A Content- Based Instruction Versus Task-Based Approach to Teaching Legal English : An Experimental Study

Dr. Basim Yahya Jasim
Dr. Muayad Tahseen Yousif
College of Arts - University of Mousl

Mousl - Iraq

Abstract

In the plethora of foreign language teaching two approaches have recently become prominent claiming to be consistent with recent theories of second language acquisition and helping learners master the target language faster, easier and better. These instructional approaches are : The Task-based Approach and the Content-Based Instruction .Despite the claims made in books and journals, few empirical studies especially at advanced levels have been carried out to substantiate these claims .The present study empirically investigates the effects of the Task-Based Approach and the Content-based Instruction on the overall achievement of Iraqi postgraduate students of law studying legal English in the content and language .It is hypothesized that no significant difference will be found between the two methods in having favorable effect on students' overall achievement in language and legal content; but a difference will be found in developing oral skills in favor of the Task-Based Approach. The study adopts pre-test post-test, control-experimental group design. The results confirm the first and disconfirm the second hypothesis. No significant difference was found between the two methods in their favorable effects in developing both students' overall achievement and oral language skills.

 Key words : Content- Based Instruction ,Task- Based Approach , Language Teaching , Legal English

Introduction

Since the mid1980s there has been a shift in language teaching and syllabus design from focus on form to focus on meaning, from drilling and mimic memorization of words and structures to what Krashen (1987) calls " comprehensible input ", negotiation of meaning , problem solving , task implementation and highlighting of the importance of content in language teaching and learning .In the plethora of second / foreign language (F/SL) teaching , it seems that two approaches have been most prominent : the Task-Based Approach (TBA) or Task-Based Language Teaching (TBLT) and the Content-Based Instruction (CBI) , both of which have been of great interest throughout the field of educational linguistics and language teaching and both have had theoretical and empirical groundings since their inceptions .

In the literature on second/foreign language teaching TBA has been highly recommended by Nunan (1999;2004" , Long and Crooks (1999), Shehadeh (2005) ,Ellis (2003) and Willis and Willis (2007) , among many others as an alternative approach to teaching at almost all stages of S/FL learning . Yet , as Pica (2008) remarks , this alternative methodology is facing real challenges: it fails to account for sequences and processes of language learning ; it is not always consistent with the learners' communicative needs and goals ; and that most of the tasks used in research have been implemented under controlled conditions rather than authentic classroom setting. Strong need for tasks that have authenticity for students and teachers and meet reliability and validity requirements of research (pp.78-79).

On the other hand, (CBI) has also been introduced as an alternative paradigm for the language-based syllabus.; .unlike TBLT , CBI is an umbrella term used to describe a wide range of teaching modal where the S/FL is taught through a subject matter other than language on its own . It is based on the assumption that language and content are always inseparable and should always be so in language instruction .

Since its inception in the early eighties of the past century , CBI has been extensively used in English for Specific Purposes (ESP) and in immersion programmes where learners are more interested in success in the subject -matter than in language per se .It has been recommended by a number of

scholars and practitioners as a methodology which has received recognition in theory , practice as well as research work (see Brinton , Snow and Wesche, 1989 , Stryker and Leaver 1977 , Snow 2001 , among others)

CBI also found support from a number of experimentally-based research works. Mohan (1986) maintained that integrating language learning and learning a subject matter would greatly help learners acquire English as a second language. Yanishevky's (1995) results indicated that CBI has facilitated greater overall English proficiency in foreign-born college students. Kasper (1998 in Jan 2004) reported that CBI helps students gain necessary content knowledge , academic skills , in addition to language itself. Chen (2008) study clearly shows that CBI has increased his Taiwanese vocational college English teachers' ability in reading comprehension performance and enhance his learners' motivation. Valeo (2010) also reported favouable effects for the integration of language and content on his subjects' overall achievement in English as a second language .

These two approaches have been extensively applied to elementary, intermediate and post intermediate levels, but to the best of our knowledge, they have not been applied to , compared and contrasted at least in Iraq at postgraduate level in a research-based format . The claim is that these two approaches might bridge the gap created between the currently used material and methods , and the students' needs and interests.

Review of Literature

CBI and TBA have been extensively reviewed and widely implemented. Below is a detailed discussion of the principles, rationale, and implementations of both TBA and CBI. The aim is to provide background to the experimental procedures followed in teaching the two experimental groups and classroom techniques used to realize each approach .

The Task -based Approach

Since the early eighties of the past century Littlewood (1981), Stern (1983) and Funcchiaro (1983) among others note that learners seemed to achieve little in developing their abilities to communicate effectively and to use the target language (TL) creatively despite years of instruction in the Structural or Notional/Functional Approach . Long and Crooks (in Van der Branden

2006 p.5) also argue that formal / functional approaches are counter to modern research in Second Language Acquisition that clearly shows that people do not learn isolated forms , structures or functions in additive , linear fashion but rather as a part of complex mapping of form and function relations integrated in a sort of real life communicative tasks .

The alternative argument is that " engaging learners in task work provides better context for the activation of learning process to take ….and hence ultimately provide better opportunities for language learning to take place" (Richards and Rodgers 2001:223) .This is done by having learners engaged in tasks that require learners to use the TL for themselves such as classifying, discussing , problem – solving and the like . (Willis and Willis 2007 p.1). This approach to LT seems to embrace the value of "learning by doing" originally developed by Dewey (1933) . His argument is that by engaging learners in doing valued activities that are worthwhile for their own sake will help learners develop linkage between what they learn in the classroom and what they can do outside the classroom.(cf. Norris 2009 p.578-9) Key, then , is the idea that " the holistic activity structures such as tasks offer an ideal framework within which knowledge use can be experienced and understood , and from which learning opportunities should be developed (Ibid p.579).

Although TBA was first experienced with by Prabhu (1979) in India , it has not gained popularity in the field of LT until the late 1990s of the past century .It is an offshoot of the communicative language teaching (CLT) which has become an accepted orthodoxy for teaching foreign languages since the early 1980s of the past century .But while the communicative classrooms have proved to be more interesting and motivating than its predecessors , it falls short in several regards . The most important pitfall is that communicative success and fluency have been achieved at the level of accuracy and is therefore insufficient for achieving native like ultimate attainment (Norris 2009 p.280). TBA tries to bridge this very important gap by integrating communication activities that have relevance to language use outside the classroom with language forms and structures that realize the communicative function of language .

Pedagogically , TBA accounts for two things   as its cornerstones :a need –based approach to content selection, an emphasis on learning to

communicate through interaction with TL and the provision of opportunities for learner's own experience   (Nunan,2004 ,p2). Richards (2006:12) lists the basic of the TBA as follows : making real communication the focus of language teaching ; providing opportunities for learners to practise and develop both accuracy and fluency ; Being tolerant of the learners' errors since there are evidence on building communicative competence ; and linking all language skills together .

The TBA to LT is based on the notion of "task " . This notion has been viewed differently by different scholars and practitioners .   Long (1985 in Ellis 2003 p.4) understands a task as the hundred and one thing people do in everyday life , at work , at play and in between such as painting a fence, buying a pair of shoes , booking a room in a hotel etc. Bygate et al (2001 in Van den Branden 2009 ,p.4) view it as an activity which requires learners to use language , with emphasis on meaning , to attain an objective). For Nunan (1999, p.1) a communicative task is a piece of classroom work which engages learners in comprehending manipulating and integrating in the TL which their attention is principally focused on meaning rather than form . Skehan (1996) defines a task as an activity in which meaning is primary, involves a problem to be solved and an outcome to be evaluated . Ellis (2003 p. 9) seems to provide an overarching definition . He sees a task as a work plan which dictates primary focus on meaning can involve any four language skills ;engages cognitive processes and has clearly defined communicative outcome .

The operational definition of the notion "task " which is going to be used throughout the present study is the following: A task is a communicative activity which involves engaging postgraduate students of law to use English as a foreign language in defining , labeling , classifying and interacting through presentation and classroom discussion where the emphasis is on both legal content and form .

Tasks have been classified differently using different criteria Nunan (2004 p. 5-7) suggests that communicative tasks be classified into two main types: real-world and pedagogical tasks Real- world tasks communicative acts that we achieve through language in the real-world outside the classroom. For example : calling the airline to reconfirm a reservation , buying a shirt, drawing a map etc. Pedagogic tasks are a piece of classroom work in which

learners' comprehension and production are involved in the target language while their attention is principally focused on meaning rather than on forms. Long (1989 in Ellis 2003 p.89) classifies tasks into closed and open . Closed tasks require that the interactants attempt to reach a single correct solution. Open tasks , on the other hand , do not have predetermined outcomes. Pica, Kanagy and Faldun (1993 p.19) distinguish between one-way and two-way tasks depending on whether the information conveyed is held by a single person or split between two or more people. They mention five tasks all of which can be one way or two way tasks . They are : jigsaw tasks , information gap tasks , problem solving tasks , decision making tasks and opinion tasks . Celce-Murcia (2001 p.62) classifies the tasks used in the classroom into : reproductive and creative . A reproductive task is one in which the learner is reproducing the language following a model provided by a teacher , textbook , tape etc. Creative tasks , on the other hand ,are less predictable . Learners are expected to assemble the words and structures they have already learned in new and unpredictable ways , yet based on the opportunities provided to the learners to practise various features of the target language . Ellis (2003p.12) distinguishes two main task types : focused and unfocused . A focused task is an activity that is particularly designed to let learners' attention unconsciously go to some specific linguistic forms when processing either input or output ; while an unfocused task is designed to encourage comprehension and production of the target language for the purpose of communication . Rather than manipulation of specific forms , unfocused tasks involve topics drawn from real life situations or from the academic curricula that the learners are studying .

The choice of one type rather than another relies on variables like : the age of the learners their background knowledge , levels of language proficiency, the nature of the material to be taught , and the skills to be developed .

Task-based teaching typically based on three stages : pre-task , task cycle and posttask.(cf. Skehan 1996, Ellis 2003 ,2006 Willis and Willis 2007 and others) . During the pretask stage the teacher introduces and defines the topic encouraging learners to engage in activities that help to recall words and phrases that will be useful during the performance of the main task or to learn new words and phrases that are essential to the subsequent tasks. In this stage , the learners are also allowed to choose the topics they have

control over . This will increases the learners' motivation and reduce the learner's frequent appeal to the teacher for the lexical items to perform the task required ,

The second stage is typically called the task-cycle . Here , the learners perform the task which can be a reading or a writing task, or problem solving task in pairs or in small groups . Three options are usually available to the learners. The first requires students to perform the task under time pressure. The second involves deciding whether to follow the students access to the input data when performing at ask .For example, in a story telling recall task the students are permitted to keep the pictures related to   the task as they narrate the story . The third option consists of introducing some surprise to complete decision making task that requires students , for example to decide what punishment should be given to four criminals on the bases of the background knowledge the learners had on each criminal and the crime committed . A smooth and gradual sequence of tasks should be carefully considered .The teacher's role , Dörnyei (2009 in Van den Bronden 2009, p.10) notes , shifts from controlling the class to motivating learners to engage in natural communication , supporting them as they try to perform tasks and eventually accomplishing the process of task .

In third stage is called post-task stage .In this stage there is some direct evaluation in which learners discover whether they have successfully managed to solve a problem .It is an evolution on the bases of context not form and is meant to give students some feedback on their level of success. It also gives the teacher some idea on the nature of challenge the task has revealed . Ur(1984 :28) points out , in this respect , that learners should be given immediate feedback on their performance of the task and only globed errors ,i.e. those interfere with communication or impede the intelligibility of the message conveyed should be corrected . At this stage , the learner may isolate specific forms , structures or functions that should be focused on. Practice can take the form of drilling , explanation , correction etc.

The content –based Instruction

Through the history of second or foreign language teaching (S/FLT) , there has always been a controversy over the content of S/FLT syllabus . The advocates of the Grammar Translation Method argue that the content of the language syllabus must be rules of grammar , a list of vocabulary items as well as translation exercises.(Larsen-Freeman 1986) adherents of the Oral Approach and the Audio-lingual Method call for teaching structures , rather than discrete points of grammar and lexis , using various types of drilling in a supposedly meaningful situations (Brooks, 1964; Rivers, 1964) . The proponents of the Notional / functional syllabus (Wilkins, 1976; Fincchiaro, 1983) maintain that the content should be notions and categories of communicative functions . Still, those who adopt the TBA view the content of the language syllabus to include various types of communicative tasks , the performance of which involves the use of the TL.

The content- based Approach to syllabus design and LT shifts the content from language-based to subject –based where the teaching of a language is organized around a subject matter that students need to learn rather that around Language structures, functions or tasks . The language syllabus is " based directly on the academic needs of the students and generally follows the sequence determined by particular subject matter in dealing with the language problems which students encounter " (Brinton , Snow and Wesche 1989:2) so that the subject matter dictates the selection and sequence of the language items , structures , notions or functions to be taught , not visa versa .Thus , CBI eliminates the artificial separation between language instruction and the subject matter .

While the movement to CBI has relatively started since the mid1980s of the past century , its root can be traced back to the ancient Akkadians who adopted Sumerian as the medium of instruction to educate their young in science and religion(Mehisto, Frigol , and Marsh cited in Horn 2011p.2). Brinton , Snow and Wesche 1993 p.193) point out that CBI was used as early as 289 A.D.)

CBI rests on three premises pertinent to the nature of language and language learning :that language is text- and discourse-based : that language learning is purposeful; and its use involves integration of skills (Richards and

Rogers 2001,p.207). It goes beyond a sentence as a basic unit of instruction to include text and discourse paying special attention to cohesion and coherence .It emphasizes that learning is not learned as an end in itself but a means to a further end , i.e. it is learned for social recreational or academic purposes .It , therefore , involves integration of the language skills within the same classroom session so that they can listen, communicate with each other and take notes at the same time.

Brinton , Snow , and Wesche (1992 p. 137-138) and Snow (2001 p.304) argue that at least five different rationale for integrating the teaching of language and subject matter are implicit in the CBI .First , it accounts for the eventual uses the learner will make of the TL .Second , it is sensitive to the learners needs and interests , and thereby it increases motivation in the language course promoting more effective learning . Third , it builds on the previous experience of the learner as it takes into account the learners' existing knowledge of their SL knowledge. Fourth , it focuses on contextualized use rather than on fragmented examples of correct sentence level usage .In this context ,Widdiwson (1978 p.16) notes that associating S/FL teaching with those areas of use helps in ensuring the teaching of language s use ,i.e. as communication rather than as usage , i.e. manipulation of language structures .Finally , and probably most importantly   is that coincides with recent research findings , which suggest that a necessary condition for second language acquisition is that the input on the TL must be understood by the learner (Krashen 1987p.21f).

Grabe and Stoller (1997 p.9,19) point out that CBI also gained support from three major sources : classroom training especially cooperative learning classrooms ; metacognitive strategy instruction ; and from cognitive psychology . The claim is that by intergrading language and subject-matter, students will be offered opportunities to use the TL with less pressure , less cognitive demand and more self confidence .

The organization of the CBI curriculum is based on three principles : having subject-matter core ; using authentic language texts ; and being appropriate to the needs of a specific group of the students (Stryker and Leaver 1997, p p4-10).The fundamental organization of the language curriculum is derived from the subject matter rather than from forms , functions , situations or skills . The communicative competence is acquired during the process of

learning about specific topics such as math , science business , history etc.,
so that the separation between language instruction and subject-matter is
eliminated .

CBI is fundamentally a curricular approach or framework rather than   a
specific teaching method . Several   models of CBI have , therefore , been
developed in the literature . The most important   models implemented
at post secondary and university level were : Theme-based model ,
adjunct model and sheltered-based models. In Theme- based model, the
syllabus is organized around themes or topics taken from specific subjects
on the curriculum . From these topics   the S/Fl teacher extracts language
activities which evolve around the topics or themes that   form the
framework of the course .Themes are selected for their appropriateness
to the students ' needs and interests , institutional expectations and the
teachers' abilities and interests . Typically , the course deals with several
topics carefully arranged   to provide a maximum coherence for the
theme and generate a range of opportunities to explore both language
and content (Duenas,2004, p.82 ; Stoller and Grabe 1997p.3) .

The adjunct model intends to connect a purposefully designed language
course with regular academic course for college students who lack the
necessary language competence to progress successfully in the subject
matter proficiency unless some linguistic competency   is developed .
Here   the content instructor concentrates on academic concepts ; while
the language teacher emphasizes language skills using the academic
content as the background in which the language learning process is
contextualized , (cf. Snow 2001p.306).

In the sheltered content- based model the S/FL learners are segregated
or sheltered from native speakers and   taught   by content specialists or
language teachers with subject matter knowledge . The overall purpose is
to facilitate content learning rather than language learning . This   model
is typical of second language contexts rather than of foreign language
situations. Sheltered models can   offer effective integration of language
and content for students whose language abilities have not yet   been
advanced enough to progress successfully in high level content courses
designed for native speakers (cf. Snow 1991 p.318-319 ; Richards and
Rogers 2001 p.218).

The three models of CBI integrate language with the subject - matter needed or currently studied in school or college curriculum but with various degrees . While the Sheltered model is mostly content- driven and suits second language situations ,theme based model is relatively language-driven and most suits foreign language situations in secondary and pre-university stages .The adjunct model also integrates language and content and relatively language driven but suits foreign language situations at university level where an academic subject is taught via the foreign language . Therefore this model is going to be adopted in the present study .

Yet ,CBI is an approach rather than a method (Richards and Rogers 2001 p.219), therefore , no specific methods or techniques are associated with it. The literature on CBI provides only guidelines for teacher applying this approach to follow (cf. Brinton , Snow and Wesche 1987 , Stryker and Leaver 1997; Snow 2001) . The CBI teacher is free to choose the method and classroom techniques that fit his students and setting . Horn (2011,p.3-6-) points out that EFL teacher has to process four attributes to successfully implement CBI :language proficiency in the TL and knowledge of the subject –area content ; ability to manipulate and develop academic skills such as information retrieval , note taking , paraphrasing , summarizing, and synthesizing ; pedagogical knowledge and skills to understand how different learners learn differently so that he can develop their cognitive and metacognitive strategies to improve their learning performance ; and content –language interface skill to help learners to learn the TL incidentally while their attention is focused on the subject-matter .

Taking into consideration the wide variety of settings in which CBI teacher might find himself in , Stryker and Leaver (1997) suggest four general categories from which CBI teacher can choose, taking into consideration the subject- matter taught , the age of the learners , their level of proficiency, their background knowledge in the subject matter etc. These categories are : first , modifying the input by adopting the delivery of instruction to the S/FL learners' level of proficiency by lowering the rate of speech and controlled vocabulary ; second ,using contextual clues to meaning such as: gestures , role- play , graphs , actual physical objects , or purely linguistic clues like repetition , restatement , or exemplification ; third , checking

students' understanding using a variety of techniques like asking true / false questions or telling students to summarize key information or to paraphrase important terms ; and fourth , paying special attention to vocabulary building , relating new ideas and concepts to the students experience and background knowledge through brainstorming or clustering activities as well as group work .

Peretz (1988) suggests oral report project as a technique for teaching advanced learners within CBI methodology .Basic to this technique is the individual students' preparation of written reports to be presented orally in front of the class encouraging them to use audio-visual aids and to interact with their peers by asking them yes/ no or comprehension questions . Here , the presenter assumes the role of the speaker , the class becomes the audience while the teacher takes the role of consultant who serves as a monitor , a reference and an evaluator at the conclusion of the presentation.

Purpose

Teaching legal English to Iraqi post graduate students of law , Faculty of Law , University of Mosul still follows a modified version of Grammar Translation and the audio-lingual Methods .Typically, excerpts from authentic and simplified legal texts are introduced as reading comprehension passages , followed by comprehension questions on the texts introduced ; next explanation of vocabulary items in English and their equivalents in Arabic is made .;then some grammatical points or structures are identified and practised , and translation of some paragraphs is finally rendered. Moreover , and to the best knowledge of the present researchers , no specific curriculum or syllabus for legal English has been available for the teachers of Legal English at postgraduate level .Interviews and personal communications with teachers of Legal English in three Colleges of Law in Iraq suggest that the department of public or private law require the teacher to teach English based on topics taken from specific legal areas such as Public International law , criminal law , Administrative law or Mercantile law . The teachers feel free to choose from these texts of contents of the syllabus and the techniques of presentation depending on their experience in language and / or law , following mostly format already stated . And of

course , teaching legal English at postgraduate level in the College of Law, University of Mosul , is no exception .

Students taught in this way often complain that English classes are monotonous , boring ,and do not lead to least communicative activities commonly found in everyday life .They argue that English classes are not sensitive to their needs : to understand legal texts in English easily ; to take notes and drawing conclusions from the papers they read ; to use English in international Conferences or to have a future role in litigation abroad or in front of an English speaking party .

Taking the aforementioned students' needs and interests into consideration and trying to make use of recent trends in language teaching and learning that can both meet these needs and interests and lend themselves to legal context and our students' level of proficiency , the present researchers implementing two well-defined approaches commonly used in teaching English as a second or foreign language , namely , the Content-Based Instruction (CBI) and the Task-Based Approach in teaching legal English. This paper presents briefly the procedures and results of an experiment assessing the relative effectiveness of the two approaches to language teaching namely , the TBA and the CBI in teaching English to the postgraduate students of law . The major objective is to find indication on which the two approaches can be a better basis for teaching EFL at advance level . The miner objective is to determine the efficiency of certain techniques on the participants' oral skills such as presentation and oral discussions . The present study addresses the following research questions :

Which of the two approaches , CBI or TBA will :

1. provide a better basis for the students' mastering legal language in terms of the achievement test ?
2. help in better developing the students' oral skills ?

Based on the review of literature and the researchers' intuitions , it is hypothesized that :

1. No statistically significant difference will be found between the two treatments in the achievement test with regard to language skills and legal content .
2. A statistically significant difference will be found between the two

treatments in the achievement test with regard to the oral skills and in favour of the treatment taught according to the TBA methodology .

Methodology

In order to provide a research – based answers to the questions previously raised and to the test the hypotheses already posed , the experiment described below was conducted . The experiment attempts to make a relatively controlled comparison between two approaches applied to teaching legal English : The CBI and the TBA . The experiment tried to evaluate the efficiency of the two approaches with regard to their effect on the subjects' performance in the subject matter studied as well as the language skills practised .

The experiment consisted of two experimental groups : one was taught by a method and techniques commonly used in CBI taking into consideration students' level of proficiency in English , age and the nature of the subject matter .The other was taught using the methodology and techniques of the TBA commonly followed in the literature on the TBA but modified to fit the variables already mentioned .

The experimental design adopted was pretest – posttest–quasi experimental design   (Cohen et al .2000:214) . The reason behind adopting this design is that some variables in the experiment could not be strictly controlled and that such as students' background knowledge , the teacher variable and the fact that students have already divided into two groups studying different topics .Also this design seems to exist in the real world and is probably more representative of the conditions found in educational context. (Seliger and Shuhamy 1989 : 148) .

The first researcher, himself , assumed teaching both groups to control teacher predictable bias in the experiment :

Subjects :

The subjects of the experiment were (16) M.A. candidates in the Departments of Private and public Law , Faculty of Law ,University of Mosul . They had already studied English for eight years at pre- university level and two years at the undergraduate level . The orientation of the teaching at pre- university level was audio- lingual method .At the

undergraduate level, the focus was on memorizing few legal terms , manipulating simple grammatical structures , and translation of paragraphs selected from a book entitled Principles of Law " written in simplified English by an Iraqi author who got his degree in Law from a university in the United Kingdom .

The subjects were first subjected to two types of test : English proficiency test based on Philips's 2003 " The complete preparation course for the TOEFL " including only two parts structure and written expressions and reading comprehension . The aim was to ensure that the subjects have had similar background knowledge . A pretest was also conducted in the topics they are going to study throughout the course. The aim was to find out whether or not the subjects had the same background knowledge in the content and language to be included in the experimental study . Except for two subjects , the average age for the subjects was 25 years of age .

As for gender , the subjects were ten males and six females . The subjects have already been divided into two relatively equal groups their : TOEFL scores ; age , sex and pretest scores are shown in table 1 below :

(Table 1)
A comparison of the Two Treatment Groups on Various background Variables

	Public Law	Private Law
Variables	CBI Group	TBA Group
Number	8	8
TOEFL Test Mean Score	46.5	44.8
Sex	3/3	4/4
Pretest Measure	18.2	20.9

The Experimental Lesson Series

The experimental lesson series consisted of 11 ninety- minutes- lessons per month . The material to be taught was selected according to the following principles :

a. It should be an essential part of the Mercantile Law for the private Law group and administrative Law for the public Law certified by the College of Law .This is because these two areas were suggested by the Postgraduate Committee of the College of Law , University of Mosul, to be the legal contents from which the teacher can choose topics for English sessions .

b. It should not have been studied in English during at undergraduate level. It can easily be reduced to tasks or modified to fit the postgraduate level.

The materials that were found to meet the requirements above for the private Law group /TBA were " Bills of exchange and other Negotiable Instruments" which form chapters fifteen and sixteen in Stevens and Borrie's (1969) "Elements of Mercantile Law". The materials selected for the Public/ CBI group were two from the time allotted to teach the material and language was divided equally in both treatments so that two thirds of the lessons time was devoted to teaching the and a third of the lesson time was allotted to teaching the language patterns and structures. After having decided what to teach and the time allotted to the content and language to be covered in each lesson period , two parallel lessons were devised for the TBA group. The lessons were similar in the material and language structures covered . The difference was also centered in the methods of presentation . The CBI was more teacher – centered where the teacher was introducing the topic , leading the discussion , explaining and summarizing as well as isolating the difficult structures to be practiced. The TBA were more learner- centered :The learners do most of the activities and tasks and the teacher was a catalyst or chancellor rather than a controller.

To give the reader a more precise image on a typical lesson world ; how the teaching material was used and the various activities assumed by the teacher and / or students , a brief description of a lesson plan for each group was given below .

The TBA Lesson Series

Taking into consideration the principles and techniques suggested in the literature on the TBA and TBLT a typical lesson for teaching Administrative Law in English was divided into three phases : pre-task , task-cycle – and post- task:

The pre-task Phase

In this phase , the teacher required two students to write down on the board the main points discussed in the previous lecture asking their classmate to evaluate what they have written .The teacher then introduced the new topic writing on the board the key concepts to be discussed and the new technical vocabulary items to be used throughout the lecture. Next , he asked them what they had already known about the topic in question. For example, how Iraqi and French Law had accounted topic because Administrative Law had already been studied in Arabic at undergraduate level and because Iraqi Administrative Law is very much affected by French Administrative Law .

Task- Cycle Phase

The teacher divided the students into groups , each contains three members. Each group is required to give two different definitions based on the textbook assigned as well as the internet and come out with an eclectic definition. The teacher then asked each group to identify , classify, contrast , and compare ideas and concepts .For example, each group is required to identify the cases in which an administrative decision is valid , sub-delegation as a kind of failure to exercise administrative power , the types of cases in which the administrative court will imply a duty to act fairly . Concerning classification , students in each group are required to classify , for example, the doctrine of ultra vires , into simple and extended, the cases of the abuse of administrative powers ; or the types of administrative privative clauses. As for contrast , groups are asked to contrast , for example errors of law and errors of fact in administration ; sub-delegation and estoppel as two types of failure to exercise administrative power , mandatory and directory dichotomy .In comparison, students are required to find out Arabic or French equivalents to the administrative concepts under question.

In identifying , classifying , contrasting and comparing , each group is given five minutes to arrive at the right answer . The answers rendered are discussed by the members of the group or by the teacher. Students are encouraged to use the board to show the distinction ,classification , comparison etc. Using data show or PowerPoint or reciting an actual case taken from the courtroom is appreciated .The teacher, then, asks one student from group A and another one from group B in front of the class to present the main points with 7-10 minutes asking the rest of the students to take notes on

the presentation respectively so as to judge which of the two presenters has covered the main points. The teacher role is to help the presenters to elaborate the ideas providing them with the vocabulary items to write down notes concerning the linguistic errors committed by the student; and to assess students' presentation and participation in language activities.

The post- task phase

a. At this time , the teacher draws students' attention to the errors committed in pronunciation , spelling ,grammar or style . S/he may use may use phonetic notations to correct the errors committed in pronunciation or various types of drills to eliminate the grammatical errors .S/he also summarizes the main point that have been underestimated or missed by the students .Finally , s/he assigns a topic to be discussed in the lecture encouraging them to have a look at the textbook selected as well as other relevant articles or to navigate the internet for more information .

It is worth mentioning that the native language ,i.e. Arabic is not completely eliminated .Resort to Arabic is often made to explain certain legal forms which have no equivalents in Arabic and to contrast English and Arabic concerning some notions which have legal implications .

The CBI Lesson Series

As already mentioned , the CBI aims to teach language through specific subject- matter .It is open to all methods and techniques that might help the student master the language and the structures through academic content. Based on the available literature on the CBI , CBI lesson series in the present study take the following format:

1. Presentation : the instructor asks the volunteers to summarize the previous lecture or actual cases that deal with issues already discussed .

2. Comment : the students are invited to discuss and comment on his classmates' presentation , performance , the points and issues raised referring to the teacher as a catalyst or judge .

3. Explanation : the instructor explains the main issues of the topic in question. He may use the board or visual aids to make the points clearer. Words, expressions and /or structures that are necessary to the topic are written on the board so that the teacher or students can use them for subsequent discussion .

4. Discussion : students are engaged in different types of discussion . They

are required to define , classify ,discuss and compare ideas or concepts under the supervision of the teacher so that each student is given equal chance to define , explain , classify or comment on the points raised so that no student dominates .

5. Conclusion : the instructor or a volunteer summarizes the main issues discussed. Errors in pronunciation or grammar are highlighted and various techniques to overcome them such as minimal pairs or drilling can be used .Finally , the instructor asks the students to navigate the internet for controversial issues of the topic discussed as well as the topic to be discussed in the lecture to follow .

Results and discussion
Results
The raw scores of the participants were computed and various statistical tests were made . As far as statistics is concerned , the mean scores , standard error of the mean , analysis of variance and standard deviation were performed . The t- test (both paired and unpaired) to compare groups on pretest and protest mean scores was also applied .Below is the descriptive statistics of the TBA and CBI .

Table (2)
Descriptive statistics of CBI and TBA group on pretest and posttest overall scores

Group	Number	Test	Mean	SD	SEM
CBI	8	Pretest (Oral)	7.375	2.133	.754
		Pretest(Written)	18.750	7.851	2.775
		Posttest (Oral)	14.250	4.713	1.666
		Posttest(Written)	43.250	13.035	4.608
TBA	8	Pretest (Oral)	8.000	3.251	1.149
		Pretest(Written)	17.125	6.379	2.255
		Posttest (Oral)	17.125	3.563	1.259
		Posttest(Written)	50.000	13.458	4.758

The table above tentatively showed that CBI and TBA groups' mean scores

in both oral and written pretests were 7.375.,18.750 , 8.000, and 17.125
respectively clearly indicating that they had by far weak background
knowledge of the subject matter in subject matter , so that the material can
be safely claimed that it is new for them . By contrast , both CBI and TBA
groups' mean scores in oral and written posttests were relatively high . The
mean scores were 14.250 , 43-250, 17.125,50000 respectively imply that
both groups have been benefited from the independent variables (CBI and
TBA) applied .

In order to test, the hypotheses already posed . a number of comparisons
were made .To begin with , a comparison was first made between CBI
pretest (oral and written) and TBA pretest (oral and written) mean scores.
The aim was to see whether both groups were almost the same concerning
the background knowledge in the subject matter under question. Table (3)
below summarizes the results

Table (3)
**A comparison between pretest mean scores of CBI and TBA in
background knowledge**

Pretest	Group	Sig	t-value	df	Mean D.	Std. error difference
Oral	CBI	-653	-455	14	-625	1.375
	TBA					
Written	CBI	-64	-454	14	1.625	3.576
	TBA					

The table above indicated that t- values of the pretest (oral and written)
of CBI and TBA obtained were .625 , 1.525 respectively . This means that
the difference was not significant . The non-significance implies that both
groups have had relatively similar background knowledge of the to- be-
taught material and that any change that may take place would be due to the
treatment applied.

A comparison was next made between CBI and TBA pretest (oral and
written) and posttest (oral and written) . The aim here is to measure the
progress each treatment had achieved and whether there were statistically
significant difference between the two .

Table (4)
A comparison of the progress achieved by CBI and TBA

Group	Oral Test		Progress	Difference	Written Test		Progress	Difference
	Pretest	Posttest			Pretest	Posttest		
CBI	7.375	14.250	6.975	2.775	18.750	43.250	25.500	7.250
TBA	8.000	17.125	9.750		17.125	50.000	32.750	

The results clearly showed that progress was achieved in both groups and in both oral and written tests The comparison between the progress achieved between CBI and TBA indicated that the difference was 2.775 in favor of the TBA group . That is TBA group outperformed those of the CBI in oral test . The same statistical procedure is applied to the written test. TBA group performed better in the written test than those of the CBI group. The difference was 7.250 in favor of the TBA group.

In order to see whether the progress that was achieved significant or not, a paired t- test was applied between CBI between pre and posttest mean scores (oral and written) and TBA pre and post test mean scores (oral and written) respectively. Table (5) below summarizes the results

Table (5)
The paired t-test values resulted from the comparison for significance between pretest and post test mean scores (oral and written) of the CBI and the TBA .

Type of comparison	No.	Paired Differences			T	df.	Sig. (2-tailed)
		Mean	Std. Deviation	Std. Error Mean			
CBI- pre –oral CBI post –oral	8	-6.87500	5.56616	1.96793	-3.494	7	.010
CBI pre writing CBI post writing	8	-24.50000	7.44504	2.63222	-9.308	7	.010
TBA- pre oral TBA post oral	8	-9.87500	4.58063	1.61950	-6.098	7	.010

TBA pre writing TBA post writing	8	-32.87500	13.07601	4.62307	-7.111	7	.010

The results clearly showed that the difference is statistically significant . This is because the computed t-values which are 3. 494 , 6.098 and 7.111 respectively are higher than the tabulated t-value which reads (1.415) under 7 degrees of freedom at (.010) level of significance . The most significant difference was found between CBI pre test and post test scores (written) while the least significant difference was found between CBI t-test and post test scores (oral) . This result seems quite normal because CBI pays less attention to oral skills compare to written ones . By contrast , TBA seems to effect a relatively similar significant difference in both oral and written skills . This is because TBA accounts for both oral and written skills at the same proportion .

A final comparison was made between post test mean scores (oral and written) of the CBI and TBA groups . The objective here was to find out whether the difference in the results obtained in the posttest were significant or not so that one can judge the preference of one approach on the other . To this end , an unpaired t-test was applied to measure this significance . Table 6 below summarizes the results obtained

Table (6)
Unpaired t-test for difference between CBI and TBA in oral posttest

Group	No.	Posttest	Mean Difference	Std. Deviation error	df.	t-value
CBI	8	Oral	3.625	2.088	14	.454
TBA	8					

The data in table (5) represents a comparison between the difference in the mean scores obtained by CBI and TBA in oral pretest . The t-value computed was (.454) under (14) degrees of freedom at .010 level of significance . This value is less than the tabulated t-value which reads (1.859) under the same degree of freedom and at the same level of significance .This finding implies that the difference is not statistically significant .Both the treatment have relatively had the same effect on the participants' achievement in the

oral test .

The last comparison was made between the mean scores obtained by participants in CBI and TBA in the written posttest . The aim again is to find out whether the difference in the mean scores between the two groups is significant or not . Table (6) below summarizes the results obtained .

Table (7)
Unpaired t-test for difference between CBI and TBA in written posttest

Group	No.	Posttest	Mean Difference	Std. Deviation error	df.	t-value
CBI	8	Written	1.625	3.576	14	.454
TBA	8					

The results above clearly show that the computed t-test value has been (.454) under (14) degrees of freedom at .010 level of significance while the tabulated t-value is (1.859) under the same degree of freedom at the same level of significance .This results implies that the difference between the group compared was not significant as far as the posttest is concerned .This means that both the treatments have almost had the same effect on students' achievement in written posttest.

Discussions

The present study attempted to investigate the effects of two instructional approaches : the CBI and TBA upon students' overall achievement in legal English at postgraduate level . More precisely , it tried to provide a research-base answers to two questions : the first was concerned with investigating which of the above instructional approaches would have better consequences on the students' overall achievement in legal English ; while the second questioned the effect of each on the students' oral skills . Associated with these questions, two hypotheses were formulated :one predicted that both the instructional approaches would have the same effect on the students overall skills and subject matter; the other expected that TBA group would outperformed their counterparts in the CBI in the oral test .

To begin with , the findings , clearly showed that no statistically significant difference between the two treatments in the pretest mean were found . This

means that both groups roughly had the same background knowledge in the material to be taught subject-matter m so that both groups were at the same point of departure when starting the experiment .

A comparison was then made between the two treatments , mean scores looking for progress , if any, is achieved . The results indicated that both achieved a considerable amount of progress in both language and subject matter . Yet , when a t-test was applied to compare the progress achieved by both the instructional approached investigated , no statistically significant difference was found between the two treatment . Thus , the first hypothesis which reads " no statistically significant difference will be found between the two treatments in the achievement test with regard to language skills and subject –matter " has been confirmed . This finding implies that the answer to the research question " which of the two approaches :CBI or TBA will provide a better basis for the students' mastery of language skills and legal content in terms of the achievement test " is that both can equally be used in teaching legal English at post graduate level .

The last comparison was made between the two treatments' mean scores in the oral posttest .The aim was to verify the hypothesis which reads " A statistically significant difference will be found between the two treatments in the achievement test with regard to the oral skills and in favor of the treatment taught according to the TBA methodology " .Counter to our expectation , no statically significant difference was found between CBI or TBA methodology . Thus , the hypothesis already postulated has been disconfirmed .Thus , the answer to the second research question " which of the two approaches will help in better developing the postgraduate students' oral skills ?" would be , both of the approaches would help in roughly the same proportion in developing oral skills participants of both group gained from the techniques and opportunities by both instructional approaches to develop their ability to learn the language and the subject –matter ,

Conclusion

The present study set out to investigate the relative effect of two instructional approaches CBI and TBA upon postgraduate students of law 's overall

achievement in Mercantile law and Administrative law as well as the oral language skills . The results indicated that both had made measurable gains in content and language income and no statistically significant difference was found between the two approaches in the overall achievement or in the oral skills .

Several considerations can be drawn from the results and discussion above. To begin with , the results lend support to the claim made by Brinton , Snow and Wesche ; 1992 ,Snow and Brinton; 2001) that CBI can have favourable effect on teaching language through content at almost all levels .On the other hand , the results above provide a strong but indirect support to the task-based language teaching .To the best of our knowledge , TBA has not been experimental with in teaching postgraduate content and language . Although students were not accustomed to learner-centred approaches , the learner –focused activities used in the TBA treatment had favourable results as students' achievement and motivation . TBA participants told the present researchers that the instructional techniques had helped them to learn more and made them more confident in presenting themselves or topics to others . Thus , the present study supports the premises made by Bygate 2001 and Skehan 2004 cited in Pica (2008) that the TBA material and methodology help learners to achieve production accuracy and increase content comprehensibility . The results support the experimental studies made at undergraduate level (e.g. Aljeheshi 2011 and Ahmed 2011)

Finally , it seems to the present researchers that the results obtained are far from being conclusive .Different results might be obtained from different learners and different levels of proficiency .Therefore, there is a strong need for more research work comparing or applying each of the instructional methodology to teach various academic contents at various academic levels and with learners of different levels of language proficiency , of different ages ,background knowledge and content.

To conclude , on the basis of the results obtained , both methods can be recommended to teach legal English not only at postgraduate level but also at undergraduate level using modified versions of each method to fit students' background knowledge in Law and levels of language proficiency .

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Appendix (1)

A sample lesson plan for a TBA lecture

Participants : Public Law M.A. candidates . College of Arts , University of Mosul .

Topic "Ultra Vires" in Administrative Law

Background

This lecture is the tenth of fifteen lectures that constitute the first semester of legal English /Administrative Law .

Behavioral objects

At the end of the lecture , participants are supposed to be able to :

1. recognize the meaning and history of the term Ultra Vires " in Administrative Law .
2. draw a distinction between simple or narrow " Altra Vires " and extended or board 'UltraVires " in administrative Law .
3. identify the sub class of simple Ultra Vires
4. distinguish the sub-classifications of extended Ultra Vires

Pre-task phase

The instructor asks a volunteer to summarize last lecture : the origin , definition and rules of procedural fairness in administrative Law in five minutes . He writes the following legal terms on the board : Ultra Vires , mandatory , consideration, substantive , procedural , lack of proportionality and estopples , giving their Arabic equivalents and explaining them briefly. He asks the students what they expect the topic Ultra Vires is about and whether it is found in Arabic Demonstrative Law .

Task-cycle phase

1. The teacher divides the students into two groups A and B , each contains three students asking them within five minutes to choose a spokesman to talk about the origin of the term " Ultra Vires " and to elaborate a definition for the term .
2. The teacher asks a student from each group to come to distinguish between " abuse of power " and " failure to exercise power " requiring other student to think of hypothetical cases .
3. The teacher asks a volunteer from each group to list on the board as

various types of cases of abuse of power as possible and compare the two lists in short competition.

4. Also in a sort of competition , the teacher asks one group to draw a chart classifying the simple Ultra vires and the other group to draw another chart classifying the extended Ultra Vires .

5. The teacher encourages each student in group A to ask his / her counterpart in group B on one form of abuse in administrative law and each student in B to ask his / her counterpart in group A on one form of failure to exercise power in Administrative law .

6. The teacher asks a volunteer to summarize within five minutes the main points discussed encouraging him to use whether means he wants to present the summary .

Post- task phase

The teacher :

1. summarizes the main points again paying special attention to the points which have not been fully understood . He also writes on the board the errors in pronunciation , spelling and grammar using various ways to help students overcome them in the future .

2. ask students to navigate the world wide web to find actual cases on Ultra Vires to discuss in the lecture that follows.

Appendix (2)

A sample of a content- based instruction /M.A. candidates in private law .

Participants : M.A. candidates / private Law , College of Law University of Mosul

Topic : Bills of exchange : cheques

Background :   students have already studied the general features and characteristics of bills of exchange and other negotiable instruments .This lecture is the eighth of fifteen lectures that constitute the first semester in legal English / mercantile .

Behavioral Objectives

At the end of the lecture , students are supposed to :

1.Provide various definitions of " cheque " as negotiable instrument

2. Classify checks following various criteria .
3. Examplify each type
4. Learn the historical phases that cheque has passed through .
5. Identify the liability of the drawer and endorser in cheque contrasting it with the liability of the same parties in other negotiable instruments .

The lectures takes the following format :

The instructor :

1. calls a volunteer to raise the main points raised in the previous lectures or legal cases related to issues discussed within 8 minutes . The students are invited to discuss or comment on the presentation made . The instructor then makes some comments , illumination and corrections of the error made by the presenter .He also emphasizes the points that have current relevance .

2. writes on the board the key terms and expressions whose meaning are necessary to the understanding of the lecture , such as : promissory notes, visa cards m receipts , holder for value , in due course , negliance, revocation . The meanings of these words are explained in Arabic or in simple English .

3. explains the various definitions for the " cheque " encouraging students to discuss the merits and demerits of the definitions and to provide an eclectic definition .

4. points out the main features of cheques . Then he asks indvitual students to talk about these features in details . Then he summarizes the features already discussed .

5. asks the students to draw a distinction between cheques and visa cards , debit cards and promissory notes .

6. asks each student to talk about different types of cheques paying special attention to certified cheques' travellers' cheques and blank cheques .

7. writes the liability of the indorser and the liability of the drawer on the board and asks volunteers to list and compare between them .

8. requires individual students to compare the rights and obligations of the cheque drawer , drawee ,and indorser with the rights and obligations of the holder and endorser of other negotiable instruments .

9. then discusses issues related to negotiation and circulation of cheques .Such as in due course , notice of dishounor , non-notice dishonour.

10. The instructor tells his students to bring actual legal cases resulted from misusing of the cheques on everyday transactions to be discussed in the lecture to follow .

11. finally , the instructor singles out the words that have been mispronounced or misspelt and the grammatical structures wrongly used by the students using minimal pairs or drilling to help them master these structures .

Appendix (3)

The written test for CBI Group / Private Law
The oral test
The students are required to make oral presentations of a topic within the field of Mercantile law using a data show or a power point. The time allotted for each presentation is (15) minutes .Students' performance will be assessed in terms of content and language .

(20 Marks)

Q1 / Explain the meaning of the following legal terms giving illustrative examples :
1. waiver   2. payment in due course   3. valuable consideration 4. notice of dishonour   5. presumption on favor of holder .

(20 Marks)

Q2/ Draw a distinction between each pair of the following :
1. Liability of the indorser and liability of the drawer .
2. Lost bill and overdue bill .
3. Renunciation and cancellation.
4. Duty of the holder and duty of the indorser .
5. Acceptance for honour supra and qualified acceptance .

(20 Marks)

Q3 / In a research format write , hypotheses and procedures for the following topics :
1. Indorsement in British and Iraqi Mercantile Law .
2. The rights of the parties other than the holder of the bill of exchange in the British and Iraqi Mercantile Law .

(20 Marks)

Q4/ Comment on the following :
1. Unlike cheques ,Bills of exchange may take various forms .
2. Sometimes , a bill is signed by a person as a drawer , acceptor or indorser without consideration for the purpose of lending his name to some other person .
3. If the bill be accepted generally no presentment is required to render the acceptor liable
4. Time for notice of dishonour is highly important .
5. For safety's sake the words " not- negotiable " are often added to cheqe.

(20 Marks)

Appendix (3)

The oral and written test for TBA Group / Public Law
The oral test
Students are required to make oral presentations of a topic within Administrative Law formatting PowerPoint slides .The time allotted for each presentation is (15) minutes . Students' performance will be assessed in terms of content and language . (20 Marks)

The Written test
Q1/ Explain the meaning of the following legal terms giving illustrative examples .
1. ultra vires   2. irrelevant consideration   3. procedural fairness   4. nemo judex   5. sub-delegation

(20 Marks)

Q2/ Draw a distinction between each pair of the following :
1. Substantive and procedural limitations
2. Traditional and extended justificational errors
3. Implied and procedural ultra vires .
4. Errors of law and errors of fact in Administrative Law .
5. lack of proportionality and manifest of unreasonableness

(20 Marks)

Q3 / In a research format , write possible research questions ,hypotheses and procedure to the following :

1. Sub-delegation as a kind of failure to exercise Administrative power of English and Arabic .
2. Irrelevant consideration as a sort of abuse of Administrative power ; a comparative study .

<div align="right">(20 Marks)</div>

Q4 / Comment on the following statements giving illustrative examples :

1. Administrative private clauses may tae various forms .
2. Some commentators use compendious expression to describe the need for a decision maker to retain a discretion in the exercise of power .
3. Rules of natural justice are particularly relevant to procedural fairness in Administrative Law .
4. Reasonable suspicious and reasonable approaches as aspects of the likelihood of test of bias in administrative law .
5. Acting under dictation as an aspect of failure to exercise Administrative power .

<div align="right">(20 Marks)</div>

التدريس المعتمد على المحتوى مقابل المنهج القائم على المهام في تدريس اللغة الانجليزية القانونية : دراسة تجريبية

د. باسم يحيى جاسم
د. مؤيد تحسين يوسف

كلية الآداب ـ جامعة الموصل
الموصل ـ العراق

ملخص

في ميدان تدريس اللغات الأجنبية ثمة اتجاهان اكتسبا مؤخرا شهرة واسعة يدعيان اتساقهما مع النظريات الحديثة في مجال اكتساب اللغة الأجنبية وقدرتهما على مساعدة الطلبة في تعلم اللغة الأجنبية بوتيرة أسرع ويشكل أسرع وأفضل . هذا الاتجاهان هما : المنهج القائم على المهام والتدريس المستند على المضمون . وعلى الرغم مما كتب عن كلا الاتجاهين من أبحاث وكتب إلا أن الدراسات التجريبية التي اعتمدت هذين الاتجاهين لاسيما تلك التي تناولت تطبيقهما في المراحل المتقدمة مازالت غير كافية للتحقق من مزاعم أنصارهما واثبات أرجحية أي منهما . تهدف الدراسة الحالية إلى تقصي اثر المنهج القائم على المهام والتدريس المستند إلى المضمون في مجمل أداء طلبة الدراسات العليا العراقيين الذين يدرسون الانكليزية لإغراض القانون في كلية القانون في ناحيتي اللغة والمادة القانونية . تفترض الدراسة عدم وجود فروق ذات دلالة إحصائية بين الاتجاهين التدريسيين من حيث إثر هما في الأداء العام للطلبة في اللغة والمادة القانونية . غير أنها تفترض وجود فروق دلالة إحصائية في تطوير المهارات الشفوية ولصالح المنهج القائم على المهام . تبنت الدراسة التصميم التجريبي الذي يعتمد المجموعة التجريبية والضابطة والاختبارين القبلي و البعدي   . أظهرت النتائج صدق الفرضية الأولى وعدم صدق الفرضية الثانية إذ لم تظهر فروق دلالة إحصائية بين الطريقين لا في تطوير الأداء للطلبة ولا في تطوير المهارات الشفوية.