A Socio-Cultural Approach to ELP: Accessing the Language and Culture of Law through Fictional Television Series

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ABSTRACT
Although the field of ESP studies is, comparatively speaking, a relatively new area of academic enquiry, it has nevertheless well over half a century of existence and evolution to its name. Present in the most far-flung reaches of the world today, ESP is undoubtedly one of the most cross-cultural of disciplines and as such subject to constant processes of adaptation and reinvention, at times calling into question the epistemological core of the discipline itself. In a two-step approach, this study first presents a theoretical overview of the main epistemological trends in ESP studies today. Having established the general theoretical framework, the paper focuses on practitioner-orientated concerns in relation to implementing a wide-angled socio-cultural approach for university level English for Legal Purposes (ELP). In this dual perspective, it looks at the potential offered by the use of specialised fictional narrative in the form of popular television series or *fiction à substrat professionnel* (FASP).

Keywords: ELP, pedagogic supports, TV series, legal FASP, learner motivation

1. Current epistemological trends in ESP

ESP has traditionally been defined in terms of three central constructs: the inherently symbiotic nature of its interdisciplinarity centred on language and learner specialism interdependence; a pragmatic teaching-based vocation; a corollary focus on learner language needs. These defining parameters have evolved differently over the past 60 years of the maturing of ESP studies. In keeping with the complexity of the times, ESP has followed the evolution of subject-domains away from the notion of autarkic self-contained entities towards increasing disciplinary overlap ("hybridization", "colonization", etc.). Likewise, even though the teaching-based vocation of the discipline remains the primary approach to the discipline, emerging research has undertaken a study of specialised varieties of English within the context of their professional/specialised environments, unrelated to teaching concerns, as illustrated by Michel Van der Yeught's study of the language and specialised environment related to English for Financial Purposes (2012).

Needs analysis, the defining cornerstone of ESP studies, has been the object of even greater epistemological soul-searching over the years and resulted in the emergence of deep divergences regarding the theoretical foundations of the discipline itself. The "P" for purposes in the acronym "ESP" points to the essentially "functional" or "focused" objectives behind language learning in the ESP perspective and, as such, remains largely uncontested. Initially, such "purposes" were unhesitatingly defined in terms of the language competences needed to pursue clearly identified professional target situation goals (TSA). Munby's pioneering Communicative Syllabus Design (1978), outlining language needs in terms of sometimes over-precise parameters, is undoubtedly the most emblematic work on needs analysis in this perspective. Since then, the identification of learner needs has evolved to take into consideration present situation parameters as well (PSA) and has matured towards a more nuanced analysis of needs based on a learner-teacher-professional triangulation involving the three main stakeholders concerned.

Initial indications of unease regarding the exact nature of learner needs had already begun to emerge in the early days of ESP as evidenced by the vacillations regarding the interpretation of the "S", ranging from "*Specified*" (Strevens, 1988) to "*Special*" and then to "*Specific*" (Munby, 1978 [1981]).[1] Though there is little documentary evidence formalising the shift,[2] Munby, one of the leading voices in the field of ESP studies at that time, gives one version of the rationale behind the move:

> […]'special English', which is associated with some of the earlier examples of materials in this field, focuses on distinctive features of the language, especially vocabulary, that are most immediately associated with its restricted use, e.g. technical terms in agriculture. ES[pecific]P, on the other hand, should focus on the learner and the purpose for which he requires the target language […]. It is this that is new about ESP, together with a much more rigorous approach […], using insights and findings from sociolinguistics, discourse analysis, and the communicative approach to language learning. (1978 [1981]: 2-3)

Since then, even though the consecrated interpretation of the keystone "S" of the acronym has been accepted worldwide to stand for "*Specific*", there continues to be debate amongst ESP practitioners and researchers as to the most relevant interpretation of "specific" when transposed into terms of approach, content and pedagogic supports. Of the varying approaches to ESP today, three dominant and divergent theoretical approaches stand out in terms of the interpretative variations of the "S" of the acronym: "specific", "specialized" and "social" or, as Belcher puts it, "the sociodiscoursal, sociocultural and socio-political" (2004: 166).

1.1 English for "specific" purposes or the socio-discoursal approach

Historically the oldest approach, the specific or lexico-grammatical socio-discoursal approach is a narrow-angled vision of oral or written language objectives. These are defined in terms of precise professional tasks and limited contexts of language use, leading Mackay and Mountford (1978) to refer to such language use as "English as a restricted language". Based essentially on a genre approach to ESP, at the written end of the spectrum we have the classic example of the technician's handbook and at the oral end we have the no less classic language of international air-traffic controllers, or Airspeak. In the academic environment, a common example of such narrowly-defined objectives concerns writing scientific research abstracts.

Language teachers, not unsurprisingly, are often critical of the over-specific nature and limited scope of such an approach, its lexico-grammatical focus on formulaic genres and "text-without-context" perspective. They tend, like Mackay and Mountford, to consider that "such restricted repertoires are not languages, just as a tourist phrase book is not grammar" (1978: 5).

Whatever the reservations expressed, it cannot be ignored that learning languages for precisely-defined purposes corresponds to clearly defined needs: to want an Airbus wiring technician to develop complex communication skills neither he, nor his employer, nor the job call for is tantamount to ordering a Rolls Royce when a Jeep is what the technical specifications specify. The vitality and relevance of this approach is underlined by the fact that it represents a healthy sector of economic activity, requiring qualified language teachers to meet the technical language needs of many learners in companies, vocational schools, continuous education, chambers of commerce, private language schools, etc.

1.2 English for "specialised" purposes or the socio-cultural approach

English for "specialised" purposes may be considered as an approach which places ESP objectives beyond the basic acquisition of technical language used in a limited exolingual[3] context. The aim is to develop a communicative competence destined to enable learners to function and interact as full-fledged members of their global professional communities. Such language objectives are culture-orientated which means that, besides grounding in general English (EGP), and in addition to the acquisition of

specialised language and discourse, ESP objectives also embrace the anthropological dimension of the specialised environment, its institutions, professionals, history, myths and legends, rites and rituals, preoccupations, etc.

The importance of the link between language and culture in general has been highlighted by a number of prominent researchers but it is French linguist and ESP specialist, Michel Petit, who first theorized this approach with regard to ESP studies relative to the French tertiary education sector:

> [L'anglais de spécialité est] est la branche de l'anglistique qui traite de la *langue*, du *discours* et de la *culture* des communautés professionnelles et groupes sociaux spécialisés anglophones et de l'enseignement de cet objet. (2002: 2-3).[4] [emphasis added]

More recently, Parkinson (2013: 156) advocates the same line of thinking when she evokes the notion of "concentric circles" in the context of English for Scientific Purposes (EST), with language featuring at the core, surrounded by successively expanding circles related to skills, genre, disciplinary socialization and finally, disciplinary culture and values.

In spite of the relatively late formal recognition of the cultural dimension of ESP, teachers had long integrated a more cultural angle into their ESP classroom practices through adoption of the situated approach it foregrounds and by breaking down the spatio-temporal confines of the classroom through the introduction of pedagogic supports such as fictional and documentary films, television series, video games, site visits, and internships based on an ethnographic approach of immersion and O&A (Isani 2014).

1.3 English for "social" purposes or the socio-ideological approach

The "social" or "socio-ideological" approach, often referred to as "Critical Perspectives", emerged during the 1990s and introduced a new set of dynamics into ESP studies. Sarah Benesch in the United States and Alastair Pennycook in Australia, two prominent researchers associated with this line of ESP studies, challenge the most sacred of ESP cows, the needs-based approach. Ideologically orientated, advocates of this movement criticise ESP's traditional objectives as products of neo-colonialism, capitalism and imperialism designed to promote unquestioning "accommodationist" and "assimilationist" practices with regard to dominant discourse. In contrast to such "vulgar pragmatism" (Pennycook, 1997: 254), advocates of this approach to ESP promote "critical pragmatism" which seeks to emancipate and empower learners by focusing on "rights analysis" (Benesch, 1999) rather than "needs analysis". In other words, teaching learners how to express their rights vis a vis the Establishment — i.e. institutions, administrations, teachers, employers, etc. — is given precedence over learning to fit into the professional "mould" of the dominant discourse framed by employers.

On the epistemological plane, such objectives prompt the question of whether they may legitimately be considered as ESP: Are we not quite simply in the field of EGP?

What is the subject-domain? Part of the answer lies in the fact that, while the "critical perspective" approach does indeed advocate EGP competence, for advocates of a more militant bent, social empowerment is gained through the specialised language and discourse of unions, demands, industrial action and social conflicts, a sort of ESP for union action. However marginal such an approach may appear in the European academic context, in endolingual learning loci and migrant learner profiles from which the socio-ideological approach arises, it is patent that a language learning environment which seeks to promote learners' status as entitled interlocutors, can only be conducive to language learning and acquisition processes and subsequent social integration (objective not too far afield from the ones defined with regard to the socio-cultural approach and its objective of socio-professional socialisation).

   To conclude on this theoretical part, we would like to underline the fact that no one approach is "better" than the other and that such plurality and diversity of theoretical stances should be widely embraced and seen as a testimony to the dynamism and vitality of the discipline. Given the global magnitude of the discipline, needs are identified and objectives defined according to situated criteria: what is valid hic et nunc is less so in other times and loci. Accordingly if, in the past, we have had the occasion to adopt the objectives pursued by the narrow-angled socio-discoursal approach, in the context of the learner public concerned by this study –law students whose language learning objectives are defined in terms of socio-professional integration as full-fledged members of the international community of law– our demonstration hinges on pedagogic concerns related to the wide-angled socio-cultural approach.

2. Implementing the socio-cultural approach in ELP through popular television series

Having explained the rationale behind the adoption of the socio-cultural approach with regard to the learner public of law students, we now address the issue of the pedagogic supports most likely to help attain these socio-professional language objectives.

2.1 ESP pedagogic supports: Ali Baba's cave or Pandora's Box?

Free online access has revolutionised the availability and diversity of pedagogic supports and today's ESP teacher benefits from a plethora of highly varied multimedia pedagogic supports ranging from traditional newspaper articles, novels, short stories, etc., to films, television series, video games, blogs, etc.

   This (r)evolution has not been without influencing ELP, an ESP field which, as a reflexion of its subject domain, has tended to focus on the written word, the Verb. The benefits have been two-fold: firstly in that free online access is now available for such previously hard-to-access specialised documents as contracts, legislation, petitions, court hearings, court rulings, verbatims, etc., often referred to in ESP studies as "authentic documents";[5] and secondly, in that the plethora of easily accessed law-

related documentary, real-life and fictional filmic supports has helped boost the development of oral skills in a field traditionally focused on written skills.

However, the idea of introducing diverse and sundry filmic supports — such as mass-produced popular television series, for example — into the staid setting of the ELP classroom has inevitably raised eyebrows and led to questioning as to their appropriateness in a disciplinary context which has a high regard for the Word.

Ali Baba's cave or Pandora's Box? To address some of the concerns which divide ELP colleagues and researchers in this respect, the second part of this study foregrounds the use of popular law-related television series as pedagogic supports used to promote a socio-cultural approach in the ELP classroom: after a brief diachronic overview of the evolution in this field, it addresses the issue of whether "authentic documents" or mass-produced popular television fiction are a more efficient means of accessing the language, discourse and culture of the target law community.

2.2 Literature and ESP/ELP: a troubled relationship

The relation between ESP and literature has been a long and troubled one based on cycles of embrace and rejection. No doubt due to the long-standing weight of the written word in our societies, language teaching supports have traditionally been text-based. At the epoch when foreign language learning was the privilege of the erudite and the elite, learning objectives centred less on communication than on being cultivated. In this perspective, pedagogic supports were drawn from the great authors of classical literature and studied more with the purpose of accessing the thinking behind the narrative than the language itself, often relegated to the status of an object of intellectual metalinguistic discussion.

The 1960s saw the emergence of a more democratic vision of language learning based on the acquisition of foreign language communicative competency in the spirit of EGP. The arrival of audio-aural and audio-visual methods heralded the decline of the literary text and made way for authentic documents which existed in two principal forms: articles from the written press, radio or television programmes, documentary films, etc., on the one hand and, on the other, such "functional" texts from everyday life as, for example, bus timetables, menus, tourism brochures, how-to-use instructions, etc. At the same time, the parallel rise of ESP in its early socio-discoursal form based on genre-specific grammar and domain-specific lexicon, introduced the use of specialised documents such as scientific abstracts, legal contracts, financial statements, medical reports, etc.

Not surprisingly, many language teachers decried what they perceived as a nuts and bolts minimalist approach to language competency in contrast to a more cultured approach as, for example, Widdowson's appeal for the reintroduction of literature (1976), Sturge-Moore's argument in favour of introducing "civilisational" content in ESP (1998), or Prodomou's argument in defence of Shakespeare for engineering and business students (2000). We note with interest here that literature was not in any way considered in terms of promoting ESP curricula but a means of drawing the learner

away from the so-called narrow confines of specialism-related ESP towards a more "humanist" universe.

2.3 *Fiction à substrat professionnel*:[6] FASP

The rise of the socio-cultural approach in ESP studies with its interest in specialised language and discourse situated within the cultural dimension of professional and specialised environments generated a renewed interest in fiction, not, however, in the form of the great literary Classics but in popular contemporary mass fiction. Though ESP teachers had already taken advantage of the possibilities offered by VCRs to introduce films related to learner specialisms in the ESP classroom, it was in 1999 that Michel Petit identified and codified a new fictional genre he christened *fiction à substrat professionnel* (FASP): usually a thriller, the defining convention of FASP is that the characters, the plot and the denouement are embedded in and shaped by a particular professional or specialised environment (the eponymous *substrat professionnel*). Far from turning the learner away from ESP objectives, Petit clearly identified the link between this new genre and ESP studies by titling his seminal article "*Fiction à substrat professionnel: une autre voie d'accès à l'anglais de spécialité*".[8]

For ESP teachers working in the context of the socio-cultural approach, interest in FASP lies in the fact that it affords a holistic approach to the specialised environment as summed up in the language-discourse-culture ESP triangulation proposed by Petit's 2002 definition. In comparison to the authentic document, FASP as a pedagogic support is particularly relevant and rich regarding the cultural dimension since, in addition to specialised language, it also fictionalises the specialised culture of the subject-domain and this within the context of the multiple other cultures vectored by characters and loci (national, regional, ethnic, gender, etc.). As such, the use of popular fiction as an ESP teaching tool confutes the concern of researchers who decried the absence of a "humanist" approach in ESP teachers (Isani, 2011).

While legal FASP is undoubtedly the most dominant in volume and variety, there are as many FASP sub-genres as there are professional environments: medical FASP, scientific FASP, art FASP, military FASP, environmental FASP, and so on (Isani 2004). Initially present essentially in the form of novels and films –"legal thrillers" by John Grisham in the United States and by John Mortimer in the UK, for example– FASP is an increasingly multimedia phenomenon, as evidenced by the surge in FASP television series and the emergence of FASP graphic novels, blogs, etc.

Today the wheel has come a full circle in that if certain ESP teachers used to using press articles and authentic documents recognise the *cultural* added-value of FASP pedagogic supports (Richard 2014 unpublished manuscript), others question the factual reliability of popular fiction and its density of specialised lexis as opposed to the authority of authentic documents (Genty, 2009; Charpy, 2009). This study presents recent research carried out in the field of ELP to address these specific issues, namely the reliability of factual representations, on the one hand, and the density of specialised lexicon as compared to authentic documents, on the other.

2.3 Reliability of specialised factual representations in FASP legal television series

The accuracy of factual representations is an issue which evoked with regard to the specialised knowledge related to the *substrat professionnel* and one which reaches out beyond the scope of ESP since it also generates great interest with the general public and produces stimulating online exchanges on the subject of real and perceived errors.[7]

Reservations concerning the reliability of factual knowledge present in FASP should, however, be allayed by the convergence of several factors. The first and perhaps most important concerns the fact that one of the extra-diegetic characteristics of the genre analysed by Petit in 1999 is that, in most cases, FASP authors and scriptwriters are or were themselves members of the professional community fictionalised, as illustrated by the fact that Scott Turow, John Grisham and John Mortimer, all well-known legal FASP authors, are or were practising lawyers. These *auteurs-professionnels or professionnels-auteurs* as Petit punned (1999), are insider experts of the specialist-domain they fictionalize and as such guarantors of the reliability of law-related facts vectored by the specialised narrative.

In the case of television series, the validity of specialised factual content is likewise guaranteed by scriptwriters who belong or belonged to the legal profession, as is, for example, the case of the series *The Practice, Boston Legal* and *The Firm* which are all co-written by Jonathan Shapiro, a federal prosecutor and law teacher (2014), or by a bevy of consultants specialised in law.

In addition to these significant elements related to authorial creation, a further study was carried out to collect external empirical data regarding this issue by questioning professionals. A first step consisted of gathering the views of American legal professionals (professors and students of law, lawyers and judges) regarding the accuracy of the specialised knowledge presented in legal FASP television series such as *Ally McBeal, The Practice, Boston Legal, Shark, Damages, Drop Dead Diva, The Good Wife*, and *Suits*. As reported by Chapon (2013), the different respondents widely agreed that the specialised facts fictionalized in these series were done so with accuracy. A final step undertaken to confirm or confute the reliability of the specialised content of the *substrat professionnel* consisted of carrying out a comparative study of similar factual data as presented in authentic documents, on the one hand, and in fictional television series, on the other. Once again, the results proved strong correlation between the specialised content of the two texts analysed (Chapon, 2013).

To conclude on this point, in view of the authorial safeguards on the one hand and the endorsement of legal professionals on the other, it is safe to conclude that the specialised content of legal FASP is, on the whole, reliable. However, as the online watchdog community likes to tease out, discrepancies do exist, such as, for example, the fact that no lawyer in his right mind would accuse a judge of corruption in open court (Boston Legal, 4x17). However, these discrepancies are on the whole minor peccadilloes, often introduced in the name of poetic licence and/or media constraints. In the ELP context, far from being a hindrance, they offer interesting pedagogic potential in terms of learner interaction and classroom dynamics.

2.4 Density of specialised lexis

The second issue raised with regard to television FASP as ELP teaching material concerns the density of specialised lexis: surely, it could be argued, authentic texts present a higher density of specialised lexis than general public entertainment-orientated legal FASP television series? To test ELP teachers' empirical intuitions on this subject, an experimental protocol was designed to validate the hypothesis that legal FASP television series present an equal if not higher density of specialised legal lexis than a number of professional documents habitually used in the context of ELP teaching (Chapon 2011).

The experimental protocol designed to test the above hypothesis was conducted in 2010 on the basis of a parallel corpus of four heterogeneous types of text united by the fact that they were representative of texts commonly used as pedagogic supports in ELP courses: press articles, authentic documents and episodes from legal FASP television series.[9] More importantly, a second unifying factor which links the four texts of the parallel corpus is that they are all thematically related to the subject of capital punishment in the United States, more specifically, to the 2008 case of *Kennedy v. Louisiana* and the subsequent landmark decision handed down by the Supreme Court of the United States (SCOTUS) holding that the non-homicide rape of a child could not be punished by the death penalty. The parallel corpus, totalling 37,959 words, was composed of the following texts:

- Press article (14 April 2008) from *The Times-Picayune*, a New Orleans daily;
- Verbatim of SCOTUS oral hearings (16 April 2008) on *the Kennedy v. Louisiana* case;[10]
- Episode from the legal FASP television series *Boston Legal* (22 April 2008) entitled "The Court Supreme";[11]
- 65-page SCOTUS ruling (25 June 2008) handed down in the *Kennedy v. Louisiana* case.

The methodology adopted to determine the density of specialised lexis in each document consisted of identifying and extracting legal terms with a view to establishing quantitative data. Aware of the complexity of determining whether or not a lexical item is a specialised "term" or not, and given that the object of the analysis was not relevant to terminology as per se, a more empirical standard of measure was adopted: in a first step, the four documents were parsed to manually extract all potentially legal lexis; in a second step, the presence of each item was checked in Black's *Dictionary of Law*, an authoritative reference in the field of law: if present it was retained as belonging to the field of specialised legal lexis; if not, it was rejected.

In this context, special mention must be made of a distinction often operated between what Parkinson (2013) refers to as "technical" terms, i.e. monosemous lexical items which have no synonyms outside of their specialised context of use (e.g. *amicus, oyez* and *parole*, in the case of the present corpus) and "sub-technical" polysemous

words which have both specialised and non-specialised meanings (e.g. *abuse, appeal, argue, battery, concur, defend, deter*, and *hold* in the case of the present corpus). In spite of their polysemous status, we consider these so-called "sub-technical words" as specialised legal terms in their own right, it being clear that their presence in a specialised context of use clearly identifies them as such, as, for example, is the case with the terms in italics in the following excerpts from the 2008 SCOTUS ruling.

- The Court had not *held* that the Eight Amendment bars the death penalty for child rape (2008: 44)
- torture and *aggravated* battery (2008: 4)
- to *file* a dissenting *opinion* (2008:5)
- … and KENNEDY, J., *concurring* in part and *concurring* in judgment" (2008:9).

At the end of this process, a total of 174 lexical items were retained as qualifying as specialised legal lexis. In a third and final step, the four texts were processed by concordancer (KWIC version 5.0) to obtain a quantitative analysis of item frequency per text. Given the difference between the length and number of words in the different documents, to bring the findings down to comparable proportions, the density of specialised lexis per document is given in percentages.

Fig. 1 - Density of specialised legal lexis per text

	Type of text	Number of words	No. of specialised legal lexical items	Density (%age)
1.	SCOTUS ruling	20 924	137	0.65
2.	SCOTUS oral arguments	11 653	89	0.76
3.	Legal FASP episode	3 310	80	2.41
4.	Press article	1 072	53	4.94

Contrary to expectations, the findings revealed firstly, that the two court-related authentic documents presented a startlingly lower density of specialised lexis than the other two non-legal documents and, secondly, that the press article showed a density of specialised lexis twice as high as in the legal FASP episode. Though admittedly surprising, two considerations relative to each textual genre may help in part to explain these findings:

- Firstly, if the SCOTUS ruling is indeed a formal court-issued text, it is intended for public dissemination and therefore does not belong to the category of highly specialised genres reserved for peer-to-peer communication. Consequently, although a specialised legal genre in its own right, it does not present the same degree of language specialisation as would, for example, a text of law or a contract;
- Secondly, with regard to the two oral texts in the corpus, (SCOTUS oral arguments and legal FASP episode), oral discourse, which is a less condensed form of expression than written discourse, naturally resorts to such non-specialised

"diluters" as phatics, self-reformulation, self-correction, repetition, rhetorical questions, etc., thereby increasing the length of the message without enhancing its specialised informational content. As pointed out elsewhere (Chapon, 2011), the exchanges between SCOTUS judges and Counsel during oral arguments are highly interactive in nature, in contrast with the often codified monologues of court procedure. Similarly, the orality of the legal FASP episode goes some way to explain the higher density of specialised lexis in the written discourse of the press article.

In spite of the unexpected nature of some of the findings, especially with regard to the low density of specialised lexis in the authentic court-related texts, the results of this corpus analysis highlight, firstly, that not all specialised documents produced by professionals possess a high density of specialised lexis and, secondly, that the specialised genre of legal FASP presents a lower density of specialised lexis than the press article chosen for the corpus. It also shows that the density of specialised lexis in the authentic oral arguments and its fictional are similar, a fact confirmed by the comment made by Jeffrey Fisher, the law professor who argued the case in front of the SCOTUS, after he watched the show:

> It was striking how closely the episode hewed to the real facts in Kennedy, down to the most minute detail, and (certain rants aside) to the real legal arguments the parties are advancing. The producers obviously had studied our briefing quite closely. (in Mauro, 2008)

If these findings certainly highlight the validity of our hypothesis that legal FASP television series present a higher density of specialised lexis than certain similar authentic texts, they do so with a caveat which shifts the focus to questions about the added-value of legal FASP television series as compared to the traditional ESP support, the newspaper article…

In spite of these findings, the full import of the specialised document/legal FASP TV episode debate can only be understood in the context of the language-discourse-culture triangulation that characterizes the socio-cultural approach to ESP/ELP.

Regarding the language-discourse dimension, a newspaper article conforms to its own generic conventions and, as such, is essentially declarative and embedded in the ethos of journalistic stance. Legal FASP TV series, on the other hand, provide greater discursive plurality in that they not only reflect "authentic" samples of specialised language and discourse in action but also a variety of exchanges freed from the habitual constraints of professional propriety: legal professionals are represented in varied situations of communication ranging from highly codified courtroom exchanges to mediated discourse with their clients, interspersed with informal exchanges of everyday intercourse with such varied interlocutors as colleagues, friends and adversaries.

To conclude on this point, it is worth recalling that in addition to the rich interweave of specialised and non-specialised language and discourse, legal FASP TV series also vector in parallel a similarly rich and varied cultural content which situates the culture

of the specialised domain within the context of the multiple cultures related to being, *tempus* and *loci* (Isani 2011).

2.5 Pedagogic bonus: upsurge in intrinsic motivation

In addition to presenting strong correlation with the objectives of a socio-cultural approach, the use of legal FASP TV series offers ELP teachers an invaluable pedagogic bonus in the form of increased learner motivation.

As a sequel to the quantitative analysis of the parallel corpus discussed above, further research was conducted to assess learner motivation with regard to the different pedagogic supports proposed (Chapon, 2015, unpublished thesis): the 68 students involved in the experiment were given the four texts of the corpus related to the *Kennedy* v. *Louisiana* case to study as a home assignment with a first option of beginning with the one of their own choice and a second option of studying as many as they could within the period of time allotted. The first conclusive finding in relation to this experiment on pedagogic support/motivation correlation was that an overwhelming majority of 72% of the students chose to study the legal FASP TV series episode first.

This preliminary finding regarding the motivational dynamics of fiction in language learning is substantiated by two further sets of data. Firstly, a finer analysis of the way the documents were studied by the students reveals that

- 56% of the students studied the newspaper article from beginning to end;
- 43% did the same for the FASP TV series episode;
- 38% of the students did not read the SCOTUS ruling at all
- 19% did not read it beyond the first few lines, judging it "boring" and/or "too difficult".

Secondly, and perhaps more interestingly, an additional experiment regarding the motivation factor was carried out (Chapon, 2015, unpublished thesis) based on response to two of the texts presented, the newspaper article and the legal FASP TV episode, neither of which provides any information whatsoever about whether or not the execution actually took place. Two classes (Group A, 38 students) were given the fictional episode and two other classes (Group B, 40 students) were given the newspaper article. In terms of intrinsic motivation, it is highly revealing that while not a single student from Group B was motivated enough to find out for him/herself what the actual outcome had been, every single student from Group A spontaneously carried out an internet search to find out whether or not the execution had actually taken place — a conclusive element regarding the added intrinsic motivational incentive fiction can provide in terms of curiosity and spontaneous learning.

3. Conclusion

Teaching and law both being noble professions, it is understandably difficult for teachers of either discipline to accept that mass-market fiction in the form of popular television series should prove to be more effectual vectors of the language, discourse and culture of the professional environment of law in the United States than authentic documents. In the context of filmic supports, such uplifting films as the cinematographic adaptation of Reginald Rose's *12 Angry Men* (1957), Robert Traver's *Anatomy of a Murder* (1959) or Lee Harper's *To Kill a Mocking Bird* (1962) would, to many of us, seem so much more in keeping with perceptions we forge of our own and our learners' disciplines. But ESP is an intrinsically learner-centred discipline in which teaching goals defined in terms of teachers' personal aspirations risk being perceived in terms of teacher-centred cultural hegemony (Cheung, 2001).

Nevertheless, and in spite of the conclusions of this study revealing, firstly that newspaper articles and legal FASP TV series represent a higher density of specialised lexis than certain authentic law-related texts and secondly, that the former possess low motivational incentive, we would like to underline that it is crucial not to lose sight of the fact that there is little justification for mono-sourced tools in the context of today's ease of access to a myriad of varied ESP pedagogic supports: limiting pedagogic supports solely to newspaper articles or written legal texts would be just as regrettable as focusing exclusively on episodes from legal FASP TV series. However varied pedagogic supports may be, they are essentially complementary and mutually enriching: the natural follow-up of a legal FASP TV series episode dealing with a particular point of law should naturally be the formal text itself, and vice versa – as highlighted by the multi-source pedagogic supports underlining this very research.

Notes

1. Similar debate continues in France today with such variations as: *langues spécialisées, langues de spécialité, langues pour spécialistes, langues de spécialisation, variétés spécialisées de la langue*, etc.

2. Trouillon, citing Howatt and Widdowson, suggests 1961 on the occasion of TESOL conference organised by Makarere College of Uganda under the aegis of The Commonwealth Education Liaison Committee (2010: 22).

3. By the terms "endolingual" and "exolingual", we refer here to their acceptation as defined in the proceedings of The 2013 European Conference on Language Learning held in Sri Lanka:

> Foreign language learners could further be distinguished from each other according to the type of learning context they are in: while some foreign language learners study their target language in places where it is used for day-to-day communication (endolingual learning contexts), others learn it in places where the use of the target language is more or less restricted to the language classroom (exolingual learning contexts). — Punchihetti (2013, online)

4. Translation S. Isani: ESP is that branch of English studies which deals with the *language*, *discourse* and *culture* of English-speaking professional communities and specialised social groups and the teaching thereof. (Our emphasis).

5. The term "authentic documents" is subject to debate. Construed by some to mean "real-life" documents (Richards, Platt and Platt, 1985), it is considered as misleading by other specialists who argue that newspaper articles, medical reports, legal texts or the FTSE Index cease to be "authentic" once removed from the context of their original addressees and transposed to the "artificial" environment of the language-learning classroom. (Galisson & Coste, 1978). Such supports are now often referred to as texts produced by subject-domain professionals. However, given the widespread acceptance of the term and for the sake of brevity, we continue to use the term "authentic documents" in the context of this study.

6. After discussion and consultation, it was decided to maintain the original French name for the newly-identified genre, in keeping with the term "genre" itself and in line with such other literary genres as *policier, roman noir, roman à clef*, etc.

7. "Fiction à substrat fictional: another means of access to ESP" (our translation).

8. The critical eye of the general public regarding television series may be epitomised by a recent article in *The Daily Telegraph* which reports that Queen Elisabeth II is a "hawk-eyed fan [of the series *Downton Abbey*] ready to pounce on any historical inaccuracies the producers allow to slip through the net. […] She is a huge fan of the series, and loves nothing better than to point out the mistakes that have become a whole sub-plot in themselves for devotees." (Saturday 5 September 2015)

9. Though the press article and two authentic documents all qualify as professional documents (in opposition to the fictional status of the episode from a legal FASP television series), a distinction must be made in that the first two texts are legal texts produced by law professionals, whereas the press article is not produced by a law professional but by a journalist bound by the caveat to mediate specialised discourse for non-specialist readers.

10. Both the verbatim and the audio version of the hearings are available on the site Oyez.com dedicated to the multimedia archiving of SCOTUS hearings.

11. This episode, which was aired barely six days after the real-life hearings, concerns the fictional case of the death sentence pronounced in the case of a black American man accused of raping his eight-year old step-daughter, a scenario quasi identical to the *Kennedy v. Louisiana* case.

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