions between civil-law and common-law systems is the existence of a codified law system in civil law, whereas common law is not created by means of legislation but remains based largely on case law<sup>7</sup>.

Jarkina goes on to summarize in great detail the problematic concepts and terms between the civil-law and common-law systems, with particular focus on common-law concepts and terms in light of the predominance of English in international contracts (see also Adams and Scherr 2015; Cilotta 2015; Boyd 2021). Many of these overlap with the concerns of Jakubane (see Section 3.4) and – because full focus on them here would interfere with the flow of the main text in this chapter – are referred to in Sections 3 and 4 with more detail in the Appendix.

Jarkina's (*ibid.*: 39-40) recommended practice for better contract drafting and choosing drafting technique would be that contracts should be originally drafted in the chosen language even if this is not the native language of the drafter(s). She notes that non-compliance with this rule may lead to a vague and poorly drafted contract and adds that this mostly relates to a contract where contracting parties are from different legal systems having different legal approaches and absence of some mutual legal concepts.

Jarkina suggests that general recommendations for civil-law and common-law drafting techniques could be a useful tool for minimizing the gap between drafters from different legal systems. For example, contracts should be drafted in plain language, in the chosen original drafting language, and in the style appropriate to the legal family to which that language belongs. While claiming that attaining equivalence in legal drafting between common-law and civil-law legal systems is impossible, Jarkina nevertheless suggests that further research and studies are needed on possibly harmonizing different legal approaches within common-law and civil-law systems in order to create a unified coherent contract drafting technique.

<sup>7</sup> The view of the common law as based largely on case law has long been seen as an overstatement – in other words, nowadays the common-law world “largely operates through statutes enacted by a country's democratic legislature” (Bennion 2001: 1; for similar views, see also e.g. Scalia 1997: 13).

### 3.4. *Use of legal English in international commercial contracts*

Jakubane (2011) analyses the use of legal English in international commercial contracts drafted by parties from different countries and often different legal systems: contracts governed either by common or civil law. Contracts written in common-law style where at least one party represents a civil law-system country require coordination between different legal traditions in order to interpret the contract. This implies the ability – vital in international practice – to communicate concepts across the legal-cultural divide (*ibid.*: 7).

Jakubane's goal is to identify the main legal English words, terms and phrases causing difficulties in contracts between non-native English contracting parties drawn by non-native English speakers. In addition to legal literature, research is based on eleven sample international commercial contracts chosen to illustrate mistakes due to English language use or misinterpretation of contractual terms. Underlining the requirement of a meeting of the minds<sup>8</sup> between the parties, she stresses the need, so as to avoid unnecessary misunderstandings, to distinguish between routinely used specific common-law words, terms and phrases without meaning – or with a different meaning – in a civil-law system, and vice versa. The thesis examines specific common-law terms without meaning in the civil-law system such as *consideration*, *equity/equitable*, *estoppel*, *representations and warranties*, and *remedies*, potentially problematic interpretation clauses<sup>9</sup> of agreements, and – like Prikule – legal archaisms, which are often suggested as best avoided even within domestic agreements drafted by native English speakers under the common-law system. Jakubane offers possible solutions to avoid problems arising due to use of legal English in international commercial contracts, as well as other recommendations.

Jakubane's concerns overlap with those of Prikule (archaisms), Jarkina (incompatibility of common-law terms in civil-law legal systems), and Ingersone (problems in drafting in legal English in civil-law jurisdictions and the advantages of using plain English in preference to 'legalese'<sup>10</sup>), and are referred to in Sections 3 and 4 with more detail in the Appendix.

Jakubane offers the following suggestions for legal practitioners:

(a) Drafting international commercial contracts is a functional and purposeful art, not a systematic and dogmatic one.

(b) Contract drafters should assess their choice of governing law and language clauses, which are of prime importance in international commercial contracts.

(c) Standard interpretation clauses deserve more attention. Civil-law lawyers should be cautious when encountering them in draft agreements and discuss their application with their contracting partner before signing the document.

(d) Avoid obsolete words, i.e. archaisms. Clearer language better reveals the parties' intention.

<sup>8</sup> A common understanding or *consensus ad idem* (in common modern parlance 'reading from the same page') in the formation of the contract.

<sup>9</sup> An interpretation clause is used to express the rules which the parties wish to apply to interpretation of their agreement.

<sup>10</sup> Technical legal jargon and complex sentence forms beyond the comprehension of non-lawyers.



(e) Definitions may protect against misinterpretation; so include them when encountering an unfamiliar English legal term.

(f) Lawyers and legal linguists should collaborate in drafting important international commercial contracts. Misinterpreted terms may result in litigation possibly taking place outside the defendant's domicile.

(g) Invite common-law practitioners to lecture on application of specific common-law terms in contracts and to hold workshops for domestic lawyers involved in drafting international commercial contracts.

(h) Use of legal English in international commercial contracts requires further legal-linguistic analysis (research projects) to benefit practising contract lawyers.

### 3.5. *Plain English in Latvian contract drafting practice*

Ingersone (2015) explores the concept of plain legal English from theoretical and practical aspects, starting by defining the term, followed by its key principles illustrated by an overview to reflect the key elements of the concept, in terms of structure, choice of words, and so on. Noting inherent problems about drafting legal texts in English throughout civil-law jurisdictions relating to the entirely different legal system that English legal terms stem from, Ingersone analyses the benefits of legal drafting in plain English: efficiency, precision, impact on litigation, access to ordinary readers and drafting quality. This is supported by detailed rules and principles of plain-English contract drafting: no redundant wording, base verbs instead of nominalizations, verbs in the active voice rather than the passive, short sentences, clear layout, concrete and familiar words, careful punctuation, and finally uniformity of chosen terms throughout an entire document to avoid discrepancies and disputes.

Ingersone presents a long and detailed 'before/after' chart of recommended revisions with a view to discovering what impact applying the key principles of plain legal English would have on contract drafting practice. She avers that the original examples revised in the chart are taken from real-life drafting experience: contract clauses from share and asset purchase agreements. The revision applied all the principles illustrated in the theoretical part to practical examples, e.g.:

Before	After
The Parties are obliged to	The Parties must
The Purchaser will be bound by such obligations...	The Purchaser must fulfil such obligations...
The Parties have freely and expressly agreed...	The Parties agree...

These examples from the section 'General part' must suffice, due to space limitations. However, the chart also includes entries on 'Purchase price', 'Representations and warranties', 'Conditions precedent to closing/Due diligence', 'Closing procedure / Payment procedure', 'Confidentiality', and 'Termination'.

Ingersone asserts that use of plain English, as opposed to legalese, likely makes legal language legally more precise and certain, leading to less litigation. Her analysis shows that contract language can significantly benefit from applying the principles of plain legal English. The revised clauses, while retaining at least the same level of legal precision, become significantly shorter, clearer and easier to comprehend compared to the original. She maintains that an elaborate guideline for an audience of legal drafting practitioners would be of great benefit.

In conclusion, Ingersone suggests further research, in particular on linguistic inconsistency and inherent problems about legal drafting in English throughout civil-law legal systems as a major issue in legal drafting.

#### 4. Discussion: overlap among the five theses and identifiable key areas

An analysis of the five theses suggests three broad areas of interest.

##### 4.1. *The relationship between legal concepts and related terms*

This area is especially important for Prikule (2014) and Lielbarde (2014). Some of the concepts that these authors cover include those related to shipping such as *seafarer* and *shipowner*. Lielbarde (*ibid.*: 41) points to the difficulty in pinning down an internationally acceptable meaning of terms.

##### 4.2. *Conceptual and terminological incongruity between common-law and civil-law legal systems*

Ingersone (2015) characterizes inter-systemic incongruity in terms of inherent problems about drafting legal texts in English throughout civil-law jurisdictions relating to the entirely different legal system that English legal terms stem from. This is covered in some of the other theses discussed, in particular Jarkina (2014) and Jakubane (2011). Jakubane mentions common-law terms without meaning in civil-law systems (echoed in Jarkina) and problems of drafting in legal English in civil-law jurisdictions.

In brief, these works discuss (1) the fact that common-law and civil-law terms often reflect either concepts that do not exist in the other system or have similar but not truly equivalent meanings in the other system (Jarkina 2014; Jakubane 2011; Ingersone 2015), e.g. *stare decisis*, *consideration*, *estoppel*, *equity*, *non-waiver*, *representations and warranties*, *remedies* (common law), *pacta sunt servanda*, *force majeure*, *good faith* (civil law) (for more detail, see Appendix); and (2) a consequent need to reconcile those differences for drafting contracts in ‘cross-system’ contexts, including through further research into harmonizing different approaches and creating a unified contract drafting technique for use in such contexts, e.g. the need to coordinate meaning between similar but not equivalent terms in different legal systems, e.g. *force majeure*, *frustration / impossibility of performance* (Jarkina 2014; Jakubane 2011). In this context, the assertion by Jarkina (2014: 45) – that attaining complete equivalence of legal meanings and terminology in contract drafting within civil- and common-law legal systems is impossible – sits ill in light of the clear legal-linguistic inferences to be drawn from the Venice Commission reports, namely that internationally important terminological items (a) may require extensive discussion between stakeholders leading to coordination of terms stemming from different legal systems, and (b) need more than a brief dictionary definition. This is partly supported by the process involved in defining *seafarer* and *shipowner* as described in Lielbarde (2014), though discussion here was as much between stakeholders as representatives of different legal systems.

##### 4.3. *Poorly written legal English and the need for plain legal English*

This area covers, in particular, the use of archaisms and legalese, compound constructions, doublets, passive verbs and, finally, *shall* (Prikule 2014; Jakubane 2011).

This aspect is reflected by emphasis in three of the five theses on the need to avoid unnecessarily complex language to promote use of plain English in legal texts. Here, one suggestion was to redraft important texts, e.g. Exxon Mobil Time 2005 (Prikule 2014: 57), in line with plain English principles, but retaining the legal-linguistic meaning. According to one thesis, the use of plain legal language (cf. legalese) would likely be legally more efficient, precise and accessible to ordinary readers, thus leading to less litigation (Ingersone 2015: 22).

#### *4.4. Some other needs raised in the five theses*

This subsection covers further items to add to the 'basket' of skills and awarenesses that law students need as 'takeaways' for their future legal practice. These are:

- (a) Define key terms in specific fields of law (Lielbarde, Jakubane).
- (b) Drafters need to understand the basic concepts of (shipping) law in order to understand a charter party (Prikule).
- (c) The need for uniformity of terminology throughout a contract (Ingersone).
- (d) Develop guidelines for contract drafting acceptable to both systems (Ingersone).
- (e) Lawyers need to know the general differences between civil-law and common-law legal systems (Jarkina).
- (f) Lawyers/legal linguists need to collaborate on drafting important international commercial contracts (Jakubane).
- (g) Common-law practitioners need to lecture on use of common-law terms in contracts and hold workshops for lawyers involved in drafting international commercial contracts (Jakubane).

#### *4.5. Implications for legal linguistics in modern legal education*

The analysis above can itself be broken down between (a) the key components of legal and linguistic skills that tomorrow's lawyers need to learn or at least be aware of, and (b) other areas of concern that fall outside the scope of this chapter.

As to establishing key components that future lawyers need to acquire during education and training (i.e. the basics of (comparative) legal linguistics), two areas stand out as being realistically achievable.

*Promote awareness of the general differences between the civil-law and common-law legal systems, in particular conceptual and terminological aspects.*

This would include, for example:

- (a) the problematic use of common-law terms in civil-law contracts and vice-versa (Jarkina; Jakubane).
- (b) non-equivalence between terms in common law/civil law (Jarkina; Jakubane).
- (c) the relationship between concepts and eponymous legal terms both general and specific to a given field of law (Prikule; Lielbarde).
- (d) the need to understand the basic concepts of different fields of law in order to understand relevant legal texts (Prikule).

*Promote use of plain (legal) English*

This would involve introducing student/trainee lawyers first to legal language in general. Elements might include its purpose, functions, features and varieties, influ-

ences on development, the challenges of writing in international legal contexts, law in cross-cultural contexts, legal culture(s). This could be followed up by focusing on legal English within the frame of English as a global language, guidelines for better legal English, and finally a focus on good legal writing, with emphasis on plain language.

*Other areas of legal-linguistic concern*

These could provide a useful focus for research/projects/thesis writing, e.g.

(a) Defining key terms of international importance in specific fields of law. Certain terms need to be understood and therefore be defined, both because they appear in many legal texts, and because legal certainty is accepted as a fundamental ingredient of any democratic society. Meetings among stakeholders may be needed to achieve universal definitions of important terms and set interpretative guidelines. This was the case with *rule of law*<sup>11</sup>, *seafarer* and *shipowner*, where meaning was negotiated by a series of high-level meetings. Involvement of practitioners and legal-linguistic scholarship would be advisable here.

(b) Seeking equivalence in legal drafting between common-law and civil-law systems. This might involve addressing legal-linguistic challenges impeding comprehension and coordinating important items of legal terminology between civil law and common law that are widely used in international commercial and other contracts, e.g. the civil-law concept of *force majeure*, which might be reconciled with the common-law concepts of *impossibility* and *frustration of purpose*; also the common-law concepts of *consideration*, *equity/quitability*, or the civil-law concept of *good faith*. These can be placed in much the same category as *seafarer* and *shipowner*, in that resolution would require discussion among stakeholders, with the aim of attaining equivalence of legal concepts and terminology in contract drafting between both legal systems.

(c) Research on harmonizing different legal approaches within common-law and civil-law systems towards the foundation of a unified coherent contract drafting technique. Collaborative effort might work on developing illustrative guidelines for contract drafting acceptable to both civil-law and common-law systems. The time and cost involved should be balanced against the benefits in terms of promoting comprehension of international contracts with concomitant savings of time and costs in dispute resolution.

(d) Collaboration between practitioners and legal linguists in redrafting important texts by coordinating terminology and meaning between similar terms in different legal systems, at the same time applying plain English principles to general language items that impede comprehension. Uniformity of terms could appear under this heading, as well as focus on interpretation and language clauses.

## 5. Conclusions

The research and analysis in this paper clearly suggest, in response to the main research question, that we can use the results of several distinct but overlapping studies about legal terminology to develop something resembling a general approach to teaching and learning such terminology and drafting legal documents in cross-system

<sup>11</sup> The fundamental ingredient of any democratic society.

contexts. The answer to the follow-up questions – namely: (1) Can qualitative research such as the kind reviewed in this paper help to develop approaches to teaching, learning, and using legal terminology and drafting legal texts in cross-system contexts? (2) Does the research reviewed in this paper point the way toward the development of such approaches for legal terminology and legal texts in cross-system contexts? – seem to be partly in the affirmative. However, further research would be needed in other areas of law with a view to establishing whether achieving conceptual congruence and mutuality of comprehension between at least some domains of common-law and civil-law legal systems could be a reality.

Although this research tends to strengthen the argument that (comparative) legal linguistics should form an integral part of modern legal education, the precise model of teaching and what methods to apply, and indeed what teachers themselves need to know in order to promote learning, remain to be fully addressed elsewhere. However, it would not be unrealistic to suggest that some key legal-linguistic items – such as the use of plain English in legal contexts – could be taught at an introductory level and reinforced from time to time throughout legal education and training. In addition, items such as incongruity of concepts and terms between legal systems could be introduced at an introductory level and reinforced on courses in specific areas of law.

Other areas of legal-linguistic concern, as detailed above, might be approached through research projects, with high-level support, for example from stakeholders.

Overall, the five theses summarized and reviewed both individually but especially as a synthesized body arguably represent a valid contribution to legal-linguistic research. In addition, they have provided useful, apposite material for teaching legal English writing skills to law firms and law students.

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## Appendix

### Problem terminology as between civil-law and common-law legal systems

**Stare Decisis** (Binding Precedent): this doctrine is a key factor in causing language to play such a significant role in common law (Jarkina p. 9). In practice, the doctrine – unknown in civil law – means that lower courts should follow higher court decisions that establish legal standards and regulation for similar legal issues (Jarkina p. 12). This may result in inclusion of particular wording in contracts because of decisions of the court (Jarkina p. 12). However, in deciding any given legal issue in many civil-law jurisdictions, precedents serve a persuasive role. Civil-law courts are expected to take past decisions into account when there is a sufficient level of consistency in case law (see e.g. Fon and Parisi 2006).

**Doctrine of consideration**: under this doctrine a contract must be supported by something of commercially measurable value (Jarkina, p. 13). This is a common-law concept, whereas in civil law a contract has binding effect once the parties agree the essential elements of the contract with the goal of mutually binding each other. (Jakubane p. 14 (footnote omitted)). Note, however, that civil-law analogues of consideration have been recognized for decades (see e.g. von Mehren 1959).

**Promissory (or Equitable) Estoppel**: as with consideration, the doctrine of promissory estoppel is unknown in civil law. In legal theory, the definition of promissory estoppel is divided into five elements:

- (a) a promise or representation about future conduct;
- (b) the promisee relies on the promise or representation;
- (c) the promisor's duty not to waive the promise;
- (d) promissory estoppel does not remove the promisor's rights;
- (e) promissory estoppel should not be confused with a cause of action (Jarkina 17 (footnote omitted)).

Note: administrative law in both common-law and civil-law systems has the principle of legitimate expectations e.g. in Latvia (Republic of Latvia Supreme Court Senate). This can be seen as analogous to *estoppel*.

**Equity**: this doctrine is unique to common law, so that seemingly no equivalent or even similarity exists in the civil-law legal system. Equity is a specific common-law concept of justice and fairness that prevails over the law. From a legal perspective, equity is a sort of special remedy. However, this does not mean that equity is the same as a remedy in the context of legal means to recover a right, or compensation for infringement, as Jarkina stresses (p. 22 (footnote omitted); also Jakubane p. 4 (footnote omitted)). As suggested by Jakubane, the word *equity* in international commercial contracts should be replaced either by *reasonable commercial practice* or *natural justice* (p. 15 (footnote omitted)).

The closely related term *equitable* is generally found in the synonymous phrases *equitable remedy/equitable relief*. These refer, not to a reasonable and fair remedy, but to a system of redress developed in the common-law legal system. This generally

consists of court-ordered action or inaction, e.g. *specific performance* (Jakubane 15 (footnote omitted))<sup>12</sup> (Legal Dictionary).

**Interpretation Clauses and Language clauses**<sup>13</sup>: Jakubane finds these both useful and necessary.

**Entire Agreement (Merger clause)**<sup>14</sup>: this common-law notion means that a contract includes all terms within the parties' agreement, so that in the event of a dispute neither party can introduce oral evidence to say otherwise (Jakubane p. 21 (footnote omitted)). Lawyers drafting agreements under civil law should avoid this clause or redraft it according to the circumstances (Jakubane p. 22 (footnote omitted)). This clause has been a reason for many court cases, decisions for which are not identical (Reed Smith client Alert Dec 2015; Lawgazette 2009-8).

**Good Faith, Fair Dealing**: in common law, the concept of parties' obligation to negotiate and act in good faith is not as strongly supported as it is in civil law (Jarkina p. 27 (footnote omitted)). However, in recent years common-law legal systems have become more open to this important international business concept (see e.g. *Yam Seng Pte Ltd v International Trade Corporation Ltd* [2013] EWHC 111; Principle I.1.1 - Good faith and fair dealing in international trade | Trans-Lex.org (uni-koeln.de))

**Force Majeure**: in the common-law system, where *force majeure* is not a fundamental concept, it often appears as a phrase in commercial contracts. Nevertheless, common-law system rules achieve similar results to *force majeure* through the doctrine of impossibility and frustration of purpose (Jarkina p. 32 (footnote omitted)). According to *Investopedia* (see also Gelowitz *et al.* 2020 for a practitioner's perspective):

The concept of force majeure originated in French civil law and is an accepted standard in many jurisdictions that derive their legal systems from the Napoleonic Code. In common-law systems, such as those of the United States and the United Kingdom, force majeure clauses are acceptable but must be more explicit about the events that would trigger the clause (see also Gelowitz *et al.* 2020 for a practitioner's perspective).

**Pacta Sunt Servanda** (sanctity of contracts): this, the most important principle of the classic law of obligations in civil-law systems, means that contracts are binding in any event. By contrast, under common law, profitability and a logical approach prevail over the bindingness of a contract (Jarkina p. 33)

**Non-waiver**: this common-law notion means that failure by a contracting party to protect its rights provided by the agreement does not mean surrender of those rights (Jakubane p. 22 (footnote omitted)). However, this conflicts with the principle of [*non*] *venire contra factum proprium*, of civil-law origin (Jakubane p. 22 (footnote omitted)) which prevents a party from changing their position to the detriment of others and

<sup>12</sup> But the whole idea behind "equitable relief" is achieving greater fairness between the parties (see e.g. HG.org. 2021. What are equitable, compensatory, and declaratory relief? At <https://www.hg.org/legal-articles/what-are-equitable-compensatory-and-declaratory-relief-35593>).

<sup>13</sup> **The language clause**, used in international contracts drawn up in two or more languages, establishes which version prevails over the others. (See also International Contracts 2012; Adams & Scherr 2015; Cilotta, 2015)

<sup>14</sup> **An entire agreement clause** aims to make clear that the agreement between the parties is solely what is stated in the written contract, and to prevent the parties to the contract from subsequently raising claims that statements or representations made during contractual negotiations, and prior to the signing of the written contract, form part of the contract itself.

sanctions a party who, by their contradictory behaviour, abuses the justifiable trust of their opponent. This comes close to the common-law principle of estoppel.

**Representations and warranties:** under common law, party A can rely on party B's *representations* (of fact) as being true and, if they prove to be false, to rely on the warranty given for securing the representations (Jakubane pp. 25-26 (footnote omitted)). By *warranty*, a party assumes responsibility for potential damage arising from a false statement of fact (Jakubane p. 26 (footnote omitted)). The term *warrants* can be replaced by the word *states* or *declares* (Adams 2015; Adams & Scherr 2015; Common-Law Drafting in Civil-Law Jurisdictions).

**Remedies:** these are the means for providing relief (Jakubane p. 32 (footnote omitted)) under the common-law system. Civil law did not recognize the term *remedies* until adoption of the UN Convention on Contracts for the International Sale of Goods. Now *remedies* forms part of most international commercial contracts, though this does not mean that drafters and interpreters of those contracts are fully aware of the real meaning of the term. The problematic point about using *remedies* in international commercial contracts, especially if governed by civil law, is that civil law's focus is more on rights and obligations, whereas common law focuses on courts' jurisdiction to grant the remedy sought (i.e. remedies trump rights) (Jakubane p. 33 (footnote omitted)) (see also van Dam 2006: 61).



# FREE COMMENTARY TO ENHANCE WRITING AND SPEAKING SKILLS IN EFL TEACHER TRAINING

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## **Abstract**

In recent years, the application of Audiovisual Translation (AVT) in Foreign Language Learning (FLL) within a communicative approach has attracted the attention of scholars and European institutions. A fast-growing body of research supports the integration of AVT in the language classroom because of its benefits as a learning task (Lertola 2019). Captioning and revoicing (written and oral language transfer procedures respectively) can enhance receptive and productive language skills. In particular, captioning and revoicing tasks allow language learners to deal with authentic multimodal material that combines both verbal and non-verbal elements in an innovative and motivating manner (Sokoli 2020). This paper discusses an exploratory study on the application of a less-studied revoicing mode – free commentary – with 18 Infant Education students of English as a Foreign Language (EFL) in a Vocational Education and Training (VET) centre in Madrid, Spain. Within their professional module “Teaching English in Infant Education”, learners have developed a free commentary task in which they had to collaboratively create the written script of a short animation and then record it individually. The task had a double objective: to foster learners’ writing and speaking skills, and to give them the opportunity to develop an infant-targeted digital storytelling activity. The didactic use of English in teacher training can be considered a form of English for Specific Purposes (ESP) since it should be tailored to the learners’ future professional needs (Masoni 2019). A number of data collection instruments were employed in the exploratory study, namely a feedback questionnaire for learners, an observation rubric for the teacher-researcher and the only-observing teacher, evaluation of learners’ written scripts through a tailored-made rubric, and an audio-recorded focus-group with learners. The findings of this study support previous research on the benefits of revoicing tasks in language learning.

## **1. Introduction**

Recent years have witnessed a growing interest in the application of Audiovisual Translation in FLL within a communicative approach, which is supported by a fast-growing body of research (Lertola 2019). Captioning and revoicing can enhance both receptive and productive language skills as well as other transferable skills. On the one hand, captioning requires language learners to provide the written translation

(interlingual subtitling) or a condensed transcription (intralingual subtitling) of the original spoken language of an AV product. On the other hand, revoicing allows learners to add their voice to an AV product in a number of ways. Dubbing involves replacing the voice of the people speaking in a video with learners' voices. It is usually a challenging exercise as it entails lip synchronization. Audio Description (AD) – aimed at assisting visually impaired people – requires learners to add a spoken description of visual aspects of the video between stretches of the original spoken dialogue, while voice-over is an oral translation superposed on the original spoken text. Lastly, free commentary is an adaptation of the original spoken text which includes additions and clarifications as well as omissions (Gambier 2013). The oral adaptation should be synchronized with the visual aspects rather than with the soundtrack. This technique is usually employed in documentaries and children's programmes.

Free commentary provides learners with more freedom to revoice the video selected compared to AD. In the case of a silent video, like the one selected for this experimental research, learners can create a story by getting inspiration from the images but also by adding more imaginative elements. Furthermore, learners can play with the language by using different voices and sound effects if applicable. AD requires a higher degree of precision from learners in their description while respecting time constraints. Both didactic modes allow for the enhancement of integrated language skills, namely speaking, writing and reading skills. In addition, both modes can foster mediation skills if tasks require translation.

AVT tasks in FLL entail that captioning and revoicing can be either standard or reverse. Standard interlingual procedures refer to the written or oral transfer from L2 to L1; reverse interlingual procedures indicate the language transfer from L1 into L2, while intralingual is another combination that involves the transfer from L2 to L2. In language learning, AVT techniques do not always imply translation or the presence of a source text. According to Sokoli (2020), if the video is silent (i.e. non-verbal) the activity can be categorized as intersemiotic (i.e. from non-verbal to L2). An intersemiotic activity could be suitable for voice-over and free commentary since learners should create a suitable text and revoice the silent video in L2. To this purpose, engaging videos should be selected to attract learners' attention.

AVT tasks can be used effectively in a variety of learning contexts. Scholars and teachers have used AVT tasks as a one-off activity or as an integral part of a language course in face-to-face, blended or online contexts, mainly in secondary-school and university settings (Lertola 2019). However, research on a number of aspects is currently needed. Within revoicing, dubbing and AD are the most investigated AVT modes (Ibáñez Moreno and Vermeulen 2015a, 2015b, 2015c; Talaván and Lertola 2016; Talaván and Costal 2017; Sánchez Requena 2020). Therefore, other revoicing modes such as voice-over (Talaván and Rodríguez-Arancón 2018) and free commentary could be the focus of forthcoming studies. Furthermore, learners should come from diverse backgrounds other than secondary schools and universities. Teacher training has also been largely neglected in the literature. Bearing this in mind, the current study attempts to shed more light on this aspect.

The paper presents and discusses an exploratory study on the application of a less-studied revoicing mode – free commentary – with Infant Education students of English as a Foreign Language (EFL) in a Vocational Education and Training (VET) cen-

tre. Within their professional module “Teaching English in Infant Education”, learners have developed a free commentary task in which they had to collaboratively create the written script of a short animation and then record it individually. The task had a double objective: to foster learners’ language skills and to give them the opportunity to develop an infant-targeted digital storytelling activity. Therefore, participants could act both as language learners and as in-training infant teachers. A number of data collection instruments were employed in the exploratory study, namely a feedback questionnaire and an observation rubric for the teacher-researcher (TR) and the only-observing teacher (OT) during the experimental session. After the task, an audio-recorded focus-group was carried out with some participants. Furthermore, learners’ written scripts and audio recordings of the short animation were evaluated through a tailored-made rubric by the English-native-speaker language assistant of the VET centre.

## 2. The study and the participants

The exploratory study took place in a VET centre in Madrid. In the Spanish education system vocational qualifications have both academic and professional value. Vocational qualifications are offered through a three-level programme: basic, intermediate and higher (Sancha and Gutiérrez 2016). The first level is designed for students aged 15-17 who meet certain academic requirements (European Commission 2020), while the intermediate level is post-compulsory secondary education, generally attended by students aged between 16 and 18. Finally, the third so-called higher level is considered as tertiary education (UNESCO 2012). The duration of higher VET programmes is 2,000 hours spread over two years. These programmes award the corresponding Higher Technician Diploma that grants access to further university studies. Sancha and Gutiérrez (2016: 42) point out that “VET diploma programmes are approved by Royal Decrees with a 55-65% national curricula and a 45-35% of the curricula contents settled at the regions, according to the socioeconomic characteristics of the immediate environment.”

The VET centre in which the study took place has a number of programmes in different specialisms within two main occupational families, namely Business and Marketing, and Socio-cultural and Community Services. Both occupational families offer intermediate and higher programmes. However, most of the students are enrolled in higher VET programmes. There are two higher VET programmes within the Business and Marketing occupational family, whereas the Socio-cultural and Community Services has only one higher VET programme in Infant Education.

The 18 students who participated in the study were enrolled in the second year of the higher VET programme in Infant Education. The students, aged between 19 to 24 (mean age = 21), were all of Spanish nationality and thus shared the same L1. The gender of the students involved was 16 females (89%) and two males (11%). The higher VET programme in Infant Education allows students to work in the formal and non-formal education sector as well as in the social services sector as educator or children’s entertainer. The two years of the VET programme are organized in modules. The duration of the study is 2,000 hours and the Autonomous Community of Madrid (Decreto 94/2008), as the regional department for education, also added two specific professional modules explicitly related to improving the knowledge of English as a foreign language, namely “English language” (130 hours) and “Teaching English in Infant Education”

<b>Children's literature and storytelling</b>	
<b>Learning objectives</b>	<b>Contents</b>
<ul style="list-style-type: none"> <li>- To introduce and explore children literature (definition, origin and objectives).</li> <li>- To select stories according to children's interest.</li> <li>- To master reading techniques.</li> <li>- To learn how to introduce book covers in order to let children understand the top to bottom concepts.</li> <li>- To understand how children can benefit from storytelling.</li> <li>- To learn effective techniques to perform storytelling.</li> <li>- To gain performance skills (voice, body language, eye contact, etc.).</li> <li>- To know popular children books.</li> <li>- To know characteristics, story and activities of a sample of books.</li> </ul>	<ul style="list-style-type: none"> <li>- Children's literature (definition, origin, objective).</li> <li>- Quality in stories.</li> <li>- Reading tips.</li> <li>- Book covers.</li> <li>- Benefits of using storytelling.</li> <li>- Performance techniques.</li> <li>- Performance skills.</li> <li>- List of books.</li> <li>- Sample of books (<i>The very hungry caterpillar; Little red riding hood; Goldilocks and the three bears; Brown bear, brown bear, what do you see?</i>).</li> </ul>

**Figure 1.** Language objectives and content of the book unit on “Children's literature and storytelling”

(200 hours). Usually, both modules amount to six contact hours per week during the two academic years of the VET cycle.

The syllabus of the professional module “Teaching English in Infant Education” includes theoretical and practical foundations for in-training infant teachers. The module makes use of a tailor-made book entitled “English Teaching Resources for Early Childhood Education”. In view of the syllabus, this experimental research refers to the unit about “Children's literature and storytelling”. The book unit includes the learning objectives and contents presented in Figure 1.

Within the unit, under the supervision of their English teacher, students had practised a traditional storytelling activity in which they were divided into small groups and had to present a classic fairy tale using costumes and various objects. In this experimental study, participants were required to develop a free commentary task that was presented as a digital storytelling activity in which they had to collaboratively create the written script of a short animation, and then record it individually. In didactic AVT, one of the most important aspects of free commentary is that the oral adaptation should be synchronized with the visual aspects rather than with the soundtrack. In this exploratory study, a silent video was used to challenge participants to focus on the visual information. Therefore, they had to describe what they could see in order to create an attractive story for their students. Considering the aims of their professional module “Teaching English in Infant Education”, the task had a double objective: to foster the participants' language skills, and to give them the opportunity to develop an infant-tar-



geted digital storytelling activity. Thus, participants could act both as language learners and as in-training infant teachers.

In particular, the main objectives of the free commentary tasks are to develop writing and speaking skills as well as put into practice the theory learned during their professional module. To this purpose, participants could discuss in pairs or small groups the written script of the story and then record it individually. In order to develop a coherent story, they were required to use a number of tenses (i.e. present simple and present continuous), the passive voice, and appropriate vocabulary. As far as recording is concerned, the core learning objectives are to use correct pronunciation and intonation. Thus, participants were encouraged to pay particular attention to these aspects. Recording the story allowed participants to repeat their oral performance several times until they were satisfied with the result.

### 2.1. *The procedure*

Under the supervision of the students' English teacher who acted as OT, the free commentary activity was implemented by the TR during a 55-minute session. The TR introduced the activity to the participants and provided a step-by-step instruction sheet: on the back of the sheet is a blank page where participants could also write the script of the story. The TR informed participants about the aspects they should focus on while writing the story (i.e. grammar and vocabulary) and while recording it (i.e. pronunciation, intonation and synchronization) over the short animation. The short film, *Big Buck Bunny* (Blender Foundation 2008), is a 10-minute 3D animation distributed under an open licence. *Big Buck Bunny* is a comedy about a rabbit who has his day spoiled by the three bully rodents. For the free commentary activity less than two minutes of the video was used, in which one can see Big Buck Bunny waking up in an idyllic forest, running after butterflies and smelling flowers until one apple falls from a tree. Sokoli (2020: 89) finds this "humorous animation" appealing to younger learners and considers the silent video more suitable for learners that have no experience in synchronization. After the extract of the animation was shown to the entire class, the TR asked participants which verbs and which words they thought they could use to write the story (i.e. using present simple and continuous, and passive voice). Some examples were also provided. Participants were divided into pairs and into groups of three. Each pair/group had to create a coherent story suitable for infants to accompany the images. In order to collaboratively prepare the script of the story, participants could watch the video several times using their mobile phones. Once they had finished writing the story collaboratively, each participant had to record the script with a mobile phone individually. In order to be able to synchronize the words with the video, participants could record the audio using their own mobile phone while watching the video on the mobile phone of a classmate. Finally, each participant had to send the audio recording to the email address of the VET-centre English Department.

### 2.2. *Data collection instruments*

A number of data collection instruments were employed in this exploratory study. During the 55-minute experimental session a feedback questionnaire for learners and an observation rubric for the TR and the OT were used. After the task, learners' written scripts and audio recordings of the short animation were evaluated through a tai-

lored-made rubric by the English-native-speaker language assistant of the VET centre, and an audio-recorded focus-group was carried out with some participants. Considering the small number of participants involved and the absence of a control group, the exploratory study made use of triangulation in order to make the outcomes as reliable as possible. Triangulation is generally considered as a valuable strategy since it involves the use of multiple sources to make the research more rigorous. In particular, the study employed data and observer triangulation by including more than one method of data gathering and by having more than one observer.

Recent experimental studies on the application of AVT tasks in the language classroom make use of pre- as well as post-questionnaires to gather valuable information on the learning experience (Talaván and Rodríguez-Arancón 2018; Talaván 2019). Due to time constraints, this study employed only one post-questionnaire to collect learners' feedback. The feedback questionnaire was designed to elicit basic factual and attitudinal data (i.e. gender and age, as well as the participants' opinion about their learning experience respectively). The section on attitudinal data includes two sets of statements on a five Likert-type scale (i.e. a psychometric response scale in which participants specify their level of agreement to a statement in the following five points: strongly disagree; disagree; neither agree nor disagree; agree; strongly agree) and an open-ended question. The first set of statements (S1) elicits participants' opinion as EFL learners, while the second set of statements (S2) is focused on their point of view as future infant teachers. In order to obtain more accurate and thorough answers, the paper-format questionnaire was administered in Spanish, the learners' L1. The first and the second set of statements are presented in Table 1 and Table 2 respectively.

At the end of the questionnaire, the open-ended question requires participants to share their opinion on the activity both from their point of view as language learners

S1.1. The activity has helped you to improve your written production.
S1.2. The activity has helped you to improve your oral production.
S1.3. The activity has helped you to improve your knowledge of grammar (present simple and continuous, and the passive voice).
S1.4. You enjoyed the digital storytelling activity.
S1.5. You enjoyed being able to learn with ICT (Information and Communication Technologies).

**Table 1.** The first set of statements (S1) elicits participants' opinion as EFL learners

S2.1. The video content is suitable for your future students.
S2.2. The length of the video is suitable for your future students.
S2.3. You are satisfied with the story you have prepared.
S2.4. You would use this activity with your future students.
S2.5. You enjoyed being able to prepare an activity with ICT.
S2.6. You would combine traditional storytelling with digital storytelling in your future work.

**Table 2.** The second set of statements (S2) focuses on participants' point of view as future infant teachers

and as future infant teachers. This type of question can provide greater freedom to participants and thus richer data.

The other instrument used during the session was one observation rubric specifically designed to collect observations of the TR and the OT. The rubric is comprised of eight criteria that can be evaluated on a five Likert-type scale (never, rarely, sometimes, often, always) and an open-ended question that allows for the possibility to leave further comments. Similarly to the feedback questionnaire, the paper-format observation rubric was administered in Spanish, the OT's L1.

The eight criteria (C) prepared for gathering structured observations are as follows:

- C.1 Students pay attention.
- C.2 Students ask coherent questions.
- C.3 Students are aware of the objectives of the activity.
- C.4 Students work collaboratively.
- C.5 Students actively participate in the activity.
- C.6 Students seem interested.
- C.7 Students use mobile devices correctly.
- C.8 Students submit their activity respecting the deadline.

Furthermore, it is important to bear in mind that classroom observations differ from questioning since it offers thorough information rather than self-reports and represents rich data sources for empirical research (Dörnyei 2007). In classroom research, there are two basic dichotomies “participant” vs. “non-participant” and “structured” vs. “non-structured” (*ibid.*). The former defines the role of the participant-observer - here the TR - as a full member of the experimental group since he/she takes part in all the activities. The latter dichotomy can be assimilated to the quantitative/qualitative distinction in terms of observation since highlystructured observation, like the ones provided by the eight criteria, provides quantitative data, while non-structured observation, such as the open-ended question, has no clear focus thus allowing the observer to comment on what is considered significant for the research in terms of qualitative data. Structured and non-structured observation should be combined as they complement each other.

After the experimental session, an audio-recorded focus-group was carried out with some participants. Focus-groups are group interviews that allow for tracing a collective view on a topic as they empower participants to share their view as a group rather than individuals (Cohen *et al.* 2007). The focus-group should foster interaction among participants so that their view can emerge rather than that of the researcher. The contrived nature of focus-group interviews is their strength as well as their weakness. Focus-groups are usually carried out in artificial settings and focus on a very precise topic. Thus, focus-groups make it possible to obtain data and outcomes otherwise not available. In addition, this type of group interview is effective since it produces a large amount of data in a limited period of time.

Breen (2006) suggests writing out an interview schedule for the focus-group including the following five stages: welcome; overview of the topic; statement of the focus-group ground rules; questions (starting with general experiences and moving to more specific issues); and gathering of background information. The focus-group of this exploratory study followed Breen's (*ibid.*) stages. After welcoming the participants, the

topic of the focus-group was presented. Participants were told that the interview was about their digital storytelling experience, and in particular it aimed at having insights on their answers to some questions of the feedback questionnaire. Participants were informed that there was going to be a short focus-group (about 10-15 minutes).

Finally, in order to assess the participants' written collaborative scripts and the individual audio recordings, an evaluation rubric was specifically created. The five grading criteria for assessing written production are use of grammar and vocabulary, description, creativity and overall story, while the five criteria for evaluating oral production are pronunciation, intonation, fluency, use of different voices and sound effects, and synchronization. Each criterion scores from 0 to 5, with 0 being the lowest value and 5 the highest. In addition, each criterion has a blank space for leaving further comments. The final grade is the result of the sum of all the evaluation criteria.

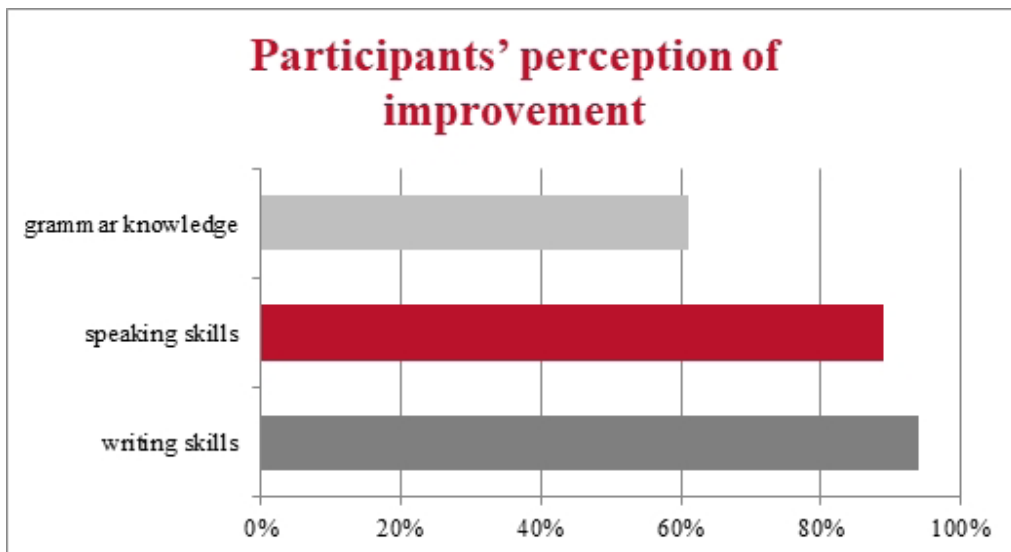
### 3. Data analysis

The exploratory study attempts to examine the application of free commentary in EFL teacher training using a number of data collection instruments. This section presents the analysis of the data gathered through these instruments. Quantitative data - obtained from the feedback questionnaire as well as the evaluation rubric for participants' written scripts and audio recordings - are laid out. Qualitative data - collected with the observation rubric for the TR and the OT as well as the audio-recorded focus-group - were systematically analysed and supplement the quantitative data.

#### 3.1. *The feedback questionnaire*

The feedback questionnaire collected attitudinal data through two sets of statements (S1 and S2) on a five Likert-type scale and an open-ended question. On the one hand, the five items of S1 aims at prompting participants' opinion as language learners. As shown in Figure 2, almost all participants felt that the digital storytelling activity helped them improve their writing (94%) and speaking skills (89%). More than half of the respondents (61%) felt that the activity had also improved their grammar knowledge. Participants acknowledged that they enjoyed the digital storytelling activity (94%) and being able to learn English with the use of ICT (89%).

On the other hand, S2 aims at eliciting the participants' point of view as future infant teachers through six items. All participants considered the video selected for the digital storytelling activity suitable for their future infant students in terms of content and length. The vast majority of them (89%) said they were satisfied with the story they had prepared. S2.4 required participants to indicate whether they would use this activity with their future students, and responses were more varied. As many as 14 participants (78%) agreed with this statement, while one of them (6%) neither agreed nor disagreed with it, and three of them (16%) disagreed. Further comments to these responses were provided in the open-ended question that closes the questionnaire. Responses to S2.5 reveal that all participants have a positive opinion about the use of ICT in their training as teachers. Ultimately, as many as 15 participants (83%) agreed that they would combine traditional and digital storytelling in their future classes with infants.



**Figure 2.** Participants' perception of improvement as language learners

The open-ended question encouraged participants to leave further comments on the activity both as language learners and future infant teachers. 13 participants (72%) left a comment, a high percentage that provides an interesting statistic in itself. Many participants declared they had enjoyed the activity from both perspectives. As one participant (P7) stated, “it was a different way to practice English and prepare storytelling”. Participants highlighted that it was an original and fun activity that allowed them to develop a number of skills simultaneously. In particular, one participant (P15) stated “I liked it very much, in my opinion you can express yourself much better if you record yourself in audio rather than if you do it in person on in video recording”. A number of participants also emphasized the creative aspect of the activity. Another participant (P6) mentioned that, beside creativity, the activity fosters pronunciation and teamwork. Furthermore, participants stressed the beneficial use of ICT in FLL both for them and for infants. Overall, they confirmed that the activity was suitable for infants, and that they could use it in their future teaching career. One participant (P12) acknowledged that she “disagreed” with the suitability of the video for infants in terms of length because she was going to teach 0-3 year-old children, and found them too young for this type of activity. Another participant (P17) admitted that she was not sure she would use it in her future classes, but she did not specify whether this was due to the children’s age. However, P17 stated that she enjoyed the activity as a language learner.

### 3.2. *The observation rubric*

The observation rubric allowed for the collection of structured and non-structured observations of the TR and the OT about the experimental session. Considering that it is essential to write down the notes as soon as possible after observation to avoid forgetting information (Cohen *et al.* 2007), the rubric was completed at the end of the session while participants were filling in the feedback questionnaire. The TR and the

OT agreed in most of their responses to the rubric's eight criteria in terms of frequency. It is worth noting the high number and degree of positive responses (*always*) regarding participants' attitude during the experimental session (C.2; C.3; C.4; C.5; C.6; C.8). One reason might be that the participants are enrolled in the second year of the higher VET programme in Infant Education. Consequently, they are older students who are focused on finishing their training and preparing to take on their future job. Another aspect that might have positively influenced the participants' behaviour is that the session was very concise. Compared to the OT, the TR marked the attention of the learners (C.1) as slightly lower (*often*). As the person conducting the experimental session, the TR might have been more critical towards this aspect, while the different opinion (TR: *always*; OT: *often*) regarding the correct use of mobile devices (C.7) could be due to the fact that the OT might have noticed some participants using their devices for personal use instead of using their devices for carrying out the revoicing activity as requested by the TR.

The second part of the observation rubric offered a dedicated space for further comments. The TR reported that

[w]hen the students have started working together they have really focused on what they were doing. You could hear them talking to each other about the story in a lively way. They helped each other and checked vocabulary on the internet. If needed, they asked me for advice about the English sentences. Once the story was prepared, they recorded it separately or together if they had to create different voices within the story.

The OT stated that

[t]he activity on digital storytelling carried out in the classroom has been very useful and interesting for the students since storytelling is part of the topics of their evaluation. The students have been interested in the activity and, in general, it has been performed satisfactorily.

Overall, the opinions of the two observers coincide, and thus provide encouraging feedback regarding the use of free commentary in teacher training, and more generally in VET.

### 3.3. *Audio-recorded focus-group*

The focus-group of this study took place one week after the experimental session with eight participants (six females and two males, mean age = 22) and lasted for about 10 minutes. The focus-group interview was audio-recorded. Besides the audio recording, notes were also written down immediately after the interview. Unfortunately, the quality of the sound is not consistent but most of it is intelligible, thus it was transcribed for analysis. Breen (2006) states that the formal analysis of focus-group data should comprise three elements, namely the most important themes, noteworthy quotes and any unforeseen findings. It is also good practice to conduct a pilot study: however, in some cases, as in the current study, it was not possible due to the small number of participants and time constraints. If the pilot study cannot take place, in the analysis of the focus-group it is of paramount importance to be especially "reflexive and critically aware of the amount of influence [the researcher] had during the interview [...] and be

careful about attributing opinions to the group in cases where [the researcher] introduced that opinion to the group” (*ibid.*: 472).

Similarly to the feedback questionnaire, the questions of the focus-group regarded their opinion as language learners and as in-training infant teachers. The participants of the focus-group acknowledged that from a language learning perspective they found the digital storytelling activity appropriate for their level and useful, especially for developing their speaking skills. From the point of view of in-training infant teachers, the participants agreed that the digital storytelling activity can be a suitable activity for infants. However, the participants had different opinions regarding the age range of the infants. Some participants considered the activity apt for 2-3-year-old children if slightly adapted, while others saw the activity suitable for children from 5 years of age. When asked to compare the digital storytelling activity with traditional storytelling, one participant replied that “it was good to work with digital media. It was a bit different from traditional storytelling as it is a change from using books. Children can watch a video, and this might interest them”, a statement with which most of the other participants agreed. Overall, the participants’ responses during the focus-group interview largely confirm the opinions shared in the feedback questionnaire. Despite the fact that the focus-group interview was carried out with a small number of participants, it proved difficult to keep their attention for more than 10 minutes. This could be attributed to the fact that the focus-group was carried out in the participants’ classroom, and this allowed for greater confidence and consequently distraction. Furthermore, it should be noticed that the focus-group interview took place only with the TR. Perhaps the presence of the OT, as in the experimental session, would have helped to keep participants more focused.

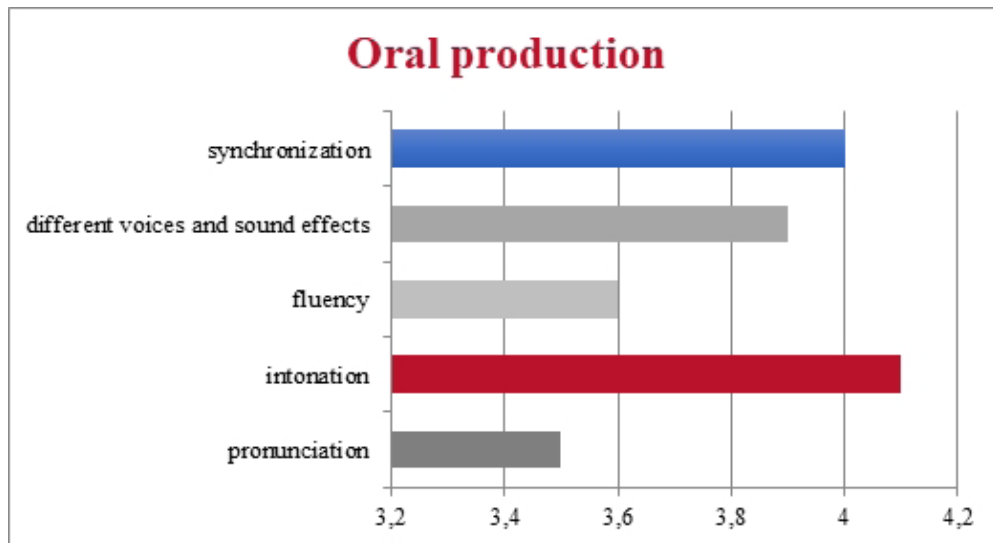
#### 3.4. Evaluation rubric for written scripts and audio recordings

The written collaborative scripts as well as the individual audio recordings were assessed by the English-native-speaker language assistant of the VET centre using a tailor-made evaluation rubric. Each skill was evaluated on five grading criteria which score 0–5. Thus, each skill sums up to a maximum of 25, and provides a final grade up to 50. It should be pointed out that collaborative written scripts were evaluated with the same mark for each member of the pair/group. In Table 3 the average mark (i.e. the mean) and the standard deviation (SD) are presented for each skill as well as for the final grade. If the SD is low, the sample is usually homogeneous as the scores are positioned closer to the mean, whereas if the SD is high, the sample is generally heterogeneous since it contains extreme scores. Consequently, the smaller the SD the better the mean represents the group.

As shown in Table 3, the average marks for written and oral production are very similar (19.5 and 19 respectively). However, the SD for each skill is different. The SD of the written production is lower (3.29) compared to that of the oral production (4.01),

	Written production	Oral production	Final grade
Average marks	19.5/25	19/25	38.5/50
Standard deviation	3.29	4.01	5.84

**Table 3.** Evaluation of participants’ written and oral production



**Figure 3.** Participants' oral production results according to the five criteria

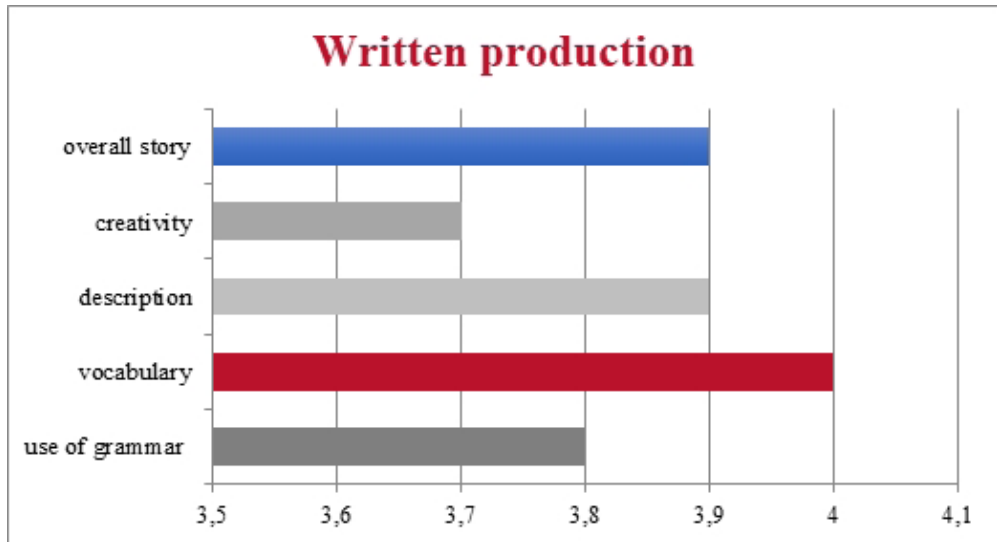
thus indicating that the participants' performances are more similar for the written scripts while their audio-recording scores are remarkably different. One reason is due to the fact that written scripts were prepared collaboratively, and therefore marked identically for the members of each pair/group. Another reason is that the level of participants' speaking skills is noticeably different as can be clearly appreciated in the audio recordings.

In this regard, it is worth looking more closely at the participants' oral production results according to the five criteria. As can be seen in Figure 3, the average mark for the five criteria is generally high: pronunciation (3.5), fluency (3.6), use of different voices and sound effects (3.9), synchronization (4), and intonation (4.1). However, pronunciation and fluency scored the lowest marks. Participants made a great effort in providing a good digital storytelling performance by using different voices as well as adding sound effects (e.g. birds singing), using an appropriate intonation and trying to synchronize their voice to the images as much as possible.

The participants' written production results according to the five criteria also provide a noteworthy insight as shown in Figure 4. Once again, the average marks for the five criteria are generally high: creativity (3.7), use of grammar (3.8), description (3.9), overall story (3.9), and vocabulary (4). The use of appropriate vocabulary scored the highest mark. Useful vocabulary was brainstormed before starting the collaborative writing process. Participants made good use of online dictionaries, and frequently asked the TR for advice. The overall story and description got an average positive result. These positive elements denote their interest in producing a well-crafted script.

Further comments provided by the English-native-speaker language assistant corroborate the previous results both for written and oral production. On the one hand, the language assistant confirmed that written descriptions were generally very accurate despite being a bit short at times and contained a good variety of vocabulary. On the





*Figure 4.* Participants' written production results according to the five criteria

other hand, the language assistant noticed a lack of creativity since participants mainly described what was happening in the video rather than being imaginative. However, they included different voices and sound effects. One of the reasons why participants decided to provide accurate but short descriptions could be due to the fact that the digital storytelling activity was targeted for infants and, as pointed out during the focus-group, the digital storytelling should take into account the age range of the children.

#### 4. Discussion

This study was designed to explore free commentary in language learning and in teacher training by evaluating participants' language performance and feedback. During the experimental session, a feedback questionnaire for learners was administered and an observation rubric was filled in by the TR and the OT. The feedback questionnaire reveals that almost all learners believe that digital storytelling of a silent animation has enhanced both writing and speaking skills. Learners also believe that the revoicing task has fostered their grammar knowledge, in particular the tenses used in their stories. They affirmed that they had enjoyed the ICT-based task enormously. Regarding their opinion as future infant teachers, learners found the video and the digital storytelling activity suitable for their future classes, and the vast majority confirmed that they would incorporate traditional and digital storytelling in their classes. The results of the feedback questionnaire support previous findings. Thanks to revoicing tasks, learners feel that they have improved their speaking and writing skills (Ibáñez Moreno and Vermeulen 2015a; Talaván and Lertola 2016; Calduch and Talaván 2018). Furthermore, learners perceived the revoicing task as an innovative and highly motivating way to learn an FL (Ibáñez Moreno and Vermeulen 2015a, 2015b; Talaván and Lertola 2016; Calduch and Talaván 2018), and appreciated the use of creativity (Tala-

ván and Rodríguez-Arancón 2018). The observation rubric filled in by the TR and the OT reveal that they agree in most of their responses. They considered learners' attitude and behaviour during the experimental session consistently positive. Both observers highlighted how learners have successfully carried out the task, and the TR emphasized the collaborative aspect of free commentary.

After the task, a reduced number of learners took part in an audio-recorded focus-group. The focus-group has proved to be an appropriate data collection instrument since it empowered learners to share their opinions as a group. It made it possible to obtain further insights on their opinions about some issues raised in the feedback questionnaire. Learners' responses in the focus-group interview confirmed those previously provided in the feedback questionnaire. As EFL learners, they declared that the revoicing task was useful and appropriate for their proficiency level. As in-training infant teachers, they found it to be a suitable teaching strategy to use in their future classes. Nevertheless, the age range of the infants gave rise to a debate. Some participants found the task apt for two-to-three-year-old children if adapted, whereas others saw it more suitable for children from the age of five. Finally, the learners' language performance was evaluated. The English-native-speaker language assistant of the VET centre assessed learners' written collaborative scripts and individual audio recordings using a tailored-made rubric. The average marks of written and oral production show that learners performed similarly well in both. However, as suggested by the standard deviation, learners' written production is more homogeneous compared to oral production. This is due to the fact that written scripts were created collaboratively and marked the same way for each member of the group, while revoicing was carried out individually. Moreover, their oral proficiency proved to be quite diverse.

## 5. Conclusions

The present exploratory study has tried to shed light on the potential benefits of free commentary in EFL teacher training. Being an exploratory study, no hypotheses were formulated. The aim was to investigate how free commentary of a silent animation can foster learners' language skills and give them the opportunity to develop an infant-targeted digital storytelling activity. To this purpose, a number of data collection instruments were employed in the study both during and after the experimental session, namely a feedback questionnaire for learners, an observation rubric for the TR and the OT, an audio-recorded focus-group, and evaluation of learners' written scripts and audio recordings carried out by an English-native-speaker using a tailored-made rubric. By triangulating quantitative and qualitative data, the exploratory study suggests that free commentary could possibly contribute to the improvement of speaking and writing skills of EFL learners. The revoicing task proved to be a highly motivating language learning activity that makes use of audiovisual material and ICT in an innovative manner. Free commentary proved to be a suitable task for training future infant teachers, since it allows them to create a digital storytelling activity appropriate for their forthcoming classes and, to a greater extent, to encourage them to incorporate traditional and digital storytelling in their teaching.

Besides the double objective of exploring how free commentary can enhance learners' language skills and assist in-training infant teachers developing a digital story-

telling activity, the present study addressed the application of a less-studied revoicing mode. As the literature reveals, the majority of research examining the use of revoicing in language teaching and learning has focused on dubbing, audio description and, in a limited manner, on voice-over. The findings of this exploratory study coincide with those of previous research on revoicing. Thanks to revoicing, learners perceive an improvement in written and oral production, and they are motivated by the innovative language learning task which makes use of AVT and ICT as well as creativity.

Being a small-scale exploratory investigation, the study has a number of limitations. Only a small number of participants were involved, and it was not feasible to have an experimental and a control group. Therefore, no statistical measurements could be performed. Due to time constraints, it was not possible to add pre- and post-language tests. Some issues also arose during the focus-group interview. Due to lack of participants' attention, the focus-group interview only lasted about 10 minutes, thus preventing further exploration into certain issues.

However, the study could help to set the basis for future systematic research. It might assist in determining hypotheses, appropriate research designs, data collection instruments and target participants of future empirical investigation. It could be worth planning an empirical study with a larger number of EFL learners in VET, and in particular future infant teachers, to assess the enhancement of language skills as well as grammar and vocabulary knowledge. Finally, it would be worthwhile to continue researching the effectiveness of free commentary in teacher training at university level with in-training primary teachers as well as secondary-school language teachers.

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# PREPARING FOR CLIL IN SOUTHERN ITALY AND BEYOND: CLIL TEACHER TRAINING

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## Abstract

Content and Language Integrated Learning (CLIL) is growing in importance in Italy, especially since the Italian Education Ministry made it obligatory in most secondary schools (MIUR: 2010c). However, the road to a fully working system is long and winding. It has been noted that one important aspect on the road to reaching the goal of an implemented CLIL system in schools is that of teacher training (Coyle *et al.* 2010; Di Martino and Di Sabato 2012; Muñoa Barredo 2011; Alcaraz-Mármol 2018). This article refers to the training of secondary school teachers in a CLIL methodology course at a university in the south of Italy. This paper reflects upon issues involved in preparing these teachers and their feelings about their preparation. To do this it is first necessary to identify the current situation of CLIL in Italian secondary schools and see what a teacher training programme can do to prepare these content teachers for their new future role. Further fuel for these reflections comes from the answers that a group of such teachers gave to the questions presented in a written questionnaire about their motivation and their concerns. The paper ends with some conclusions drawn from this experience. Work like this is necessary because CLIL is not the same across Europe, as the different cultural aspects produce a variety of contexts for CLIL to operate in and, therefore, a variety of CLILs (Coyle and Meyer 2021). It is hoped that reflections from one context can feed into and help the experiences of another context. The paper suggests that having limited resources and support does hinder the work that we can do but that Italy has made a start to improve the situation.

## 1. Introduction

Content and Language Integrated Learning (CLIL) has spread worldwide since its initial inception in the 1990s (Coyle and Meyer 2021), partly explained by education being “driven by market forces in a global competitive environment” (Flowerdew 2014: 341) but also by there being “a constantly evolving approach to learning and teaching in our multilingual and multicultural classrooms” (Coyle and Meyer 2021: 3). Many writers (Marsh 1994; Short 1994; Nikula and Marsh 1997; Wesche and Skehan 2002; Dalton-Puffer and Smit 2007; Lasagabaster 2008; Ruiz and Jiménez 2009; Ranieri 2013; Costa 2016; Mezzadri and Tonelli 2020) show positive effects on different aspects of learning due to CLIL; motivation, improvement in language skills, a deep processing of

the subject matter, as well as increased intercultural awareness and sensitivity. This helps explain the continual growth of CLIL.

This paper looks at how the Italian Ministry of Education (MIUR) is implementing CLIL in a top-down programme throughout the country. It also investigates the preparation of a group of future CLIL teachers and the reaction to this preparation by some of these teachers, elicited through a questionnaire. This paper refers specifically to English as the L2, or additional language, of CLIL: other languages are also involved in CLIL in Italy but to a much lesser extent (Dalton-Puffer 2011). In the final section of the paper I draw some conclusions from the comments of these future CLIL practitioners. By showing the principles behind the teacher training course, how it was implemented and the reactions to it by some stakeholders (the future CLIL teachers), it is hoped to add to the literature by presenting a model that can be discussed, criticized, and adapted to other local areas.

## 2. What is CLIL?

Given its worldwide diffusion and the growing literature on the subject, it should be simple to answer the question “What is CLIL?”. However, even just a few years ago Broca (2016: 321) observed that “even after a decade of research and discussion, the basic tenets of CLIL are not agreed”. In one of the most cited quotations about CLIL, Coyle *et al.* (2010: 1) define it as “a dual-focused educational approach in which the additional language is used for the learning and teaching of both content and language”. However, some of the main CLIL scholars provide different definitions: for example, Mehisto *et al.* (2008: 12) define CLIL as “an umbrella term covering a dozen or more educational approaches”, while Coyle *et al.* (2010: 48) assert that “[i]t is not the case that any kind of teaching or learning in another language is CLIL”. Ball *et al.* (2015) point out that Immersion Education, Minority Education, Bilingual education, English medium education and Content Based Language Teaching (CBLT) are all examples of forms of education that use a language different from the learner’s L1 and teach subject-specific content but that they are not CLIL, although there may be some overlapping of characteristics. Dale and Tanner (2012: 4) place CLIL on a line that goes from CBLT to Immersion, which suggests that the core part of CLIL is distinct but that it merges into the other approaches.

Sometimes CLIL is compared to ESP teaching and is said to have derived from that area. Yang (2016: 45) writes:

[W]hat differentiates ESP from CLIL is that the latter has dual focuses, i.e. both language and content, while the former places emphasis on providing learners with sufficient language skills to master content knowledge.

ESP is taught in language classrooms by the language teacher: things are not so straightforward with CLIL because of the dual focus. We also have to differentiate between hard and soft CLIL: hard CLIL refers to the subject teacher teaching, while soft CLIL has the language teacher teaching the class. Pavón Vázquez and Rubio (2010: 51) suggest that hard CLIL “puts too much emphasis on the language and not on the methodology”, therefore emphasizing the need for CLIL to be based on a certain methodology

that its teachers must have acquired. There are also forms of CLIL where this is active collaboration between the content and the language teachers. Highlighting another difference, Ball *et al.* (2015) note that CLIL tends to be taught in a limited number of subjects in some schools and usually has an element of selection on behalf of the students, in that they can opt in to the CLIL programme or not as they, or their parents, wish. This is not true in all situations: in Italy the CLIL programme is compulsory. However, for this paper it is this key element of a focus on content united with a simultaneous focus on language that differentiates CLIL from the other approaches just mentioned and places it as a separate entity.

Even if we manage to agree on a rough definition of CLIL, this does not mean that CLIL will be the same everywhere. Butler (2017: 328) asserts that “there is no such thing as a universally best pedagogical approach across context and time [...] [for] any [...] approach”, going on to state the “importance of contextualising all pedagogical approaches [...] to meet local needs”. This need to pay attention to the specific local context seems especially true of CLIL, and helps explain the variety that we find in the CLIL literature. These local needs unpack as being not only those at the national level but also at a regional level, and individual school level. As CLIL becomes more popular and is being implemented in different contexts, the idea of different CLIL methodologies becomes more apparent. Coyle *et al.* (2010: 48) note that it is

[...] the responsibility of the key players in those contexts to interpret according to statutory or national/regional curricular requirements what is meant by quality content language integrated teaching and learning.

This suggests that CLIL can be interpreted in different ways to suit the context it is in and the agents involved. Soler *et al.* (2017: 478) describe how there has been a “[d]iversification of CLIL models designed to fit specific contexts”. Coyle and Meyer (2021: 5) try to help resolve this confusion:

The challenges lie not in arriving at one definition of CLIL [...] but in the positioning of a shared understanding of fundamental principles of plurilingual learning which inspire educators to define, design, enact and evaluate with their learners the conditions for learning that are of the highest possible quality and relevance to the communities they serve.

Notwithstanding all of this, the MIUR has decided to implement something called CLIL in Italy, and so it needs to be interpreted for this specific context and the specific stakeholders. Macaro (2018: 53) writes that in this top-down implementation:

there seems to be an implicit recognition in Italian policy documents that foreign language teaching is not delivering the right goods and that CLIL will provide the solution.

To achieve this implementation, there is the need to resolve what Mehisto *et al.* (2008: 20) term as one of the “[b]umps in the road to good practice in CLIL”, which is the shortage of CLIL teachers. This can be done via the teaching of CLIL methodology to non-language teachers at secondary school. A lot of work has to be done in teacher training courses to help acquire a shared vision of what CLIL is (Coyle *et al.* 2010; Rasulo 2014). Precisely because CLIL can have different aspects depending on the geo-

graphical, political, and social context in which it is implemented, it is necessary for the future CLIL teachers to fully understand what they will be required to do as CLIL practitioners and have a clear idea of what CLIL means for them in their specific context. Teacher training in CLIL must play a fundamental role in all this.

### 3. The Italian situation

In the last years of the twentieth century, Italy was already experimenting with CLIL, although not with that name. The experimental high schools – known as the *Liceo Europeo* – had two subjects partially taught in two different European languages. However, it was with the recent Parliamentary Reform (MIUR: 2010c) of schools that CLIL was introduced on a much broader scale.

Nikula (2017: 111) writes:

Because of its potential to serve as a context for meaningful language use and situated learning, CLIL has been regarded by EU institutions as an important instrument to foster European citizens' bi- and multilingualism, to be offered alongside regular foreign language teaching for students in mainstream education.

This highlights the supranational level of CLIL, and so we must consider, as Spolsky (2009: 2) notes, “individuals, organizations, institutional and regulatory structures and interactions” when examining this aspect. Nikula (2017: 113) points out that “in countries such as Spain and more recently Italy, dissatisfaction with the results of foreign language teaching has led to top-down initiatives”, a notion shared by Costa (2016). This top-down approach is seen in the fact that CLIL is now being introduced into Italian schools in a massive way by the Ministry of Education, notwithstanding Rasulo's (2014: 121) warning that:

[d]espite the popularity of CLIL in today's Italian educational system, many concerns remain among school stakeholders about the feasibility of this methodology and its actual long-term positive impact on learning processes.

The Ministry of Education webpage, in the section about CLIL in schools, states as follows:

Decrees of the President of the Republic 88 and 89 of 2010 govern the legislation that provides for the obligation to teach, in the fifth year of high school, a non-linguistic discipline (NLD) in a foreign language according to the CLIL methodology. In particular:

- for technical institutes the NLD must be included in the fifth year, and must be taught in English
- for high schools (excluding linguistic high schools) the teaching of the NLD must be carried out in one of the languages of the European Union
- for linguistic high schools the teaching of an NLD in a foreign language is already provided for starting from the third year of the course of study; in the fourth and fifth years, a second NLD is also taught in a foreign language other than the first.

The profile of the CLIL teacher is characterized as follows:

- possession of linguistic-communicative skills at a C1 level in the foreign language;



- methodological-didactic skills acquired at the end of a 20 European Credit Transfer System (ECTS) credits university specialization course for in-service teachers. (author's translation, <https://www.miur.gov.it/clil1>)

This would suggest that the Ministry sees CLIL as a means to resolve the ills present in the school system, as far as foreign language teaching is concerned, and why not, if CLIL, as Ting (2013) claims, “provides a pragmatic means for establishing high-level and humanistic contexts for both learners and their teachers”?

The aim concerning the teaching of a foreign (European) language is for students to leave high schools with a B2 level in a language that is not Italian. Unfortunately, as the language centre at the University of Calabria has been able to testify by doing level-based placement tests for almost all its undergraduates, at the moment, the majority of incoming first year students have less than a B1 level in English, the main foreign language taught in schools.

The reforms of the Italian secondary school system (MIUR: 2010a; 2010b) provide for the teaching of a non-language subject (NLS) in a foreign language in the last year of high schools and technical schools and two non-language subjects in a foreign language in linguistic high schools. So as not to create too much confusion for the students who are near the end of their secondary schooling, the Ministry decided to introduce CLIL gradually, starting from the third year of the five-year secondary school cycle (MIUR: 2010b; 2015). The MIUR thus promoted a series of initiatives aimed at introducing CLIL in schools. The first was through the *Istituto Nazionale Documentazione Innovazione Ricerca Educativa* (INDIRE, the National Educational Documentation, Innovation and Research Institute). INDIRE proposed a pilot scheme for universities to implement language courses and CLIL methodological courses for future CLIL teachers. The language course is necessary, as the situation in Italy is similar to the one Nikula (2017) notes for Europe in general, in that CLIL is usually taught by non-native speakers of the foreign language. Once this initiative had finished, the Ministry of Education took over the courses, allotting to the universities the CLIL methodology courses aimed at preparing qualified teachers with language skills certified in the foreign language at least at a C1 level. This L2 level is recognized exclusively through language certificates obtained from a list of officially recognized certification bodies (MIUR 2012a, 2012c, 2013). Those teachers – the vast majority – who did not already have this level would have to do a language course. The 2012 decree stated that local schools would be in charge of organizing the language courses.

At the end of the methodological course those who pass the course and have a certified C1 level receive the CLIL teaching certificate (MIUR 2011, 2012b). Those teachers who pass the methodological course but are not at a certified C1 level are given a certificate from the university affirming their status, and this is transformed into the full certificate once the teacher has officially reached the C1 level required.

A Ministerial Note (MIUR 2014) in 2014 states that CLIL is to be taught in secondary schools and it tries to give guidelines for the schools. However, it does not say that all of the lessons in the subject chosen for CLIL have to be done in the L2, but rather that schools should try to do at least 50% of those lessons in the L2. It states that the official requirement for CLIL teachers is the possession of the certificate from a university after completing the 20 credits CLIL methodology course and a certified C1

level, but that in the meantime, when teachers have not been able to attain such certificates, then someone with a B2 level in the L2 can teach in a CLIL classroom. The Note suggests coordinating the courses with the language teachers in the school. Dale and Tanner (2012) suggest that various degrees of collaboration are possible between the various types of teachers involved in teaching CLIL, while Coonan (2012: 119) writes that until 2008-2009 “the preferred solution for teaching in the CLIL mode consisted in team-teaching” with the content teacher and a language teacher. However, the MIUR document states that this collaboration is not part of the decree, so any collaboration has to be voluntary. Where there are no qualified CLIL teachers in the school, the Note suggests activating school projects using language teachers or language conversation teachers. In this case, though, the Ministry stresses that the evaluation of the students must be the responsibility of the teacher who teaches the subject in question during normal school activity. One concern noted here regards the final year school exams. If the subject taught using CLIL is part of the second compulsory paper of the final exams, then the exam cannot be done in the L2, but must be done in Italian. The exam board for the individual school can decide how to evaluate the CLIL subject. The oral part of the final exam can only be done in the L2 if the teacher who taught the CLIL course is on the examining board. This means that students might have studied a subject using CLIL but they may not necessarily be tested in this in their final school exams in the L2.

The Ministry of Education has thus implemented a policy of promoting CLIL in Italian schools, but doing so before the required number of subject teachers are qualified to teach their subject using CLIL, and there are still some important issues, such as assessment and collaboration, that need to be adequately addressed.

Soler *et al.* (2017: 478) point out that in Spain “[o]bservations reveal that these CLIL programmes benefitted from clear design, teacher training, collaboration, administrative support, and continued exposure of students to the target language”, and that school “[p]rincipals revealed that having competent, motivated, and convinced teachers was the main factor contributing towards the successful implementation of their CLIL programme” (*ibid.*: 485). It is hoped that enough has been done along these lines in Italy to allow the CLIL programmes to succeed.

One important aspect of the new CLIL programme is the fact that Italian universities will be offering teacher training courses for future CLIL teachers. Di Martino and Di Sabato (2012: 98-99) write:

we feel the need to stress that quality training is the key to success. Once again, we are convinced that the success of CLIL in Italy will depend on the trainers’ ability to offer themselves as such: only the best trainers will manage to convince teachers who are no longer young and trustful in the school system that CLIL is the right way forward. The enthusiasm they will (or will not) manage to stimulate in the teachers they will train is directly proportional to the interest and curiosity the latter will (or will not) succeed in rousing in their students.

We need to see if we are meeting this challenge. One idea behind this paper is to take some of the stakeholders into account, as Spolsky (2009) suggests, to try to understand how this CLIL is being “interpreted” and what is actually happening.

## 4. The project

This project is concerned with eliciting information from students on a CLIL methodology course about their perceived convictions and concerns regarding the implementation of CLIL in the Italian school system and analysing and commenting on this.

This research used questionnaires given to students participating in a classroom-based CLIL 20 credit methodology course taught at the Language Centre. Near the end of their course, participants (who were all qualified and working teachers in various subjects) were asked to complete a short questionnaire, giving their permission for the use of their questionnaires in this project. The participants could answer in English, or in their L1 if they preferred. Once the participants had completed the questionnaires and had handed them in, there was an open discussion in class concerning the questions and answers therein, thus making it an active part of the course.

In this article I want to give voice to those who will actually teach CLIL in Italian schools. The project tries to elicit how ready and motivated they are and answer the following questions:

Do future CLIL teachers feel that they are ready for the CLIL experience?

Do they feel that there are benefits in implementing CLIL in Italian schools?

### 4.1. *The CLIL course*

Alcaraz-Mármol (2018: 57) states:

Trained teachers have a more clear idea on what CLIL is and how to implement it, using a wider variety of resources and activities. Therefore, our results suggest that CLIL methodological training should be as important as linguistic training. It should tend towards being compulsory.

Others who express similar views about training teachers for CLIL include Marsh *et al.* 2001; Eurydice 2006; Coyle *et al.* 2010; Banegas 2012; Di Martino and Di Sabato 2012; Martín del Pozo 2015. Exactly what such a course should be is not clearly stated, precisely because CLIL is not a homogeneous concept, but can vary considerably from one country to another. However, from the general CLIL literature (for example, Mehisto *et al.* 2008; Coyle *et al.* 2010; Coonan 2012; Dale and Tanner 2012; Ball *et al.* 2015), it is possible to identify some key elements that should be part of a CLIL methodology course.

The Ministerial documents guide the universities into how to structure the overall course, but each university can then design its own course following the principles of adapting CLIL to the local situation.

Mezzadri and Tonelli (2020: 267) refer to the three areas of specific skills that a CLIL teacher must have: “linguistic-communicative competence in the target language, that of content-disciplinary competences and finally that of language teaching competences”. All of these had to be dealt with. To achieve this, the course is divided into modules; there is a module on second language acquisition, one on technology in the CLIL classroom (as this aspect is mentioned in the Ministerial documents), and one on CLIL methodology, principles, strategies, lesson planning and issues. These are designed to give the student teachers a clear and structured background in CLIL as well as an overview of possible activities to use in class. Another module is a more practical one in

which a tutor, who should be a practising CLIL teacher, guides the student teachers in preparing CLIL lessons for their subjects; this also includes micro-teaching activities.

The fact that the students on the methodological course are teachers in their own right, some with only a few years teaching experience while others were veterans, means that many aspects of a teacher training course can be ignored or dealt with quickly. As this is a hard CLIL scenario, these are mainstream content teachers and so they know what content has to be taught.

The course under consideration here involves the students – future CLIL teachers – and the course teacher in a dialogic exchange rather than in seminar-style lessons. The methodology course begins with eliciting from students what they want/need/expect from the course so it can be designed for them in this specific context. The students are seen as coming to the lessons with knowledge, therefore we start with their definition of CLIL; this is then compared to definitions from the literature. The CLIL teacher training had to start with an introduction to the theory of CLIL and this, along with much of what happened in the classroom, was done using the CLIL methodology as much as possible. This means that the students were placed as active participants and there was a lot of pair work and group work with the future CLIL teachers bringing in ideas about CLIL.

Students were encouraged through flipped classroom-style lessons to engage with the main principles they found for CLIL and propose how to implement these principles in future CLIL lessons. The following list shows much of what was planned for the CLIL course (here it is put into alphabetical order):

- Assessment in CLIL;
- Basic interpersonal communicative skills (BICS) and Cognitive academic language proficiency (CALP) (Cummins 1984);
- Blooms' taxonomy revised (Anderson and Krathwohl 2001);
- Borrowing from EFL and ESP textbooks;
- Classroom organization and management (use of pair work, group work, flipped classrooms, presentations);
- Content-based language learning/teaching;
- Domain-specific language;
- Higher order thinking skills (HOTS) and Lower order thinking skills (LOTS);
- Language functions (for example Halliday 1984);
- Learning strategies;
- Lesson planning (including the language to be used);
- Material development for CLIL;
- Multimedia input;
- Scaffolding;
- Sequencing;
- Second language acquisition (SLA);
- Task-based language learning/teaching;
- The 4Cs (Coyle 2007): content, communication, culture, cognition;
- The Common European Framework of Reference for Languages (CEFR) and identifying language levels and language problems;

- The Language Triptych - Language of learning, language for learning, language through learning (Coyle *et al.* 2010);
- Translanguaging.

All of this helped introduce what CLIL is and how to put it into practice in the classroom. Finally, the following tools were introduced to attempt to sum up what had been taught and to help the students draw together the various strands of CLIL towards the end of the course in such a way that they obtain and can articulate a clear vision of CLIL.

The first such tool is Zapparucha's (2020) CLIL wheel in which she has attempted to pull together many of the notions of what CLIL is in a pictorial manner.

Three other useful tools that were employed were:

- Coyle *et al.*'s (2010: 75-78) six stages for reflection;
- Dale and Tanner's (2012: 15-18) Checklist. How "CLIL" are you?;
- Mehisto *et al.*'s (2008: 29) core features of CLIL methodology.

As the course began, it became apparent that we needed to work on affective ideas. Some countries such as the Netherlands have generally high levels of English, as high as C2, and the English speakers who teach in non-linguistic subjects volunteer to teach in classes where students have opted into the CLIL lessons. The Italian situation is different in that the teachers, only some of whom had volunteered whilst others had "been volunteered", indicated their reticence about using English with their students. Therefore, hard work had to be done to break any idea that English delivery of content should be done by a native speaker or an experienced non-native speaker language teacher. What had to be achieved, therefore, was to give validity to these teachers' use of English in the classroom and help motivate them to overcome their worries. The concentric circles of Kachru (1985) showing that most communication in English in the world is not between native speakers helped a lot, as did discussions on English as a lingua franca and willingness to communicate. The students also indicated that, after an introduction to the main ideas of CLIL, what they wanted was practical ideas and to be able to practise CLIL. This meant that, as well as discussion groups, it was also useful to have micro teaching lessons where the teachers put what they had learnt into practice in small groups in the classroom. Some were able to employ what they were learning directly into their school lessons, and then give feedback on this to the whole class.

Another worry that had to be dealt with during the course of the programme was that these future CLIL teachers were worried about seeing themselves turn into English language teachers. The dual focus nature of CLIL had to be reinforced continually in a hard CLIL format in which these teachers had to understand that CLIL does not mean teaching the L2, but using it as a vehicle of communication for the content. They were also made to understand that they could not rely on the help of the foreign language teachers in the school, but would have to be ready to deal with CLIL by themselves.

#### 4.2. *The participants*

The participants on the course are all full-time teachers who applied to the local school administration office to do the course. These teachers have all attended language

courses in the local schools and are said to have a B2 level of English (according to the European Council of Ministers Common European Framework of Reference). There was a total of 96 students on the three courses at the university campus site. The questionnaire used in this investigation was administered on the last day of taught courses, but before the tutoring module. This involved 66 participants as not all of the students were present that day.

These teachers taught the following subjects (the number in brackets is how many taught that particular subject: the total is more than the number of participants, as various teachers teach more than one subject): Biology (1), Business Administration (1), Chemistry (8), Computer Science (5), Construction and Construction Techniques (1), Design (1), Economics (6), Electronics (3), Food Science (1), Geography (2), History (9), History of Art (1), Italian (1), Latin (1), Law (3), Maths (16), Mechanics (2), Natural Sciences (5), Organic Chemistry (1), PE (1), Philosophy (3), Physics (8), Science (4), Systems and Automation (1), Technical Drawing (1). Some universities were able to divide the methodology courses into courses for sciences and courses for humanities, but at the University of Calabria these were mixed courses.

#### 4.3. *Questionnaire and results*

The questionnaire was administered in class so as to ensure the highest number of respondents and was completed anonymously. The student teachers were informed as to what the questionnaire was about and asked for their permission to use the results. Once completed and handed in, the questionnaire was also used as the basis for an in-class discussion.

The questionnaire had questions on just one side of an A4 piece of paper. As well as asking about the subject taught and a self-assessment of level of English, the questionnaire involved the following:

On a scale from 1 to 5 (where 1 is 'not at all' and 5 is 'completely'), please answer the following:

1. How confident are you that you can teach your subject in CLIL?
2. How confident are you in your linguistic ability to teach your subject in CLIL?
3. How confident are you that CLIL will be beneficial to your students regarding the content?
4. How confident are you that CLIL will be beneficial to your students regarding the L2 (English)?
- 5a. How satisfied are you with the CLIL methodological course?
- 5b. Why did you give this mark?

On a scale from 1 to 5 (where 1 is 'not at all' and 5 is 'total'), please answer 6 and 7:

6. How much support do you want from the language teacher(s) in your school?
7. How much support do you expect to receive from the language teacher(s) in your school?
8. What do you see as the biggest challenge in teaching your subject using CLIL?

Questions 1 to 5a and then 6 and 7 only need a number on a Likert scale, while 5b and 8 need a longer written answer. Question 9 was an open question:

9. Why do you want to do CLIL? (write your answer in no more than 100 words).

The self-assessment of L2 (English) language level showed that not all of the learners felt that they were prepared adequately for the course from a language point of view. Graph One shows the results for this question (Figure 1).

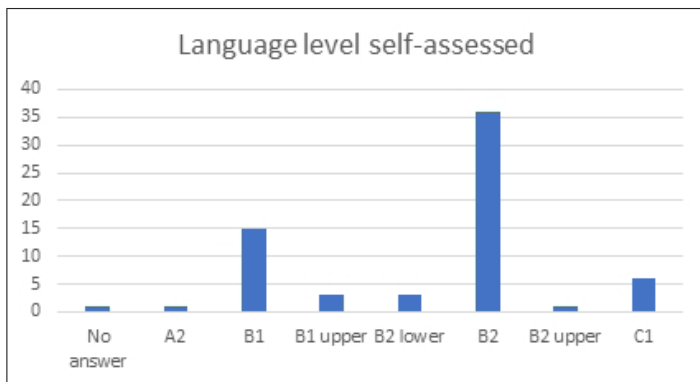


Figure 1. Self-assessment of L2

At least twenty-two student teachers (one third of the respondents) self-assess as

having a level of English below the B2 level, and this calls into question the validity of having the local schools managing the language courses for the future CLIL teachers. Anecdotally, these results are replicated throughout Italy to such an extent that the people involved in organizing the methodology courses asked the MIUR for a meeting to address this problem. The course was conducted in English as this, similar to a CLIL course, gave the students exposure with comprehensible input to the L2, so their initial levels of English should have improved over the period of the course. However, these low levels of English mean that very few of the trainees would be awarded the full MIUR CLIL certificate on satisfactorily completing the methodology course.

Questions 1-5a and then 6 and 7 asked the students to reply to questions using a one to five scale. The average answers for these questions can be found below in Table 1.

On a one to five scale, three would be the median answer signifying a neutral response. For questions one to four the average results are all positive, which shows that the teachers feel that they can teach using CLIL and that they feel that their students will benefit from this linguistically and as far as the subject content is concerned. The linguistic ability to teach CLIL does not just regard the general language ability of the teacher but also knowledge of domain-specific language and classroom language and its various registers (Llinares, Morton and Whittaker 2012).

It would seem that the teachers feel that they can use the language effectively to teach CLIL, even though this was one of the worries that they had expressed at the start of the lessons. It might not be that they have improved linguistically during this time (although it is a desired outcome of doing the CLIL course in the L2), but maybe now they have the motivation and the confidence to teach in English. They should also appreciate that it is not necessary to have native-speaker-like ability, but that effective communication can occur at a B1 and B2 level of competence when lessons and interactions are properly planned. A worry concerning CLIL (see for example Bruton 2011, 2015; Paran 2013) is that it might create problems in content learning, yet these teachers felt that this would not be the case as they thought that CLIL would be an effective way to teach the content of their various subjects.

The future teachers were even more confident that CLIL would benefit their students linguistically. CLIL, as has been shown, is often seen as helping students in the

1	How confident are you that you can teach your subject in CLIL?	<b>3.3</b>
2	How confident are you in your linguistic ability to teach your subject in CLIL?	<b>3.1</b>
3	How confident are you that CLIL will be beneficial to your students regarding the content?	<b>3.5</b>
4	How confident are you that CLIL will be beneficial to your students regarding the L2 (English)?	<b>3.6</b>
5a	How satisfied are you with the CLIL methodological course?	<b>3.8</b>
6	How much support do you want from the language teacher(s) in your school?	<b>3.3</b>
7	How much support do you expect to receive from the language teacher(s) in your school?	<b>2.6</b>

**Table 1.** Average score results

L2 because of the deeper learning (Coyle and Meyer 2021) associated with it, as well as because of increased exposure and use of the L2 (for example Mehisto *et al.* 2008; Coyle *et al.* 2010, Ball *et al.* 2015). These two positive answers concerning the benefits of CLIL should mean that these teachers will be motivated to implement CLIL despite problems of needing to use an L2 to explain content that these teachers are accustomed to teaching in their L1, needing to find, adapt and prepare from scratch material for these courses, and overcoming resistance from the students and any other worries that the teachers might have.

The course received positive feedback as well. This was backed up in the comments made in question 5b. The teacher students gave different answers as to why they had judged the methodological course the way they did. 13 considered that it had been good for their professional enrichment, while 11 used the word “satisfied” to describe their feelings concerning the course. It can be hoped that this will be reflected in the motivation that these teachers will need to continue along the CLIL path.

Although seven remarked that they now understood CLIL (this does indicate that the others did not understand but just that they did not choose to mention it here), 11 thought they needed more time for practical experiences in CLIL, and there were five comments about the course involving too much theory. Six said that the course was too short. Four people felt that the various modules needed better coordination and integration. Only two of the students felt the course had not been specific enough for their particular discipline. This was always going to be a problem in a course that involved teachers from such a wide range of subjects. Two of them also noted that they themselves had been too busy with other things to get the most from the course; for one of the students the distance they had had to travel to and from lessons had had a negative effect. Three of them stated in general that they needed to improve, while another three noted that this improvement was specifically in their level of English.

It is reassuring to note that the teacher students felt positive about the course: no one said that they still felt uncertain as to what CLIL is. This might go, in some way, to allay the fears expressed by Di Martino and Di Sabato (2012), as cited above. The fact that some teachers expressed the idea that they saw the course as being short and they



wanted to know more could be seen as a sign of their interest in CLIL and the desire to be as prepared as possible for what was to come.

The practical part of the course, where students are involved in material development and micro-teaching was, logically, at the end of the course, but this questionnaire was administered before that. Maybe the concerns about more practice being necessary would be addressed there.

The methodology students expressed a wish to be supported in their CLIL experience by the language teacher(s) in the school. However, they were more sceptical about receiving such support.

The main challenges perceived for implementing CLIL have been summed up in the following section.

11 of the respondents were worried about the participation and motivation of their students in the CLIL lessons. Four of them thought that the problem lay in the students not being involved enough with the subject. Seven felt that it was generally a problem of implementing a new methodology, while, connected to this, seven people were worried about finding, creating or adapting material for the lessons, and seven mentioned their preoccupation with the time needed to prepare and organize CLIL. Two felt that they did not have enough time in the lessons to implement CLIL properly. Obviously, some of the comments referred to language: four comments concerned the teachers' low level of English and saw this as a problem, while two felt that using the language might be difficult. However, only one person thought that the students' low level of English was going to be problematic. Four were worried about getting the balance right between language and content. Two teachers (both philosophy teachers) were specifically worried about teaching their subject in English. One person was worried about not getting enough support from the English language teachers in the school, something that we have seen is not obligatory in the Italian context. One person was not certain that he/she would be able to exploit the language learning opportunities arising in the CLIL lessons to the full. This may seem as though there could be lots of linguistic problems, but the majority of respondents did not note this as problematic.

The worry of creating material is an important aspect. The MIUR has gone ahead with asking teachers to implement CLIL lessons, but it has done little to aid them in terms of practical day-to-day organization. The Ministry does not offer a reduction in teaching hours, financial reward, or the guaranteed support of language teachers to teachers involved in CLIL. The perceived low interest of students for the subject, in CLIL or in a normal lesson, seems part of a general malaise.

The open question of "Why do you want to do CLIL?" produced a range of replies. For 27 people this CLIL course was the opportunity to learn a new methodology and approach to teaching, but not necessarily one that they will apply only in the L2, but also in the L1. For one person it was a way of "shifting the focus from teaching to learning". For three it is a way to "enrich and enhance my didactic activity". One teacher wrote:

Over the years, I lost my motivation to teach because the students are more and more less interest (*sic*) in education. So, attending the CLIL course, I discover a new strategy to propose my subject and to make the lessons more interesting. I hope that in this way I can help my students to find again the motivation.

Indeed, 21 replies concerned the idea that students would be more interested in the subject because of this new methodology and more motivated to learn. One teacher wrote that he/she would be more motivated to teach because of this new methodology. Six people expressively stated that they expect their students to improve their results in the subject being taught because of the adoption of CLIL. For three teachers one benefit of CLIL is that it is more learner-centred, while for another teacher CLIL represents a more active style of teaching that will “enhance autonomous learning”. It is also seen that CLIL develops “learners’ thinking skills”. One person saw CLIL as a methodology in which the “teacher puts him/herself in the shoes of students”.

Obviously, some of the teachers (a total of 12) stated that “students will improve their English” and that this could be because it is a more “authentic use of L2” or that it has “practical use”. One person noted that this improvement would be especially in the “micro-language” of the subject being taught. Six teachers said they wanted to do CLIL for the students’ future, as it will serve as a “basis to study abroad” and enable them to become “citizens of the world”. One remarked “I really think the future is in Europe”, while another thought that “diversity of languages [is] unlikely to disappear”. Another teacher noted that there are “a lot of technical documents in English”, so it is necessary for students to learn English.

One teacher was slightly less assured of things: “I hope I will understand along the time the advantages for my students”. Another was even more pessimistic: “I am wondering whether Italian students could easily understand a CLIL class, and I am afraid that they cannot. I think that CLIL could just be a waste of time”. Three teachers were very direct in their answer as to why they wanted to do CLIL: “I do not want to – I have to”. Three teachers noted that because of the new school reform, CLIL will be part of the school curriculum and so somebody has to do it. One was on the course because “My boss chose me”. Another was uncertain about the possibility of doing CLIL because “I mainly teach literature and not history”.

These negative ideas reflect the opinion of a minority of the teachers involved in the course but they remain as problems to be addressed. Maybe teachers should not be coerced into CLIL, but a strategy should be evolved to motivate teachers into wanting to do CLIL.

However, others were more positive about it, even though for one of them the answer is “First of all, I was curious”, but that curiosity led him/her to do and appreciate CLIL. For another teacher “CLIL can help me to be more competitive in case of future job applications for better job opportunities”. Three of the respondents saw this as “a personal challenge”, while for another it was for “personal satisfaction”. 16 of the people who attended this CLIL methodological course and wanted to do CLIL in the future saw it as a way to improve their own competence in English.

This variety of answers reflects the situation of CLIL in Italy. Many teachers see this methodology as a means for them to learn something new in teaching as maybe they have not had many officially sponsored possibilities to learn new techniques. It must be remembered that many of these teachers were able to enter teaching with a general degree and very little in the way of teacher training. Some are dedicating their time on the courses for personal reasons (not least the hope to learn English better), while others are thinking about the benefits the students can gain from CLIL, also lin-

guistically. A minority feel that this is merely another top-down imposition inflicted on them by the authorities with no clear advantages for anyone.

It seems that in general the course has satisfied the teachers and has provided them with the instruments and understanding necessary to try to implement CLIL. Most of them seem to suggest that the teacher training was able to arouse the necessary “interest and curiosity” that Di Martino and Di Sabato (2012: 99) were worried about.

## 5. Conclusion

The Italian Ministry of Education has certainly sent a clear message that it believes that CLIL can help improve language teaching/learning in Italian secondary schools. The practicalities of this are somewhat vague and left open to interpretation. The present research aimed to ascertain whether these teachers thought that this project was worthwhile and beneficial, as the teachers had various reasons for engaging in this project, and it could not be taken for granted that they would all feel the same about it.

The theoretical input was aimed at ensuring input on a variety of themes: CLIL theoretical background, differences between CLIL, immersion and English mediated instruction (EMI), ideas on CLIL practice, lesson planning and CLIL activities. It also involved an understanding of domain-specific language and World Englishes, so as to help convince some of the linguistically weaker participants that they could use their level of English to teach their subject, and that it was not necessary to have near-native fluency. How to do linguistic and content scaffolding was also dealt with, as was text analysis to help the future CLIL teachers understand how to gauge the linguistic difficulty of a text. It seems that some participants had not appreciated the theoretical complexity of what they would be doing. Once the course has finished, these teachers need to have a clear idea of what CLIL is, and what it is not, so as to fully understand what Coyle *et al.* (2010: 48) meant when they wrote the sentence quoted at the start of this paper: “It is not the case that any kind of teaching or learning in another language is CLIL”.

The teachers in this research talked about a low level of interest and motivation in schools, not just on the part of the students but also by the teachers themselves. The language results from high schools that have been expected, a leaving level of B2, have not been met. Teaching a mainstream non-linguistic subject in an L2 is seen as a way of helping improve this situation. It seems, though, that this new methodology can bring increased interest into the classroom, for students and teachers alike.

The future CLIL teachers are aware that the human and material resources are not in place and that this could jeopardize the programme: collaboration with the language teachers is not being programmed into the CLIL courses but is kept as a voluntary aspect; they will need more time to prepare the CLIL lessons than their traditional lessons and they will often have to construct their own material or modify pre-existing material; their efforts might also be hampered by the uncertainty about whether the students on the CLIL courses can be assessed in the L2 that the lessons were run in, or in their L1. Notwithstanding all this, in general, the future CLIL teachers seem convinced that they are ready, and that CLIL can be advantageous for themselves and for the students, and that this is a way to introduce modern methods and techniques into a school system which needs them, so we have started to get the “competent, motivated,

and convinced teachers” that Soler *et al.* (2017: 485) say are so important for the successful application of CLIL in schools.

Further research needs to be done to see how the CLIL courses are being run in the schools, to see whether or not this early motivation is being maintained and whether the efforts made in the methodological CLIL training pay off in the classroom. The intent behind this paper is to further the discussion of how to prepare future CLIL teachers at a local level that can then be extrapolated to other areas.

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