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## Evaluation of CLIL Approach in Legal English Pedagogy

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### ABSTRACT

This study aims at evaluating the efficiency of an integrated legal English course designed to meet the special needs of legal professionals (lawyers, solicitors, and barristers) at the Bar Association of lawyers in Lebanon. The experimental study involves two groups of legal professionals of intermediate English level; one experimental group taught legal English integrated with general academic English using the CLIL methodology, and one control group taught general Academic English (GAE) solely. The study contributes to the body of knowledge about CLIL in a legal context. The results of the study reveal that lawyers of the experimental group outperform those of the control group and are able to comprehend and produce highly professional legal texts. Lawyers' perceptions towards the integration are highly positive, and the study proves that the CLIL approach quickens the pace of the acquisition of language skills and help lawyers reach a higher degree of language proficiency.

**Keywords:** Legal English, Linguistic Proficiency, Integrated Methodology, ESP course, CLIL Approach.

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### 1. Introduction

This paper includes a description of a pedagogical model of integration of academic English into Legal English to cater for the different learning needs of adult graduate students. The course objective is to help students hone their language skills and at the same time expose them not only to the legal terminology needed in their jurisdiction but also to both the American and Anglo-Saxon legal cultures. There is special focus on the vocabulary and the lessons are designed to integrate the four language skills.

This section presents the status of the ESP discipline, it sets the direction of the research by stressing the importance of ESP, highlighting the problem of inefficiency of certain ESP courses, and hypothesizing the positive effect of integrated ESP courses on learners' linguistic competence and performance.

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ESP is defined by Robinson (1980) “as the teaching of English to learners who have specific goals and purposes” (cited in Javid, 2013) and the very first emergence of ESP is traced back to the 1960s; however, it has formally begun with Hutchinson and Waters in 1987. Other pioneers in the field, namely Dudley Evans and St. John (1998) introduced ESP as a “discipline that attempts to meet the needs of a specific population of students, employs methodologies and materials from the discipline it is centered on, and focuses on the language and discourse related to it” (cited in Ramírez, 2015). Based on this, the target groups of learners to which ESP is appropriate are groups whose primary objective is acquiring or developing a professional skill. From this perspective, the purpose of this study is to identify the linguistic needs of legal professionals in order to design the most suitable materials and teaching methodology that meet these needs through targeting both linguistic and discourse objectives.

Legal English courses help students become more proficient in English as a second/foreign language as well as their field of study. Fiorito (2005) stresses the idea that in ESP classes, English should not be used in isolation but in appropriate authentic texts for the respective fields. Using English in relevant texts will enable learners to learn the ways and situations they need in their respective fields. If ESP students learn English in isolation, without meaningful and authentic texts, they will be less motivated to attend the classes and to improve their English language skills. Moreover, since these ESP students have already chosen these specific fields for their future professions, learning English will only complement their choice. ESP learners learn new vocabulary using various strategies in their native languages, because learning a language is a life-long process. Thus, the ESP learners can apply these language learning strategies from their native language to learning English vocabulary necessary for their field of study. One of the main targets of the integrated course in this study is to increase the range of vocabulary of legal professionals in order to ensure sound comprehension and production of legal documents. Furthermore, English lessons are adjusted to the students’ intermediate level and incorporate the needed language skills in a subject-oriented content.

## **2. Statement of the problem**

The main complaint of legal professionals is that language courses involve only English for General Purposes EGP content, which fails to build the technical professional language that is the key to their linguistic competence in their fields of study and future workplaces. Accordingly, a gap appears between what is instructed and what suits their objectives because legal English courses need to be accompanied with linguistic reinforcement. To overcome this problem, educators need well-designed materials that develop language skills within the frame of the field or sub-field of specialization, and this creates challenges for teachers who might be in charge of designing or selecting such materials. Creating and designing ESP courses that are well-suited for lawyers will, thus, provide an example for teachers who face difficulties in preparing lessons for ESP classes and it will allow for testing the effectiveness of the materials in enhancing students’ competency in legal English.

## **3. Purpose of the study**

It is noted by Kennedy (1991) that “it is much easier to observe a rise in the level of students’ motivation to learn with the match between language and subject content” (Cited in Garner & Luo, 2017). Due to the prevalence of the implementation of ESP instruction and due to the lack of appropriate content, this study attempts to frame the issue through aiming at:

- Promoting a new language teaching methodology
- decreasing the gap created by the mismatch between the course content and the learners’ objectives
- providing a procedure of designing integrated ESP lessons for lawyers, which will provide a model for designing such lessons for the different specialties
- measuring the effect of integrated ESP designed lessons on students’ performance as compared to English for General Purposes (henceforth EGP) lessons
- contributing to a new area of ESP research in the discipline of legal studies.

#### 4. Significance and contribution of the study

As the need for discipline-specific language rises, its importance increases for legal English teachers. The rapid pace of development drives educators to professionally provide for the immediate needs, and researchers to conduct more studies in the ESP field. Therefore, a potential significance for this study lies in testing the efficiency of an integrated framework for teaching language for lawyers. The contribution of this study is attributed to the provision of exemplification in ESP designed materials to enhance the quality and efficiency of ESP lessons.

#### 5. Research questions

This study attempts to answer the following research questions:

- 1) Does the provision of ESP designed lessons integrated with academic English content lead to a higher linguistic performance?
- 2) How do practicing lawyers perceive the usefulness of a CLIL model and the efficiency of an integrated legal English course?

#### 6. Research hypothesis

The study hypothesizes that the ESP lessons designed for legal professionals lead to a higher linguistic performance and to significantly positive perceptions when compared to GAE lessons.

#### 7. Review of the related literature

The teaching methodology that is implemented in this research study falls under the category of Content and Language Learning (CLIL) approach which has proven its efficiency as a method of instruction for the past twenty-three years. CLIL is adopted in this course because it paves the way for student lawyers to combine between the communicative linguistic competence and the soft skills of mediating, counseling, providing clients with legal advice and representing them in courts, negotiating, analyzing legal documents, understanding legalese, and interpreting rulings.

The review of the literature of CLIL and ESP courses in legal contexts indicates that several research studies contributed to the development of courses following the CLIL approach. However, additional research is still needed especially in the design of new legal English courses that are well-suited for a specific group of lawyers, and the creation of materials that enable professionals to excel in the competitive legal career without encountering any linguistic hurdles.

Starting with CLIL as a methodology, Wiseman, J. (2018) defined it as “an approach where students learn a subject and a second language at the same time.” For the current study’s purposes, this means that in order for effective learning to take place, there should be an integration of language and content. Also, Liebenberg, E. (2012) defined legal English as “a professional language variation, employing legal terminology with technical meaning generally not known to laypersons”. The legal texts that are chosen for the legal English course are complicated texts that require a good level of understanding and analysis appropriate for professionals at an intermediate English level.

Several researchers such as Martinez Agudo, J.d.D. (2019), Contera, C. (2019), Hughes, S.P. & Madrid, D. (2019), Navarro-Pablo, M. & Gandara, Y.L. (2019), Vyushkina, E.G. (2017), and Badea, S. (2017) investigated and evaluated certain strategies for teaching primary and secondary school subjects, undergraduate and graduate university courses for law students under the framework of a CLIL approach.

For instance, Martinez Agudo, J.d.D. (2019) evaluated the effect of CLIL on the linguistic competence of primary and secondary school students, and when they compared CLIL and non-CLIL groups, they demonstrated that there are significant advantages for CLIL students at the end of secondary education. Another researcher, Contera, C. (2019), applied teaching strategies typically applicable in a CLIL approach and analyzed a specific methodology for teaching a legal English course for students at a university in Spain. The study of the opinions of 88 respondents showed that though students disliked the course at the beginning, they became well aware of the methodology in the second phase of the course and later gave a positive evaluation of the content.

In their research study, Hughes, S.P. & Madrid, D. (2019) investigated CLIL instruction on content knowledge in monolingual contexts. They compared school results for a sample of 93 public, charter (semi-private) and private primary students and 139 public and charter secondary students.

Significant differences were detected between certain school types in favor of non-CLIL groups in primary education, while differences also existed between public secondary groups in favor of CLIL. This means appropriateness of CLIL as an approach depends on the age group of learners, their educational level and the contexts in which the study is conducted.

Other researchers studied the impact of CLIL methodology on students' first language. For example, Navarro-Pablo, M. & Gandara, Y.L. (2019) compared CLIL and non-CLIL groups of students' performance in their Spanish language (L1) and proved that students in CLIL programs outperform students in non-CLIL strands in their end-of-year Spanish Language and Literature assessment.

Concerning studies about CLIL approach in a legal context, Vyushkina, E.G. (2017) analyzed the practice and experience of designing and implementing an original course that trains lawyers on "Client Consultation in English". Her contribution illustrates to instructors how and why a CLIL Legal English course and its structure can be implemented when designing other ESP courses.

Badea, S. (2017) designed also a legal English course for MA students operating in the field of human rights. According to her, the design necessitates a meticulous study of needs analysis, setting of realistic objectives, conceptualization of the course content, and careful organization of the materials and activities.

The difference between these studies and the present one is that the participants are not law students or trainee lawyers; they have already established their career and have been working in different legal fields for more than five years. In addition to that, the course was designed on the basis of the desires and needs that they expressed in a meeting held between the researcher/instructor and the lawyers. At the beginning, the lawyers had an utmost desire and motivation to become linguistically proficient when reading or discussing legal issues. These same professionals complained about a previous ESP courses that failed to meet their needs because it was a ready-made course whose mainly focus is on the rote memorization of the bulk of legal vocabulary apart from contextualization. Furthermore, the main problem of the previous course was that it accounted neither for linguistic needs, nor for professional needs and the technical terminology of their special legal fields of work and research. The course participants were striving for professional competence and ESP was one of the most important tools that they needed to meet this purpose. Hence, the current legal English course is chosen to be integrated as these legal professionals need special vocabulary that is mainly related to company law and legislation, and linguistic competence in certain areas of grammar and complex syntactical constructions typical of legalese.

### **7.1 English language skills in ESP**

It is widely believed that language skills, i.e. reading, writing, listening and speaking are very important in teaching ESP courses, but the importance of these skills often depends upon the learners' needs and interests. Dudley-Evans & St. John (1998, p. 41) point out that:

English for General Academic Purposes (EGAP) "isolates the skills associated with study activities such as reading textbooks, articles, writing essays, listening to lectures, [etc]."

On the other hand, in ESP courses, which are a combination of subject matter and English language teaching, students are definitively more motivated to study English for specific purposes.

In terms of the importance of language skills in ESP, specific terminology is an obstacle to effective communication in English; therefore, there should be further focus on learning contextualized vocabulary in the present ESP course.

### **7.2 Difference between the ESP and the GAE approach**

Concerning the question about the difference between the ESP and the General English approach Hutchinson et al. (1987) answer that "in theory nothing, in practice a great deal" which, for teachers, means that a teacher who teaches ESP for Law should closely work with an expert in the field or be well equipped with excellent knowledge in technology (p.53). In this context, the researcher met with legal experts who use mainly English as a means of communication and discussed with them the main terminology and the professional legal texts that recur in company law and regulations. Another important question that the instructor/researcher addressed in teaching this legal ESP course is why the learner needs to learn a foreign language. Some ESP researchers focus their studies on business

English, others on legal English or scientific English, but the common denominators of all these courses are specific learner's needs, lacks and wants.

Mohan, Bernard distinguishes between three cases in the study of the relation of language teaching and content teaching: 1) language teaching by content teaching, where there is a question of whether it automatically provides communication; 2) language teaching with content teaching, where there is a difficulty in the combined gradation of language and content; and 3) language teaching for content teaching.

The issue of integration has received considerable attention under various names in discussions of language teaching for adult learners. Stevick's claim that all language lessons should contain suggestions for using the language, which "embody a purpose outside of the language itself, is valid in terms of the students' needs and interests" (Stevick, 1971:54, cited in Mohan, B.A., 1977).

Here lies the main contribution of this study that opts for language teaching with law content teaching through the gradation of both to fit into the specific interest of the target participants. This choice is made under the presumption that content teaching and language teaching together (CT & LT) will help both content learning and language learning (CL & LL).

## 8. Research methods

This study is designed to describe in full two legal English courses for two groups of 40 adult legal practitioners and legal professionals at the intermediate level at the bar association of Tripoli, in Lebanon. The aim of the researcher/teacher, who holds a diploma in law and who masters legal terminology, is to develop the lawyers' communicative skills and competencies as some of them are legal trainers who need to use the language extensively in their legal profession. The study assumes mainly qualitative methodology including needs assessment and observations. The study details the teaching methodology and the skills that are needed in order to guide future legal English teachers in coping up with their students' needs and in meeting the standards required for developing English lawyers' linguistic competencies.

The educational level is almost the same for all participants in this study. All of them are practicing lawyers; and 21 among them have a degree in law, 14 hold an MA degree, and 5 hold a PhD degree. They had different years of experience as legal practitioners.

One year before the treatment, i.e. in 2017/2018 they studied an English course that included exclusively legal terms in spite of their lack of the language skills needed to follow a course with such a high degree of difficulty. Unfortunately, the course proved to be useless and the benefit they gained from it was very low. After students expressed their frustration to the researcher because the course was not up to the level of their expectation, the researcher assessed their needs and designed a course that perfectly fits into their level. Since the intent of the participants in this course is to gain competencies in legalese and to become proficient in it so that they become eligible to get an International legal English Certificate. It was very crucial for the researcher to design a curriculum and a syllabus that serve as a booster for their proficiency level and that prepare them ultimately to the certificate examination.

It all started with the choice of the course book and materials that are compatible with the International exam. The texts chosen are collected from different course books whose content perfectly fits into the lawyers' language level and at the same time, it is very challenging to them because the content requires them to do a lot of preparations and practice.

To measure the achievement level of students and their legal and linguistic performance, the researcher used the following instruments: A pre-test, a mid test, a post-test and a questionnaire.

The questionnaire served to measure students' perceptions of the integrated course.

The course duration is six months, and the number of sessions per week is 3, and each session lasts for 2 hours.

The course is specifically designed to target two objectives:

- a. To fill in any gap in general academic English
- b. To help students gain proficiency in legalese.

The teacher/researcher created an integrated course as follows: 40 sessions of legal English and 20 of GAE sessions arranged in a way to integrate one GAE session between two ESP sessions.

The total number of sessions was 60, which means that two-thirds of the course was designed to include legal English, and one-third to include academic English. Every week, students had two legal English sessions and one academic session.

The number of students per class was 20 in both the control and the experimental groups. The control group received a purely general academic English instruction.

### **8.1 Teaching methodology**

The themes of the lessons taught throughout the course are as follows:

- A. The practice of law
- B. Company law: company formation and management
- C. Company capitalization
- D. Fundamental changes in companies and financial institutions
- E. Contracts: Company contract formation

The teaching approach used is the communicative integrated approach because the intent was to improve the reading, listening, speaking, writing skills and the comprehension of legal issues as required in order to meet the expectations of the lawyers and to make good use of English.

The objectives of the course are as follows:

- A. To introduce lawyers to some of the language-related aspects of the work of a commercial lawyer.
- B. To improve lawyers' ability to read and understand legal texts, such as legal periodicals, commercial legislation, legal correspondence, and other commercial law documents.
- C. To increase lawyers' comprehension of spoken English when it is used to speak about legal topics in meetings, presentations, interviews, discussions, etc.
- D. To strengthen lawyers' speaking skills and to enable them to engage more effectively in a range of speaking situations typical of legal practice, such as client interviews.
- E. To improve lawyers' ability to write common legal text types in English, such as letters or memoranda.

The objectives of the designed materials coincide with the objective of the study; which is to evaluate the efficiency of an integrated effective course. Hence, the main contribution of the course is the significant improvement of the lawyers' English language skills.

To achieve these aims, the course focuses on several aspects of legal English at the same time. These aspects include the analysis and production of authentic legal texts, the language functions common to legal texts and the vocabulary learning that goes beyond mere terminology acquisition, and which takes larger chunks of language into account.

Here lies the importance of integrating an academic English session into the course on a weekly basis. The instructor/researcher believes that without the linguistic tools and skills needed for lawyers' engagement in communication in authentic contexts, the language competency level does not show any significant improvement. Thus, she selected exercises that reinforce students' grammar subskills, adjust their sentence structure, explain grammatical concepts, use tenses correctly, and employ linking devices and cohesive markers to ensure cohesion and coherence that typically characterize written legal texts.

### **8.2 Design and variables of the study**

The purpose of this study is to compare two teaching approaches in English for Specific Purposes (ESP) courses in order to demonstrate that a legal English course integrated with academic English results in greater achievement and in better acquisition of language skills than in the case of a purely general academic English course.

Therefore, there is only one independent variable manipulated in this study; this is the integrated model of ESP instruction. Since the specific aim of this study is to investigate the impact of the integrated model of instruction, the linguistic competence as a dependent variable represents the outcome of the experimental treatment.

In order to test the hypothesis of the researcher that significant improvement of the linguistic competencies results from the application of an integrated approach, the pre-test at the beginning –

mid-test after 3 months– and post-test design is a suitable method that can be used to compare the two groups and measure the degree of performance that resulted from this approach.

### 8.3 Procedure

This study is carried for a period of six months (a total of 60 sessions for each group).

#### 8.3.1 Pre-test

Before the instruction began, a pre-test is administered to lawyers. This test gives the researcher information about the study subjects in terms of linguistic level. It evaluates the learners' language skills and ensures that both groups are almost equivalent in terms of linguistic competence and background knowledge (intermediate level).

#### 8.3.2 Observations

After the pre-test, both groups are subsequently taught the same content of the Legal English book for the same period of time using two different teaching approaches. While the experimental group is taught an ESP course integrated with academic English, the control group is taught the same material in a pure legal English context to investigate and observe how effective the integrated approach is and how well it is implemented to fit the teacher's pedagogical practices, and to explore its effect on the learners' performance, motivation and engagement.

#### 8.3.3 Mid and Post-test

After three months and after six months of instruction, all the participants in the sample were given a mid-test and a post-test to assess their linguistic performance. The scores are compared to check whether there was a statistically significant difference between the experimental and control groups. This design allowed the researcher to compare the mid and post-test results and consequently, to check whether the experimental group has outperformed the control group, and to measure the degree of improvement of both groups. This was done through the comparison of the means of the tests. The comparison of the means determines the best teaching approach that leads to better performance and helps the researcher reflect upon the overall effectiveness of the integrated approach.

#### 8.3.4 Questionnaire

In order to collect varied data that can be relevant for this research, a questionnaire is administered to the participants of the experimental group. The questionnaire leads to valid data which could be used as a basis for the evaluation of the teaching approach. Thus, after the experimentation period, students in the treatment group are asked to fill out an 11-item questionnaire which is developed specifically for this study. Most of the questions addressed were of the Likert-scale type and aimed to elicit the students' opinion towards and perceptions of the course. Finally, the data collected from the questionnaire were transformed into charts and percentages and then analyzed.

## 9. Data analysis

After the collection of all sorts of needed data, an integral and essential step is the interpretation and analysis which is carried out in two forms. There are both a qualitative analysis of the data which is in a non-numerical form and a quantitative analysis for all the other data that can be expressed in numbers. The statistical software package that is used for such kind of data analysis is "Statistical Package for Social Sciences" (SPSS).

### 9.1 Research findings and analysis

The data collected through the research instruments are analyzed. There is an analysis of the students' perceptions towards integrating general academic English into ESP, then a statistical analysis for the quantitative data is undertaken.

1. 87.3 % of the lawyers consider that the English for lawyers' course is beneficial for them.
2. 91 % strongly agree that the integrated course is helpful for honing their language skills.

3. 71% strongly agree that three sessions are sufficient for improving their language skills, which means that it would be better if we increase the number of sessions per week.
4. 77% of the lawyers considered that the skills that improved the best throughout the course are mainly reading and writing. Speaking and listening skills improved as well but with a lesser degree.
5. 87% of the lawyers strongly agree that the legal English course has improved their communication skills.
6. 88 % strongly agree that Academic English should be integrated into a legal English course.
7. 93% preferred academic English integrated with legal English courses to pure legal or general academic English courses.
8. 79% believe that integrated courses should be introduced at the intermediate level rather than the beginner or advanced level.
9. 93% of the lawyers surveyed think that integrated courses help them professionally develop in their career because they needed legal English mainly in communicative situations.
10. 95% strongly agree that they gained a wide range of vocabulary that is relevant to their legal areas of interest.
11. 96% of the lawyers recommended such kinds of courses, suggested an increase in the number of sessions and demanded further integrated Legal English courses.

9.2. Statistical analysis:

Comparison between the pre-test and the post-test scores for the experimental group

A paired sample t-test is used with the experimental group for the comparison of means in order to determine whether there is a significant difference between the pre-test and the post-test average scores.

	Mean	N	Std. Deviation
Pre-test	10.88	20	2.36854
post-test	16.68	20	1.37598

The two-tailed p-value for the scores is less than 0.05, which means that there are statistically significant differences between the pre-test and the post-test scores. Besides, it is worth mentioning that the p-value is 0.000, a value which is considered in SPSS to be less than 0.0001. This yields to the conclusion that the corresponding difference between the pre-test and the post-test is highly significant.

Hence, it can be concluded from the analysis conducted in this study that the outcomes were indeed affected by the experimental treatment. The experimental group which was exposed to the integrated approach performed much better in the post-test than in the pre-test.

In order to determine the relationship between the integrated approach and students' achievement in the language skills, the post-test scores of students in the experimental group were compared with those of the control group using the ANOVA test. This kind of tests is used in order to examine the influence of two different independent variables (time and group) on the development variable (language acquisition and language skills development). It is important to note that the time variable has three values "pre", "mid", and "post" and the group variable has two values "control" and "experimental". Hence, the test generates three p-values, one for each factor independently, and one measuring the interaction between the two factors.

The three p-values are: 0.002 for the group factor, 0.000 for the time factor, and 0.013 for the interaction between group and time. Hence, all three values are less than 0.005 leading to the conclusion that the experimental group achieved better than the control group over time (in the mid test and the post-test). Consequently, the experimental group was more positively affected by the intervention of academic English in the legal English course. Both factors (time and group) led to a significant difference in the post-test total scores. In addition, the interaction between the two factors is meaningful. Thus, the increase in the experimental group's post-test total average scores was much higher than the increase in the control group's scores.

The results of the post-tests showed an overall improvement in students' language skills when compared to the pre-tests' results for both groups. However, the findings that resulted from the study

indicate that the lawyers' academic performance was better in the case of an integrated approach to teaching legalese. Hence, the experimental group outperformed the control group in the development of the four language skills and this proves that the research hypothesis is valid.

## 10. Concluding remarks

It is important to note from this study that at the intermediate level, general academic English, with its inherent benefits, provides the potential opportunity to complement and enhance pedagogical practices and teaching methodologies used in teaching CLIL and ESP courses like legal English courses. Students have the chance to learn to communicate in legal issues better. Thus, academic English adds value to the ESP learning experience and has the potential to improve students' achievement if properly used. It is the job of the instructor who has the required skills and attitudes to integrate academic English thoughtfully as a supplement for the existing teaching practices in ESP in order to achieve the learning objectives and give students ownership of their learning.

Therefore, effective integration is crucial to enhance the legal English learning experience. It means using a range of approaches that strive to promote lawyers' interest, maintain more sustained concentration, and lead to more effective learning.

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