

## 10 FILMS FOR LAW STUDENTS

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**Abstract:** *My research is the result of an experiment I conducted last year with my second-year law students of Ovidius University of Constanta. Due to the pandemic period, we have all been confined to our homes and , somehow, forced to find new ways of teaching. Even though, I constantly use technology during my seminars, I thought I could widen the horizon of the learning process thus I asked my students to watch a series of films, most of which are Hollywood productions, so susceptible of being more commercial than profound, that were to be discussed whilst our online sessions. My selection is subjective, but, at the same time, by doing that, I have tried to cover topics such as gender discrimination, wrongful convictions, corruption, money laundering, theft, capital punishment. All these were treated as case studies and debated on to trigger extremely intriguing discussions, together with critical thinking that a future lawyer would be in desperate need of possessing. It was also a great opportunity for the learners in question to exercise their English, especially conversation, along with achieving professional law jargon, in other words, enriching vocabulary a lot.*

*The theoretical base of my research was offered by V. F. Perkins' volume "Films as films. Understanding and Judging Movies" and by Hutchinson and Alan Waters' "English for Specific Purposes. A learning-centered approach".*

*My paper aims at demonstrating that teachers should encourage such experiments, such comparisons and debates as they ready our students for real life situations as future specialists, not to mention the remarkable progress in using English they would reach having analyzed all the cases in question.*

**Keywords:** *critical thinking, law, case studies, discrimination, debate, speaking , English for specific purposes, law jargon*

### **INTRODUCTION**

A vast majority of professions has been subject to change due to the Covid19 pandemic. These have gone through transformations not only in format, but in contents, also. We are now self banking, gardening, improvising restaurants at home or doing small repairs round the house. Teaching is no exception. Numerous numbers of teachers, educators, trainers have adapted to the new realities of a world still suffocated by this sudden pandemic. Some people were more successful than others, some people are in the process of still adapting. As we do believe in adaptation and flexibility, we started an experiment last year with our second year Law students of Ovidius University of Constanta to ease their burden of loosing social contact and to help them improve their skills in English. In short, they were asked to watch 10 law-related films that were, afterwards, discussed weekly, during their assigned seminars for English for specific purposes.

### **EXPOSURE**

Our proposal was highly appreciated since many of the leaners were already keen on watching law films to better prepare them for their future profession. Law coursebooks, in general, have the reputation of being written in a totally different language that many students will not digest, so given the pandemic situation and the urge to get an insight into the profession (as artificial as the insight might be), the subjects of our experiment responded very well. In order to evaluate the results of the process that we had conducted, we took a survey made up of four questions :

1. *Were the films analyzed useful to understand law-cases and law concepts?*, 2. *Was the selection of the films suitable for current law topics?*, 3. *Were the teaching methods appealing and adapted to online teaching?*, 4. *Are you better at English in terms of speaking, listening and vocabulary?*

The interviewees' responses could only confirm our expectations. For question number one, we received positive answers of 85% , ranging from "very useful", "extremely useful" and "rather useful". For the second question, the respondents said that they enjoined the films a whole lot, but

the selection could have been more recent. We had deliberately chosen older films (from 1989 to 2010) to give younger audiences (most of our students being aged 20 or 21) the opportunity to watch great Oscar winning productions that, otherwise, they would not have considered. Still, it is not a secret that our selection is highly subjective because we value personal opinions and personalized approaches on matters, a crucial thing for personal development that we are looking for to shape and to grow in our students, too. Yet, the proposed list can always change and adapt to learners' preferences. We have always encourage them to speak their own minds, to perceive the world through critical thinking, to take on analyzing habits which would prepare them for upcoming job opportunities. As far as the third question is concerned, again, we managed to score remarkable feedback as nearly as 90% of the answers given bore the label "extremely appealing". Some inconsistencies can still be found when the Internet connection is faulty or drops or when there are delays and echoes and the voices of speakers can overlap. The last question in the survey was meant to be a conclusion as the purpose of such enterprise can only be improving the skills of each learner. Our focus was speaking, listening and vocabulary considering that grammar is interwoven between the lines of every single language lesson and that our students are already level B2 ( according to The European Framework for Languages), so they had covered most of the grammar- related issues, beforehand. As a consequence, for question number four, positive responses were once again in great numbers. Lots of our students consider now, after having watched law-films for an entire semester, that they can far better understand films in English without using subtitles in Romanian or that they can express themselves easier, employing specialized vocabulary and greater fluency. Likewise, there has been a boost in their confidence as second language learners of English. They no longer feel embarrassed to use the language on the spot, spontaneously, without pausing to check for a word or a phrase in a dictionary which proves that watching films and discussing topical issues in a somewhat controlled environment, provided them with the kind of practice they needed to progress in the study of English as a foreign language.

Being more like a practitioner than a teacher, an ESP educator, especially for higher education can face many challenges. Our case is once again no exception. An ESP teacher has many roles. His functions, tasks and objectives exceed by far those of a general English teacher. As Tom Hutchinson and Alan Waters notice in "English for Specific Purposes. A learning-centred approach" an ESP teacher has to make a needs analysis, to design a syllabus, varying from writing materials to evaluation materials. The main problem is that an overwhelming majority of ESP teachers has not been trained in doing so. The fear of not selecting the right materials or of not approaching the topics right has been accompanying us for long, but at the same time, it drives you, as an educator, to stretch your limits even further to better teach. After all, the progress of human kind has been linked to the need to adapt, to survive. The same proves valid for ESP teachers who need to adapt even faster, to orientate themselves in an unknown hostile territory. A learning-centred approach is to be preferred as it can sure make a difference from a more traditional one where the teacher was playing God, being the detainer of the ultimate truth which was, in fact, utopian. Nevertheless, where there is lack of tradition, the teaching process can take a much more complicated turn as "ESP has frequently been a hotbed of conflict- the Wild West of ELT. New settlers in this land must often have found it difficult to find their bearings with no agreed maps to guide them." (Hutchinson, Waters, 158).

The challenges to cope with seem rather numerous, one major one being the status of authentic texts. No authentic texts were used in the early stages of ESP. The question of authenticity or adapted texts still lingers. It should be approached, as Hutchinson and Waters proceed in their volume, by defining authenticity. What is authenticity after all? The answer does not look so sophisticated because it "is not a characteristic of a text in itself; it is a feature of a text in a particular context. A text alone has no value." (Hutchinson, Waters, 159). Therefore, the text has to fit into the wider picture of discussing a topic, of acknowledging some concepts throughout the learning-teaching routine: " We should be not looking for some abstract concept of authenticity, but rather the practical concept of fitness to the learning purpose " (Hutchinson, Waters, 159). We could not agree more with the above mentioned researches. By choosing 10

films for our law students we truly correspond to the description offered in the same book: “to increase learners’ motivation by emphasizing the real world application of the language“ (Hutchinson, Waters, 159). In trying to do so, an authentic text is preferable or at least one that possesses an authentic appearance as the selected films in our list possess for learners to exercise real life case scenarios of law.

Yet, the work of an ESP teacher bears its struggle. There is little to none exaggeration, when stating that ESP teachers resemble pioneers, settlers in new found lands because “they need to distil and synthesise, from the range of options available, those which best suit the particular circumstances. To do so requires an open mind, curiosity and a degree of skepticism” (Hutchinson, Waters, 160). Our experience in this respect stands witness to all of the above.

Another issue that arises and an essential question that the quoted researches want to find a solution to is “Does the content of ESP materials need to be highly specialized? “ (Hutchinson, Waters, 160). Some specialist might vote for “yes”, but the reality of teaching contradicts such stiff requests as : “ There may well be a heavier load of specialist vocabulary, but this need not make it more difficult to understand...The difference in comprehension lies in the subject knowledge, not the language” (Hutchinson, Waters, 160), argue the same authors. The key action verb could only be to incorporate, to treat the learning-teaching process as a whole with thin layers and connections that are dependent on each other.

Another crucial point to consider is the context. Thus “texts should not be selected as texts, but as elements in a learning process” (Hutchinson, Waters, 162). This was our approach, too, because by selecting specific films on specific topics we also incorporated the historical co-ordinates of the action, the mentalities behind the characters’ behaviour, the outcome. We had films about AIDS, about communism, about the American Constitution, about theft or gender equality, all well related to those contexts that generated them.

The questions that arise together with ESP teaching do not end here. One good example resides in “What kind of knowledge is required of the ESP teacher?”(Hutchinson, Waters, 163). There is a misunderstanding of the matter when it is believed that teachers of ESP are teachers of the subject matter. In fact “but rather an interested student of the subject matter” (Hutchinson, Waters, 163). The real solution is considering all suggestions, constant consultation with your audience, as “it should involve negotiation, where text subject matter takes account of the teacher's existing knowledge and at the same time efforts are made to help the teacher to acquire some basic knowledge about the subject. Of greatest importance is the need to dispel the mystique of specialist knowledge and build up the ESP teacher's confidence in coming to terms with it.” (Hutchinson, Waters, 163-164) We could not agree more. We have to confess that it was an opportunity for us to learn, as well. We were taken aback by the magnitude of the topics discussed and by the passion our students showed for them. We had to respond equally so we did research on the matters which widened our knowledge and helped us become more knowledgeable than we initially were. Teaching can be compared to cooking as the above researchers try to do using a very suggestive metaphor: “Good ingredients are important for a successful meal. But they will not of themselves produce success. If the cook does not know how to exploit the ingredients well, or if the necessary equipment is lacking, or if the diners do not like that kind of cuisine, then the value of the ingredients will be little appreciated. Negotiation is needed: the competence of the cook, the ingredients and the tastes (and dietary needs) of the diners must all be taken into account” (Hutchinson, Waters, 162). Just to continue the metaphor, our meals tasted delicious, our diners were satisfied and the cook could have not been happier with the results.

### **The body of the experiment**

The list that we came up with for our students was undoubtedly the product of our subjectivity, but at the same time, the product of a well-balanced subjectivity which attempted to cover up-dated topical issues and law cases. It comprises of:

1. *Philadelphia* , a legal drama released in 1993. I was written by Ron Nyswaner and directed by Jonathan Demme. The film stars Tom Hanks in the role of Andrew Beckett (a young

lawyer) and Denzel Washington as Joe Miller, the latter's defense lawyer at the trial against Andrew's company for unfair dismissal on the basis of discrimination.

2. *My cousin Vinny*, a 1992 American comedy directed by Jonathan Lynn and written by Dale Launer. It was released in theaters on March 13th, 1992 and it soon became a tremendous success. With a budget of \$11million, the film reached a revenue of over \$64million worldwide. The story of the two young New Yorkers travelling through rural Alabama leads to a false accusation of murder and it largely displays courtroom etiquette (during the trial of the two mentioned above), but it also deals with two clashing mentalities (traditional Southerners taken aback by cosmopolitan Italian-Americans from the Big Apple).

3. *The Accused*, another legal drama of 1988, was directed by Jonathan Kaplan and written by Tom Topor. As many others, it took inspiration from a real life story: the 1983 gang-rape of Cheryl Araujo in New Bedford, Massachusetts which went to trial and became a well-known case nation-wide. It speaks about misconceptions and man brutality towards women, about gender discrimination and old perceptions.

The film had a budget of \$13 million, but it turned into an international success due to the sensitive topics that it tackled: misogyny, slut shaming, women's rights, gender disparity. The numbers spoke for themselves. The interest of people was so high that the film reached a turnover of \$92 million fast.

4. *Legally Blonde* is an American comedy directed by Robert Luketic and written by Karen McCullah Lutz and Kristen Smith after Amanda Brown's novel by the same name. Being a comedy, it mocks at stereotypes as well as questioning gender disparities and other ways of discriminating women.

The film was released on July 13th, 2001 and it quickly became a success turning its budget of \$18 million into a \$141 profit worldwide. The production was nominated for Best Motion Picture, Musical or Comedy at Golden Award. The leading actress, Reese Witherspoon, received a Golden Globe nomination for Best Actress-Motion Picture, Musical or Comedy.

5. Film director Alexandru Solomon wanted to create a film about a film so in 2004 he came up with *The Great Communist Bank Robbery*. It is a meta-discourse about a bank theft that happened in 1959 during the communist era in Romania. The story is about six well-educated young people, amongst which a woman (Alexandru Ioanid, Paul Ioanid, Igor Sevianu, Monica Sevianu, Saşa Muşat, Haralambie Obedeanu) who stole 1.600000 Romanian lei, the equivalent of 1million US dollars today, from the National Bank of Romania. All of them were eventually caught and sentenced to death soon after the event, except for the woman who had her sentence commuted to forced labour for life because she was pregnant with her second child. Unexpectedly, in 1964, she was allowed to migrate to Israel, as a result of an amnesty for political prisoners.

In order to set an example, communist Romania's Secret Police forced the robbers to play their own roles in a propaganda film designed to be seen and remembered. The propaganda film was named *The Reenactment* and it was released in 1960, mainly for the Communist Party members.

6. *The Rainmaker*, an American legal drama of 1997 signed by Francis Ford Coppola (both written and directed), inspired by John Grisham's novel with the same name. This film tackles multiple aspects of a lawyer's career: ethics, ideals, a diversity of cases (domestic violence, fraudulent insurances, abusing employees, self defense situations that turn into murders, will issues). Having the benefit of extraordinary actors, the film makes it possible for young professionals to understand that the journey which lies ahead of them is far from ideal. They have to prepare to soften the hard edges as well as to be able to maintain the moral values that this profession praises dearly.

7. *The People vs Larry Flynt*, is an American biographical drama film of 1997, directed by the well-known Milos Forman, starring Woody Harrelson (as Larry Flynt), Courney Love (as Althea, Larry's wife) and Edward Norton (Larry's lawyer, Alan Isaacman).

The script was written by Scott Alexander and Larry Karaszewski. The story covers 35 years of Larry Flynt's life, the founder of *Hustler* magazine, a publication for adults, in the same category as *Playboy*. The film debates on hot topics such as the freedom of speech, the freedom of choice,

the freedom of religion, the American Constitution, civil rights and liberties, modern society's views on style of living or in other words democracy at large in the 20th century.

8. *I am Sam*, a 2001 American drama film co-written and directed by Jessie Nelson, deals with extremely sensitive topics such as disabled people's rights, parenthood, stereotypes, expectations, work-life balance. Nelson and co-writer Kristine Johnson researched the issues facing adults with intellectual disabilities by visiting the non-profit organization L.A. GOAL (Greater Opportunities for the Advanced Living). They subsequently cast two actors with disabilities, Brad Silverman and Joe Rosenberg, in key roles. This is a great achievement as people with mental disorders or low intellectual capacities are considered second-hand citizens and they might not be given too many societal roles.

9. *Primal Fear*, an American legal thriller film directed by Gregory Hoblit, based on William Diehl's 1993 novel of the same name. It stars Richard Gere as a Chicago defense attorney who believes that his altar boy client (played by Edward Norton) is not guilty of murdering an influential Catholic archbishop. The production touches delicate topics such as the abuses of the Catholic Church related to children or teenagers or a highly appreciated lawyer's morality or tricking the justice system into believing in your innocence or mental issues with criminals that pretend they did not commit the crimes.

The film was a box office success and earned generally positive reviews, with Norton making a strong showing in his film debut. He was nominated for an Academy Award for Best Supporting Actor and won a Golden Globe Award for Best Supporting Actor – Motion Picture.

10. *To Kill A Mockingbird*, an American drama film of 1962 directed by Robert Mulligan after the novel with the same name written by Harper Lee which won the Pulitzer Prize for literature in 1960.

The film tackles a sensitive topic to this day: racism and discrimination in the USA, especially in the South, a region with a bad reputation in this respect, due to its history of allowing slavery, even fighting to support it as seen during the American Civil War.

This Hollywood production, partially because of the subject, partially because of the actors' performance, had a stunning success, having earned six times the budget that was invested into the making of it. Moreover, the Academy Awards for Best Actor was granted to Gregory Peck who played the attorney Atticus Finch, one of the main characters of the story. Gregory Peck has long been an American film icon of the classical cinema with this film being one of the reasons why.

At the beginning of our experiment we were quite curious to find out if, by chance, other ESP teachers have thought of a similar project. We gladly found out that we were not alone and that some other fellow colleagues had had similar ideas. For instance, Philip N. Meyer's article *Law Students Go to the Movies II: Using Clips from Classic Hollywood Movies to Teach Criminal Law and Legal Storytelling to First-Year Law Students* inspired us a great deal providing the opportunity to learn about analogous designs in the process of teaching. The interconnection that we all see between different layers of society and diverse fields of activity brought us to consider teaching through stories as represented by feature films: "legal storytelling is heavily influenced and affected by popular storytelling, and vice versa. As a result, the stories themselves inevitably bleed from one domain into the other: Legal stories influence entertainment and art, providing the subject matter for popular films, but simultaneously fictional literature, television programs, and commercial Hollywood movies reverse-engineer the structure and aesthetics of many stories told in the courtroom." (Meyer, 37). Thus, the author argues "open students to an awareness of the complexity, singularity, and maddening indeterminacy of "facts" and how, in turn, facts are shaped into "stories" ((Meyer, 38). The same researcher states in conclusion that his choice was excellent as it could bring the class of students alive, especially to due to the clips used as it is common knowledge that visuals enhance general comprehension abilities and openness to learning.

Another article that caught our attention and which is definitely worth mentioning is that of Elena Vyushkina, *Legal English through Movies: Development of Professional Communicative Competence*. The author had the main objective to develop listening skills in her students, but as the project expanded, it became more than that: "Seven movies were thoroughly studied and the following communicative situations were specified: lawyer – client communication; court in

session; opening statements; closing statements; lawyer – judge communication; lawyer – lawyer communication; dispositions; examination /cross-examination; lawyer’s behaviour in court; looking for a client / refusing to take a client’s case; legal education.” (Vyushkina, 259). Further more, the researcher makes mention of the feedback provided by her students as it is always essential as an educator to try to refine your teaching materials : “The students answered several questions concerning their attitude to using films in class (in general), relevance of topics, difficulties of tasks and understanding. The feedback was positive, which is implicitly confirmed by the number of students’ reports about movies: all students watched independently at least one movie and prepared a report about it, some viewed three or four films, and a few people watched all the movies mentioned and actively participated in all discussions.

These results allow us to assume that the approach described here can be effective in any ESP class. Although not all spheres of professional activities are broadly depicted in movies, such classes as English for medicine, business, education can be easily supplemented by interesting video materials selected according to the suggested approach and accompanied by appropriate tasks and assignments.” (Vyushkina, 261)

### CONCLUSION

Given all of the above, we strongly believe our experiment had been a successful one that can be translated into face to face class practice. Not only that our own work with students have proven to bear value, but that of other teacher colleagues or researchers has confirmed all hypothesis.

Those who undergone the experiment could identify themselves to the characters imagining their future professions as fighters for the triumph of Good in the name of Law because as V. P. Perkins argues in his volume *Film as Film*: “many films guide our identification by allowing us to recognize the winning team. The expectation that everything will come out right in the end makes it possible for us to identify with a character through the most disastrously fraught situations.” (Perkins, 144)

On the other hand, it stands as an obvious fact for the nature of humankind that we love stories and that we perceive them as lessons, even though, we might do that unconsciously : “the history of film stretches back to prehistoric times, to human ancestors hunched around the fire as one of them used the light to cast shadows on the wall to illustrate tales of fearsome beasts or unlikely heroism...Film in the 21<sup>st</sup> century is still a telling of stories with words and images, bringing those images to believable life.” (The Movie Book, 13)

Last, but not least, we argue that the partnership we have established with our students, as the learning-teaching process has two ends, can function as a role model for other ESP teachers who find themselves in difficulty, having to design from scratch specialized English materials for their students. It can be done with enthusiasm, participation and a constant interest to discover new and exciting ways to develop the profession of teaching!

### REFERENCES

- Perkins, V.P, *Films as Films. Understanding and judging Movies*, Da Capo Press, London, 1993
- The Movie Book, D.K., London, 2015
- Meyer, Philip M, Davis, Catlin A., *Law Students go to the Movies*, available at <https://jle.aals.org/cgi/viewcontent.cgi?article=1598&context=home>
- Hutchinson, Tom, Waters, Alan, *English for Specific Purposes. A learning-centred Approach*, Cambridge University Press, 1987
- Vyushkina, Elena, *Legal English through Movies: Development of Professional Communicative Competence* available at <https://sciendo.com/pdf/10.1515/slgr-2016-0027>