

CHAPTER 16

Legal Arabic for Courts and Ethics

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1 Introduction

Few programs address the special needs of incoming law students in the United States. The individual courses offered tend to be general and ill-equipped to address specific linguistic and cultural needs in this field. To address this, I propose the development of a new course, “Legal Arabic for Courts and Ethics”, and will discuss the many considerations related to designing the curriculum and utilizing discourse-based research directions for future research related to this course. In this proposed course, students will learn legal principals and the description of the Egyptian court system as an example of an Arab country and learn how to locate legal resources and identify legal materials by operating a variety of databases. They will create, synthesize, and compare a variety of legal documents as well as study detailed procedures, analyze evidence of support, and compile ideas into the legal world.

Despite students in the program having high Arab-language proficiency, students in the past have reported difficulty in managing legal case reading, writing seminar papers, and participating in seminar classes. Students will therefore practice speaking skills through autonomous interaction, chain dialogue, transformation, reinstatement, substitution, and translation. Writing will be practiced intensively through reports, memos, and research papers. The other skills of second-language acquisition, such as reading and listening, are implied in the speaking and writing tasks.

1.1 Course description and Institutional Background

This one-credit unit, 500-level course will be offered for the first time to law students at University of Pennsylvania. It will be taught twice a week for 90 minutes beginning in the fall of 2015. The primary goal of the class is for law students to work with legal cases in Arabic to determine, on their own, the case's main points and relevant issues. Throughout this procedure, they will develop the appropriate cognitive and language skills and strategies to deal with the case in a way similar to that used by professionals. Students will be called on to defend actively a case or to critique the court's reasoning. Due to the seminar's small size and nature, all students will participate equally and produce a report after the study of each case and a research paper at the end of the seminar.

“Legal Arabic for Courts and Ethics” can be defined as a subfield of Teaching Language for Specific Purposes (LSP), in that it focuses on developing communicative competence in various legal settings. Students will need to select the appropriate language and use it

strategically to achieve a particular communicative purpose. The emphasis is on acquiring highly advanced legal argumentative skills, legal idiom learning, and cross-cultural awareness.

By watching videos, students will learn how to identify, analyze, and suggest solutions to cases and ethical issues presented in actual Egyptian courts. These language-centered legal cases are designed to integrate practice in all language skills, especially listening, speaking, and using legal idioms. Students will: (a) gather information through the Internet, newspapers, and legal reports; (b) generate options for actions to take a stand; and (c) persuasively and comprehensibly present ideas to a critical audience.

The course seeks to make students more acquainted with the legal system in general and the post-Arab Spring court system in Egypt. This will shed light on that society's radical sociopolitical changes while exposing students to the country's legal system and court ethics. Different case studies will be analyzed to frame the legal contexts during the ongoing upheaval in Egypt.

Students expected to enroll in this class are those who are majoring or minoring in Middle East Studies or Near Eastern Languages and Civilizations at the University of Pennsylvania, with the majority of expected learners coming from the Law School due to the nature of the course offering. The seminar is expected to be a small class due to the high proficiency required in Arabic.

2 Needs analysis

First, I will prepare a needs analysis to gather information about the law students' specific needs and the goals they hope to achieve by taking this course. This will be accomplished by circulating a questionnaire asking why they are interested in taking the course. The questionnaire will ask about the priority of such issues as topics, functions, activities, and grammar points that participants feel are the most important to them in terms of legal Arabic to help me focus on their specific needs. Ideally, answers will also reveal information regarding levels of speaking, listening, reading, and writing proficiency for the intended population.

As a follow up, I will also interview a sample of students to discuss their necessities, lacks, wants, desires, demands, expectations, motivations, constraints, and requirements. I will use students as resources to minimize research methods biases. Through interviews, I hope to get to know the participants, situate myself as a learner and not an expert, and observe potential participants through pre-interview and follow-up conversations. In addition, I will interview the law school's dean of curriculum to ask about prioritizing legal information in various contexts. This triangulation of data sources of (a) students, (b) the instructor, and (c) the administrator will help to make the exploratory nature of this project more dependable and credible. I believe that determining the course objectives mainly through interviews is a good way to help implement decisions in terms of assessments, materials, and teaching strategies. It will especially help focus the course on present-situation analysis, learning oriented analysis, and advanced legal language audits. Lastly, through interviews, I will be able to gather information about the existing body of knowledge for the course and help shape the cognitive learning processes to fulfill the interests of the learner.

3 Student Learning Outcomes

The student learning outcomes (SLOs) for the course should indicate what knowledge, skills, attitudes, and values students should have acquired by the end of the course. Clearly stating SLOs will enable students to articulate what they are learning, as well as anchor the course with specified goals and objectives to keep it on target and help keep the course congruent with departmental goals and objectives. In total, the SLOs should be SMART which means *Specific, Measurable, Achievable, Realistic* and *Time-bound* (Bovend'Eerdt, Botell, & Wade, 2009). They display how needs are operationalized. With that said, the general goal of this one-semester course is to familiarize law students with Egypt's legal culture and the academic language skills needed to achieve a professional level of advanced Arabic according to the American Council on the Teaching of Foreign Languages (ACTFL). While specific SLOs will be identified following the results of the needs analysis, for the purposes of this proposal, broader goals are stated here that come primarily out of the instructor's intuition and experience with the course content. These are identified here as students being able to do the following:

- Define the social context that has impacted Egypt's legal setting since the January 25, 2011 revolution until the present day
- Describe the Egyptian legal/court system using a comparative approach (e.g., the American system) by scanning the differences and similarities
- Label ethics in the legal system and describe legal procedures in different settings
- Discuss all topics in a detailed manner using critical thinking and developing a higher level of Arabic

- Analyze information to understand the ideas, intentions, arguments, and evidence behind the trials
- Judge the evidence based on definite criteria
- Examine the appropriateness of evidence and sentences
- Learn the legal system's idioms and lexicons in Arabic
- Develop sentences and arguments to express a full position at an advanced level of Arabic (according to ACTFL)
- Use critical thinking to interpret advanced technical Arabic
- Analyze the sociopolitical context and understand the national and legal background
- Handle cases as well as apply legal principles to the facts of different cases
- Learn how to write academic legal documents (e.g., memos, briefs, reports, footnotes, and syntheses)
- Conduct legal research
- Participate in legal dialogues
- Assess writing by defending a written sentence or a particular stand from three parties: (a) the lawyer; (b) the judge; and (c) the accusee

Through studying cases and analyzing legal settings, understanding the sociopolitical background, reading commentaries in the local and foreign newspapers, and watching videos students are expected to gain a better understanding of these ideas by the end of the course.

4 Materials and Curriculum

A thematic syllabus will be used in order to provide a legal framework based on sociopolitical conditions and comprised of themed multimedia units designed to show different case trials. Pedagogically, the course will seek to develop communicative skills for a legal setting and to enable students to experience the culture in a specific post-Arab Spring setting. An open-ended training program based on authentic narrative materials will be conducted.

Materials will consist of videotapes and articles selected from documentaries, Egyptian and foreign newspapers, and think-tank reports among others that cover the last three years since the Revolution of January 25th to the present day. In addition, I will create materials in the form of animation clips to simulate an actual court setting, funded in part by an educational grant. I will write scenarios based on the gathered information and hire a technical team to help me edit these videos. The course resources will consist of court trials uploaded to Youtube, movies, Arab and English newspapers, and show-and-tell animation videos. The students' professional knowledge in legal matters will be a valuable asset here as well.

5 Assessment and Evaluation

5.1 Assessment

This class will feature ongoing assessment through role-plays, skits, presentations, and *voicethread* on *Canvas*. The final grade will be based on completing a portfolio that consists of a database of idioms and legal lexicons, case reports, and two research papers. Kimzin & Proctor (1986) provide a good framework for English for Academic Purposes needs by stating that students should be assessed based on their ability to synthesize arguments within a lecture,

devise and reference a note-taking system compatible with their academic needs, and develop coherent argument in class discussions and oral presentations. Adapting this for my course, students will be assessed on their ability to demonstrate proficient use of strategies for comprehending advanced Arabic-language academic lectures, critically evaluate speakers' perspectives and arguments, lead academic discussions, demonstrate an excellent use of advanced strategies, and make academic presentations using a high degree of formal accuracy and cultural and stylistic appropriateness. Students should be able to assume and then hold both defensive and argumentative positions. In short, they will learn by doing. Assessment will address concerns of (a) validity, by covering both linguistic and workplace content, (b) authenticity, by matching assessment tasks to real-world tasks, and (c) reliability, by using a rubric to systematically judge performance..

5.2 Evaluation

Evaluation will be done through developing, improving, and reflecting on the course throughout and at the end of the course. I will double check to see if all needs as well as SLOs were met, what materials worked and what needs revision, and what aspects of the syllabus were unconnected and unfocused. As such, evaluation will be an ongoing and iterative process. I will think about both the degree of changes/improvements necessary and what can be better accomplished when teaching the course in the future. This should help me to identify what needs immediate focus and ideally reveal the many positive findings as well.

6 Conclusion

By working on specific learning skills to raise the competence in Arabic to “Superior Advanced” (according to ACTFL) to fulfill the needs in the legal field, students will gain a solid understanding of the cognitive and language skills needed to handle legal tasks. By so doing, some characteristics of their academic writing will improve, as will their ability in oral fluency in regard to such matters as hedging and qualification, complex relative clauses with prepositions and mid-position adverb, and others. As a result, students will be able to draw on their acquired writing skills to synthesize reports and prepare memorandums. They will learn to advance a hypothetical legal problem that requires researching other documents/cases to accumulate ideas and construct a picture that can be applied to the case they are analyzing. Also, by learning to construct a holistic picture instead of acquiring a detailed understanding of the case, they will be able to extract a number of facts to integrate in their persuasive argument.

“Legal Arabic for Courts and Ethics” is a hands-on introduction to the process of legal research using a high level of Arabic within the sociopolitical context in present-day Egypt. This course will open various venues of research. In addition, other materials can be developed based on this case study and perhaps professionals can devise a graduate-level “Certificate in Legal Arabic” in the future.

Although this course will provide in-depth legal training in an Arabic context, I expect various constraints. Among these, the following are most immediate: (a) limited resources (except for local and foreign Arab newspapers); (b) the non-feasibility of conducting interviews with lawyers, judges, and/or the parties concerned; and (c) preparing high-quality audiovisual materials will be time consuming. I believe that by using a sociopolitical approach, I can

overcome the limit-situation in “Legal Arabic for Courts and Ethics.” In general, LSP instructors should be more critically aware. Based on the critical pedagogy, we should continuously ask whose needs are being addressed and why.