Jornadas de redes de investigación en docencia universitaria

Investigación, innovación y enseñanza universitaria: enfoques pluridisciplinares
English as Medium of Instruction: the experience of ARA Groups in Law

E. Gil García [1]

Tax Law Department
University of Alicante

ABSTRACT
The European Higher Education Area (EHEA) has strongly influenced the implementation of English as Medium of Instruction (EMI) at European universities. Increasingly, the University of Alicante (UA) is introducing High Academic Achievement (ARA) groups among their degrees. ARA groups are addressed to strengthen the potential of the most outstanding students from the beginning of their university studies by allowing them to take at least 50% of their basic credits in English. Since 2011, ARA group is available for Law studies. As the first class in Law’s ARA group has been graduated, the aim of this poster is to present the results reached during the last four years for the benefit of students and lecturers that were involved in EMI through the ARA group. With this in mind, it will be taken into account different goals that are pretended to reach by means of EMI, such as internationalization, exchange of students, teacher mobility or professional opportunities.

Keywords: EMI, ARA Groups, Law, lecturers, students.
1. INTRODUCTION

1.1. Research question

The European Higher Education Area (EHEA) has strongly influenced the implementation of English as Medium of Instruction (EMI) at European universities. EMI is defined as the use of the English language to teach academic subjects in countries or jurisdictions where the first language of the majority of the population is not English (Dearden, 2014). In general terms, EMI is well valued and desired as English is considered a fundamental skill essential for mobility and employability and not only a foreign language. Increasingly, the University of Alicante (UA) is introducing High Academic Achievement (ARA) groups among their degrees (i.e. Biology, Sound and Image Engineering or Computer Science Engineering). ARA groups are addressed to strengthen the potential of the most outstanding students from the beginning of their university studies by allowing them to take at least 50% of their basic academic credits in English.

Particularly, the UA implemented the ARA group for Law in September 2011. As legal studies imply some particularities in regard other knowledge areas (i.e. Biology or Mathematics) due to the teaching and learning of the Spanish legal system, the research will focus on strategies for increasing the number of academic credits taught through EMI without affecting jurists’ training.

1.2. Literature analysis

For the purpose of this work, the author has taken into consideration literature on EMI as well as some other empirical studies and papers. It has been particular interesting the work developed by the University of Oxford, together with the support of the British Council, in order to analyse the EMI as a global phenomenon. This report (2014) is based on a worldwide survey that covers 55 countries which are promoting, resisting or sometimes even reversing EMI in schools and universities. Accordingly, in Spain, at university level the increase in the provision of courses in English is largely considered essential if Spanish universities are to compete for international studies (Dearden, 2014).

According to Coleman (2006), the introduction of programmes and courses taught trough EMI may be allocated across seven categories: CLIL (Content and Language Integrated Learning) [2], internationalization, student exchanges, teaching and research materials, staff mobility, graduate employability and the market in international students. As
it is commonly held, EMI does not necessarily pursue linguistic goals; it focuses mainly on subject learning and exploits the language of instruction as a mere neutral tool to perform that goal (Francomacaro, 2011). Certainly, CLIL [3] is considered as the best way to foster multilingualism and language diversity (Lasagabaster & Ruiz de Zarobe, 2010). Internationalization must be considered central as this point is related not only to education itself but also to students’ later employability (Smit, 2013). Actually, it can be considered that the other categories are consequences or sub-categories of the internationalization aspect. In our opinion, the six other categories may be classified in two groups: benefits for lecturers (i.e. teaching and research materials, staff mobility), on one side; and, advantages for students (i.e. student exchanges, graduate employability), on the other side. In fact, this classification will be considered for the purpose of our research—as it could be seen below—.

In regard of EMI at the UA, it has been quite profitable the data provided by a study carried out by members of the AcqUA research group few years ago. One of their conclusions was the need to support and train instructors and students better so that more EMI courses may have been implemented. (Morell, Aleson, Bell, Escabias, Palazón & Martínez, 2014).

1.3. Aim

With all this in mind, the purpose of this poster is to show the results reached in the first class of the Law’s ARA group. Additionally, the author tackles possibilities and suggestions for keeping and improving this kind of groups for Law studies.

2. METHODOLOGY

2.1. Outline

This study on the implementation and evolution of the Law’s ARA group at the UA has been carried out by a doctoral researcher (FPU14/00028) of the Tax Law Department; department which holds a good international position in the field of Tax Law. As a first step, the author decided to focus on the accomplishment of the “seven forces behind EMI” stated by Coleman (2006) on purpose of the graduation of the first class in Law’s ARA group in 2015. For instance, as EMI pursues professional opportunities for graduates, the question that arises is whether or not ARA group is contributing to put alumni into a better position (than other students) in the labour market. Or, for example, to what extent professors are influenced by their role as lecturers in ARA group to carry out research abroad. However, during the
research process the author found really valuable to analyse as well the particularities of teaching and learning the Spanish legal system through a foreign language. In this regard, the author is willing to provide with some options that assist to establish a complete and well-designed programme for Law in a foreign language.

The work is organised in five sections. After introducing the research question and establishing the research method, section 3 describes the results reached since the implementation of ARA group in Law. The input got and received during the research process has served as basis for conclusions and suggestions in section 4. Finally, a list of the relevant bibliography used for this work is provided.

2.2. Research method: materials and procedures

The research method can be divided in two parts or phases. Firstly, the study of relevant literature on this field; and, specially, policy choices of government and public institutions (i.e. European Union (EU) or the Valencian government) have been considered in order to understand purposes and reasons for introducing English courses at the university level. On one side, as the author is not an expert in pedagogical and education issues, references has well-contributed to a greater understanding of such matters and has allowed its implementation to the research question: ARA groups in Law. In this point, it should be highlighted that specific literature on EMI related to Law studies has not been found. As a result, the work presented could serve as an initial and first approach for the above-mentioned research question. On the other side, the implementation of ARA groups has been a consequence of being part of the EHEA and an education policy fostered by the education department of the Valencian government (Conselleria d’Educació de la Generalitat Valenciana) in 2010.

Secondly, and most importantly for the aim of this work, opinion, experience and considerations from lecturers and students involved in the first class of ARA group in Law have been taken into consideration. Therefore, a short questionnaire has been circulated among them. The drawn-up questionnaire has integrated through different points and questions the “seven forces behind EMI” in order to check the results reached for the benefit of students and lecturers involved in the Law’s ARA group. In some cases, the survey has been conducted as a personal interview; in other cases (the majority of them), it has been
conducted through electronic means. Respondents have been willing to participate as a way to use their experience for improving EMI programme in Law.

In case of professors, it has been taken into account their position as lecturers in this group as well as the impact its implication in EMI has had in their academic career as researchers. Thus, as lecturers, the main aspects surveyed have been the motivation to take part of the ARA group; the preparation of teaching materials; the difficulties and obstacles found during the teaching process; the accomplishment of the expected results. As researches involved in EMI, it has been very important to test if it has contributed to a more and better international career. For instance, asking about the development of research stays, teaching staff or contributions in internationals forums since they started teaching Law in a foreign language.

On the other side, in case of students, it has also been surveyed their considerations as graduates from this group and professional opportunities after the bachelor’s degree. Hence, as students, the key aspects considered haven been the reasons to sign up for ARA group; the materials provided (if they were); difficulties in learning certain issues. As alumni of the ARA group, it has been asked about the influence of this kind of groups to follow studies abroad (i.e. LLM or PhD programmes) as well as to work at the European or international level (i.e. diplomatic career, international firms, OECD, EU institutions, etc.). Moreover, the opinion they think employers have about studying Law through an EMI programme.

Finally, data regarding the number of students and subjects taught in English have been provided by the Law Faculty of the UA.

3. RESULTS

As mentioned above, the education department of the Valencian government launched in the academic year 2010/2011, together with the five public universities of the region, a pioneer project at the university level: the so-called High Academic Achievement (ARA) groups [4]. In that course, a total of 564 students participated in ARA groups in the whole region, and 20 of them were students from the UA [5]. One year later, under the purpose to stimulate the most outstanding students and to provide them with an education through EMI, the UA implemented ARA groups in the following degrees [6]:

- 344 -
Thus, ARA group was implemented in Law in September 2011 (and it is still on-going after five years). An average of 23 students signed up in the Law’s ARA group and started their university studies through EMI [7]. That first year, students took three subjects in English: History of Spanish Law (6 academic credits), Theory of Law (6 academic credits) and Introduction to Procedural Law (6 academic credits). That means 18 academic credits taken in English from the total amount of credits of the first year of the Law’s degree (60 academic credits). In other words, a third part of the subjects taken during the first course were taught in English.

From that initial number, an average of 20 students continued their studies in ARA group and signed up for the second year of the degree, taking just Philosophy of Law (6 academic credits) in English. In the third year of their degree, the first class of Law’s ARA group was reduced to 16 students taking Procedural Law (9 academic credits), the sole subject taught through EMI. Finally, in the fourth and last year of their degree, they took only Private International Law (9 academic credits) in English. In that case, 20 students registered for that subject. According to these data, it could be concluded that the first class of Law’s ARA group graduated in 2014/2015 after taking a total of 42 academic credits in English, divided in 24 basic academic credits and 18 mandatory credits (see Figure 3). That is, the first graduates took a 40% of their basic credits in English, being not so far to comply with the objective pursued by ARA groups of a minimum of 50% basic credits taken in English.
An important point to be highlighted is that either subjects or students have significantly increased since 2011. Currently, in the academic year 2015/2016, seven subjects –that represents 45 academic credits– distributed among the four years of the Law degree have been taken in English. Nevertheless, the number of subjects taken in English in Law is lower in respect of other degrees of the UA. By way of example, 14 subjects have been taken in English in the Sound and Image Engineering degree during the academic year 2015/2016 –being over the 50% of basic credits taken in English–. Among the reasons for those low numbers in Law could be the data pointed out by Morell et al. (2014): an important number of lecturers (82%) not only have never taught an EMI course but also do not seem to be so willing to participate in this kind of programme. Furthermore, it should be taking into account that EMI programmes in Law may usually have an obstacle per se: due to the instruction of a national legal system, not all subjects are prone to be taken in a foreign language.

It is particularly interested the teaching through EMI of subjects as Theory of Law and Philosophy of Law, because it allows students to work with original texts and learn both legal and philosophic vocabulary in English. It is also essential to include in this kind of programmes subjects as Commercial and Business Law, Public International Law or Private International Law for a more international profile of students. It should be positively valued the inclusion of almost all these subjects in the EMI programme for Law at the UA. There are some basic subjects –distributed between the 1st and the 2nd year of the degree– that, due to its general and introductory content, may be prone to be taken in English: Constitutional Law and Sources (6 academic credits), Constitutional Law: Fundamental rights and State institutions (9 academic credits), Introduction to Economics (6 academic credits) or
Introduction to Accountancy (6 academic credits). With the inclusion of some of this type of subjects, the EMI programme for Law will be able to reach the aim pretended of a minimum of 50% basic credits taken in English.

Another valuable point to take into account when designing ARA groups in Law is to include a Common Law approach. In short, there are two major legal systems: Common Law or Civil Law. Spain and countries of the continental Europe follow the Civil Law tradition. In the opposite, England and Anglo-Saxon countries follow the Common Law system which is based on judicial decisions (precedent) that have already been made in similar cases. As important disparities can be found among legal systems (i.e. institutions, procedures), there are significant differences also in the concepts (even in some cases Spanish legal words do not have an exactly translation in the English system). As said before, EMI is not about linguistic issues, it is about the use of a language for the learning subject. This may imply as well cultural and traditional issues, such as in the case of Law the particularities of the Anglo-Saxon legal system. Thus, the introduction, in the Law’s ARA programme, of initial lessons to the Common Law will be desirable for providing students with a borderless education.

Figure 4. Average of students starting Law in ARA group

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2011/2012</td>
<td>23</td>
<td>24</td>
<td>33</td>
<td>61</td>
<td>70</td>
</tr>
</tbody>
</table>

Figure 4 shows how the number of students starting their Law degree in the ARA group has significantly increased since the ARA group was implemented at the Law Faculty in September 2011. The number has varied depending on the subject, because it has been possible that students from other groups signed up for some subjects of the ARA group although they were not following the EMI programme. This possibility will not be allowed for the following academic years. Most of the students taking their university studies through EMI are native speakers or students from the Erasmus Programme. Thus, data of the average of students in each academic year can be put in connection with these other numbers (see Figure 5).
As we can see, the number of native speakers and students from the Erasmus Programme represents an important proportion of the total amount of students of the ARA group in Law. With the exception of the academic year 2012/2013, the number of English-speaking students has been always over 14 students, reaching its high point in the academic year 2013/2014 with 28 native or Erasmus students.

Both lecturers and students agree that the English level at the classroom is intermediate, and they have generally recognized that teaching and learning Law in a foreign language is a challenge that requires an important effort and level of concentration. In some cases, it might be frustrating not to be able at all to clearly explain some ideas or to quickly assimilate some concepts.

ARA group represents a way to improve personally and professionally as professors. The main motivation for lecturers to take part of this group has been to take full advantage of their English level and to contribute to a better internationalization of the Law Faculty. They have recognized it has not been easy to assume this role, but they are generally satisfied with the final results. In general, professors taking part of this group have been developing a great international career as researchers, but, in some cases, it has contributed to a more active participation at international conferences. In view of data provided by Morell et al. (2014), the majority of lecturers of the UA use English for academic purposes, that is, for writing scientific papers, presenting at conferences, etc.

A particular point to be highlighted is the collection of teaching materials about the Spanish legal system, which has been really useful for sharing with foreign professors as a way to spread the knowledge of our legal system. Professors have affirmed that preparing teaching materials has implied an enormous investment of time and an extension of the search sources. They wish to receive more support and assistance in terms of the preparation and review of the lecture resources. For instance, EU documents have served as basis to draw up the list of topics in the case of Administrative Law I (mandatory subject of the 1st year). In the case of History of Spanish Law (basic subject of the 1st year), for example, glossaries; a
hand-book self-edited (and printed by LIMENCOP); the provision of original texts; the set-up of a website; etc. constitute the materials provided to students.

The main motivation for students to take part of this group has been the special mention on their transcript as well as the distinction in relation to other law students. Another relevant point is the possibility to attend a B2+ English course (AULAS) without any economic cost. Moreover, the reduced number of students in class has contributed to a more personal teaching. They have recognized studying law in a foreign language is not an easy task because the support for the subject’s study has been based in Spanish books and, sometimes, Spanish words do not exist in the English legal system. Therefore, they wish to be provided with (more) English materials and they consider glossaries and vocabulary lists may be really useful as an initial approach to take subjects in a foreign language. Nevertheless, they feel, in general terms, satisfied with their choice of studying at the university level through EMI and they consider ARA groups are taken positively into consideration by the business sector.

4. CONCLUSIONS

EMI does not necessarily pursue linguistic goals. Thus, both lecturers and students should have a good knowledge of English. It would be recommended to prove a minimum English level at the beginning of the course (B2). Moreover, not all legal subjects are suitable for being explained and learnt in English. The selection of subjects should be restricted to those matters that are prone to be taught in English.

Basic texts and glossaries are essential for a better understanding of the subject as there are disparities among legal systems. Lecturers are aimed to provide teaching materials to facilitate students the learning of Law in a foreign language. This implies an enormous effort. Therefore, assistance is required not only for preparing the materials but also for reviewing them regularly.

To be a jurist is essential to have access and work with legislation and case-law in the official language. Explaining the Spanish legal system requires the use of Spanish for a better understanding as well as for an appropriate education of future lawyers and judges. In this regard, introductory lessons and the explanation of general features could be taught and learnt more easily in a foreign language, and it can contribute to a more international perspective of legal issues. Especially if a Common Law approach is considered. However, specific issues
are recommended to be explained in the official language in order to provide students with an excellent education as jurists. For that reason, flexibility may be considered in order to keep a balance between the quality of the education and the increase of academic credits taught in English. That is, increasing the number of subjects taught through EMI, but allowing lessons in either English or Spanish for specific issues.

5. REFERENCES


Notes

[1] The author would like to specially thank Prof. Amparo Navarro, Prof. Magdalena Martinez, Prof. Andrés Molina, Prof. David Montoya, Prof. Luis A. Martínez and Ms Estrella del Valle for their contribution to this poster.

[2] CLIL refers to situations where subjects, or parts of subjects, are taught through a foreign language with dual-focused aims, namely the learning of content, and the simultaneous learning of a foreign language (Marsh, 2000).

[3] According to Smit and Dafouz (2012), CLIL has been transformed to EMI at the university context. Also in this sense, Martín del Pozo (2013) refers to EMI only for the university framework while CLIL may be used for any education level.


[5] This information is available at the newspaper and periodicals library of *ABC newspaper*: http://www.abc.es/20101209/comunidad-valencia/estudiantes-universitarios-participan-grupos-20101209.html

[6] Information of ARA groups at the UA when they were implemented in 2011: http://web.ua.es/es/vr-peq/grupos-ara/grupos-a-r-a-alto-rendimiento-academico.html

[7] For data about students signed up in the Law’s ARA group has taken the average as the number of students varies depending on the subject.