

Is One Semester of Legal English Enough?

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Abstract. The paper aims to research whether second year law students who are non-native speakers of English and study legal English (C1/C2) at Vytautas Magnus University (VMU) acquire enough knowledge of legal English during their one-semester-long studies in order to pursue their future studies in English, since later they have to take certain law subjects in which legal English is used as a language of instruction. This may seem to be very complicated if not enough knowledge of legal English is acquired before taking such subjects in English. Therefore, in the small scale research that used an online questionnaire consisting of open and closed questions, 19 research participants were asked about their class attendance, usefulness of legal English, the most challenging areas in studying legal English, the amount of time the students had spent on their studies of legal English outside the class, and whether they felt they had enough knowledge of legal English to be able to listen to other law subjects of their study programme in English after taking the course of Legal English. They were also asked to provide suggestions of what should be changed in teaching and learning of legal English in order to satisfy their present and future needs. The research showed that even though they had attended the classes and found the course useful, they (59.7 %) evaluated their knowledge of legal English as insufficient for following other law subjects with legal English as a language of instruction and 84.2 % of them would like it to be taught for a longer period of time. However, the study also showed that the students did not use their self-study time effectively, and it seems as a possible reason why they had not acquired enough knowledge in the course of Legal English in the spring semester of 2012 at VMU.

Key words: *legal English, teaching legal English to non-native speakers of English, teaching and learning English for specific purposes, legal vocabulary, VMU.*

Introduction

Legal English (C1/C2) is one of the obligatory study subjects in the law study programme at Vytautas Magnus University (VMU) in Kaunas, Lithuania. Students of law can decide whether to take this ESP (English for Specific Purposes) course in the fall or spring semester in the second or third year of their studies (it is a five-year programme that awards a bachelor's and a master's degree). Before taking the course, the students, non-native English speakers, are required to gain knowledge of general English in at least B2 level. Some students enroll into the university already having passed their English state examination very successfully and do not need to take A1-B2 levels of general English offered by the Institute of Foreign Languages at the university, while some others start their studies of English only after their enrolment into the programme.

Having the knowledge of English in B2 level, the students are advised to take English C1, in which they focus on specific areas, such as grammar and communication. Unfortunately, law students are not required to do so. This can be observed in the course description of Legal English (Teisinė anglų kalba arba pasirenkamas dalykas iš studijų pagrindų dalies, 2012, p. 1). Moreover, there is a gap in knowledge of English between those students who started their English classes in high school rather than university because the former ones have been active users of English for a longer period of time. Similarly, one more gap in knowledge and skills is felt when students skip English C1 and break the continuous process of studying English although it is important to admit that some students do decide to take the course of English C1. However, the

present paper does not aim at judging or criticising the students or the course(s) they take, since it is obvious that language learning should be consistent and continuous. It rather raises the question of whether the knowledge of English that the law students at VMU acquire during the course of Legal English (C1/C2) is sufficient.

Law students at Vytautas Magnus University have to have sufficient knowledge of English, legal English in particular, to be able to take lectures in English and pursue their professional careers using legal English in the future. In 2001, VMU Faculty of Law signed an agreement with Michigan State University (MSU) Law School (USA), according to which law students at Vytautas Magnus University are able to receive not only VMU diplomas, but also MSU transnational law certificates (Michigan State universiteto sertifikatas, 2012, p. 1). As a result, the faculty invites a lot of professors (12 in 2012) from abroad to teach the students courses on Comparative Company Law, Legal Psychology, Mediation and others, of course, in English (Vizituojuantys dėstytojai, 2012, p. 1). Therefore, in order to participate actively, a good command of legal English is needed. The question is whether law students think they have it after taking the course of Legal English (C1/C2) for one semester, and whether they use their time effectively in order to have it.

Learning Legal English

According to Alvyda Liuolienė and Regina Meliūnienė,

“Due to the prevalence of the English language in international business relations, as well as its role as a legal language within the European Union, non-native English speaking law students and legal professionals are

increasingly seeking specialist training in legal English, and such training is now provided by universities and colleges which focus exclusively on legal language” (Liuolienė and Meliūnienė, 2012, p. 56).

They continue by saying that

“[t]raditional English language training may not be sufficient to meet lawyers’ English language requirements” (Liuolienė and Meliūnienė, 2012, p. 56),

thus the need to study legal English becomes evident. A very similar idea is expressed by Maria Lojko who says that because of

“the established role of English language in international business relations, as well as its role as a legal language within the European Union, non-native English-speaking professionals [...] are seeking specialist training in legal English” (Lojko, 2011, p. 200).

Consequently, the demands of contemporary society and the labour market may seem to be a motivating factor for law students to study legal English and be ready to meet the demands after their graduation.

Legal English is different from general English in many aspects. Some of the main features of legal English that are different from general English and thus may cause problems to non-native speakers of English who are or are not lawyers but study legal English are the following:

- 1) “archaic words and expressions,” e.g. *thereto, thereon* and *thereof*, or rarely used words and expressions (Krois-Lindner and TransLegal, 2009, p. 42; Williams, 2004, p. 112),
- 2) “the inclusion of foreign words and expressions, especially from Latin” or French (Williams, 2004, p. 112),
- 3) “the frequent repetition of particular words, expressions and syntactic structures instead of using, for example, pronoun references or other types of anaphora” (Williams, 2004, p. 113),
- 4) “lengthy and complex sentences”; those sentences “with intricate patterns of coordination and subordination” (Krois-Lindner and TransLegal, 2009, p. 42; Williams, 2004, p. 113),
- 5) passive constructions/the use of passive voice (Williams, 2004, p. 114; Krois-Lindner and TransLegal, 2009, p. 42),
- 6) “a highly impersonal style of writing” (Williams, 2004, p. 114),
- 7) “the tendency towards nominalization” (Williams, 2004, p. 115),
- 8) rich vocabulary with many meanings, some of which are not common to general English or are used only in specific contexts (Haigh, 2004, xv; Rossini, 1998).

In addition, as Aušra Labokaitė and David Særtre Liudvigsen state,

“Lithuanian learners might sometimes find legal English difficult due to the fact that unlike Lithuanian legal language, legal English [...] is a very historical, traditional

and precise language counting hundreds of years of development” (Labokaitė and Liudvigsen, 2011, p. 8).

However, Lojko distinguishes the following “two language-related challenges” that non-native speakers of English may face while studying legal English:

- 1) “the peculiarities of its vocabulary and sentence structure”,
- 2) “the cultural differences between that of a specific national common law jurisdiction and the English [...] learners” (Lojko, 2011, p. 200).

Therefore, it seems that there may be a great variety of different areas of legal English that students, to whom English is not a native language, could find challenging and time consuming in terms of studying.

The course of Legal English was started to teach at VMU in 2010. Before offering this course, a needs study had been carried out by Labokaitė and Liudvigsen in 2009 in order to find out about the needs of law students who would study it (Labokaitė and Liudvigsen, 2011, p. 9). They found out that the majority of the students wanted to improve their vocabulary (64 %) and speaking (60 %) skills (Labokaitė and Liudvigsen, 2011, p. 10). Then in autumn semester of 2010 the same researchers

“were concerned with the Legal English skills that the[ir] respondents [university students from various faculties and students of non-formal education who took the course of Legal English as an elective course] have possibly acquired somewhere else or prior to studying legal English formally” (Labokaitė and Liudvigsen, 2011, p. 10).

Unlike their study, the present research is directed towards the skills VMU second year law students acquire during the course of Legal English.

Case Study

Aims of the Study

Legal English is a necessity for law students not only at VMU and plays a major role in their further studies and future careers. In order to improve teaching and learning of it, it is important to know whether one semester of legal English is enough to satisfy their future needs, what areas of legal English they see as the most challenging, what suggestions for improvement of teaching and learning legal English they have and how effectively they use their time and effort to studying legal English. Consequently, a very small scale study was carried out in the end of spring semester of 2012. In addition to the above mentioned issues, the study sought to find out whether the students thought they had enough knowledge of legal English to be able to follow other law subjects in English after taking the course of Legal English, and whether they found the course useful.

Participants and Methodology Used for Data Collection

In spring 2012, there were 106 students of law studying legal English (C1/C2) at VMU. They were divided into five groups and taught by three teachers: one teacher taught three groups of students, while the other two taught one group each. The group that included only second year

law students taking the course of Legal English (C1/C2) for the first time was chosen for the research, since other groups included not only second year law students, but also first and third, students taking the course of Legal English for the second or third time because of earlier failure, and students from other faculties and study programmes, for instance, the programme of political sciences.

Since the course of Legal English (C1/C2) at VMU uses a blended learning method that includes not only face-to-face communication but also the virtual Moodle environment, an online questionnaire consisting of open and closed questions was created and a reference to it was posted in the News Forum in the Moodle environment during the last week of their classes at the spring the semester of 2012 (before the beginning of the examination session). The message in the forum included a description of the questionnaire and a kind request to all the students taking the course to take part and give feedback on learning legal English (C1/C2). 19 second year law students were in the research group and all of them participated in the study.

Results and Discussion

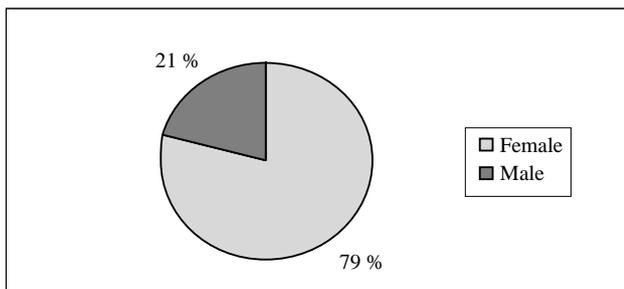


Figure 1. Research Participants

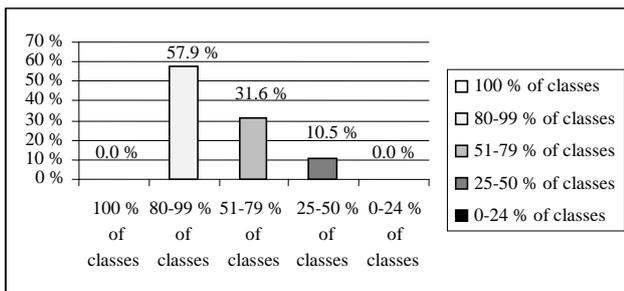


Figure 2. Class Attendance

78.9 % female and 21.1 % male students participated in the research. Since the study aimed at investigating students' attitude towards sufficiency of their knowledge of legal English acquired during the course to pursue further studies in their field in English, it was important to find out how many legal English classes they had attended, as usually there is a direct relationship between the class attendance and the knowledge acquired. The students were asked to record their attendance by indicating an approximate percentage of their attended classes. As can be seen in Figure 2, there were no students who had attended 100 % of their classes. On the other hand, more

than one half of the respondents, 57.9 % to be precise, had attended almost all the classes, that is 80-99 % of them. In addition, 31.6 % of the students had attended 51-79 % of legal English classes. Thus, it is possible to claim that the majority of students, 89.5 % had attended at least 51-79 % of their classes. 10.5 % of the research participants, meanwhile, had attended from one quarter to one half of the classes.

Further, the usefulness of legal English for VMU law students was measured. The respondents were given a closed question and two possible options, namely "yes" (meaning it was useful) and "no" (meaning not useful). Figure 3 presents the results.

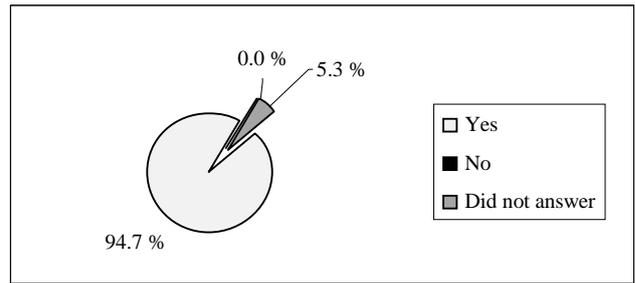


Figure 3. Usefulness of Legal English

It is important to point out that 94.7 % of the law students studying legal English in the spring semester of 2012 found the course useful for their law studies or future career in their field. 1 student (5.3 %) did not answer about the usefulness of legal English, while there were no students saying legal English was not useful. Nevertheless, the usefulness of the course does not necessarily lead to mastering it, but specific lexical and grammatical content of legal English should motivate the students to study it, for it would be used as a language of instruction later in their studies and as a working language in their future careers.

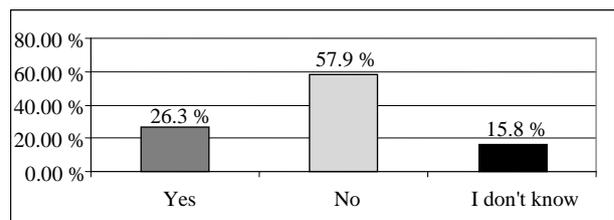


Figure 4. Students' Readiness to Have Other Law Subjects in English after Taking the Course of Legal English

Figure 4 shows that more than one half of the students who participated in the study think they do not have enough knowledge of legal English to be able to have other law subjects in English in the future. 57.9 % of them, to be precise, admit their knowledge is not sufficient. Such a significant percentage may lead to an assumption that these students are likely to face legal English-related problems in their further studies, since they may limit their possibilities to take part in their law classes conducted in English, for instance, by visiting professors, in order to be able to obtain Michigan State University Law School certificate in transnational law, participate in law-related discussions,

moot competition, for instance, the Jessup (the Philip C. Jessup International Law Moot Court Competition), and demonstrate their knowledge of their field in English in general.

If the students attend their legal English classes and find them useful but having taken the course do not feel they have sufficient knowledge to pursue their law studies in English, a possible solution might be to teach legal English longer than one semester, since one semester is a very short period of time to acquire knowledge of specific lexical and grammatical content that legal English involves. Thus, the students were asked the following question: should legal English be taught longer than one semester? The pie chart in Figure 5 illustrates their opinion.

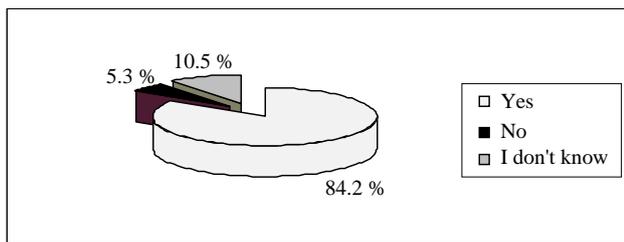


Figure 5. Should Legal English be Taught Longer than One Semester?

The results indicate that 84.2 % of the research participants think legal English should be taught longer than one semester that is the case now. It is possible that this would increase the variety of topics and issues covered in the course as well as provide more time to practice the learned material, since at present classes of legal English last 45 minutes, take place four times a week (on Mondays, Tuesdays, Thursdays and Fridays) and include individual work in the virtual Moodle environment once a week (on Wednesdays). The course constitutes of 60 academic hours of face-to-face lectures and 30 academic hours of student work in the virtual environment. In addition, the students are required to work individually for 70 academic hours per semester (160 academic hours in total).

The online questionnaire asked the research participants to write the most challenging areas in studying legal English. Table 1 presents the answers provided to this open question.

The survey results show that 14 out of 19 students (73.68 %) find vocabulary the most challenging while studying legal English. This is probably the area of legal English that the students would like to practice for a longer period of time. As can be seen from their answers in Table 1, they indicated vocabulary by using the following words that are given in bold in the table: vocabulary (6 times), specific terms, definitions (of certain words), new words (2 times), legal terminology, new terminology, legal terms, certain words, and the use of words. The results support some of the ideas expressed by earlier mentioned researchers who see legal vocabulary as likely to lead to difficulties in studying legal English and require time to master it. Other difficult areas that were identified are test tasks, prepositions, and joining sentences together (compound sentences are probably meant here). 1 student either did not find any challenging areas in legal English or chose not to answer the question.

Table 1. The Most Challenging in Studying Legal English

| | |
|-----|--|
| 1. | Concepts, phrases, vocabulary . |
| 2. | New vocabulary . |
| 3. | It is difficult to make a connection between the studied things and the real world things and see a general picture of the situation, for example, in the business area. Specific terms make the language complex, and it is sometimes difficult to find Lithuanian equivalents of the terms. |
| 4. | Definitions . |
| 5. | Many new words . |
| 6. | Vocabulary , names of foreign corporations and their activities. |
| 7. | Legal terminology . |
| 8. | Broad vocabulary , listening, and texts. |
| 9. | Tasks in tests that were related to the texts in the book. |
| 10. | Prepositions, joining sentences together, but it is probably due to the lack of knowledge of English. |
| 11. | Vocabulary . |
| 12. | New terminology ; its usage. |
| 13. | The most challenging is to memorize legal terms . |
| 14. | I think that the most difficult is that legal English is very formal, the vocabulary is new, and there is a need to use new words that are not used in general English. |
| 15. | To understand certain words . |
| 16. | In comparison to the peculiarities of legal Lithuanian, during the short semester, it is difficult to understand the peculiarities of legal English well. |
| 17. | The use of words in a text; it seems you know the meaning, but you are not always successful in applying the correct one. |
| 18. | It was the most difficult to understand the peculiarities of the UK and US legal systems, especially in relation to Company Law, etc. |
| 19. | - |

Next, the students were given one more open question to express their opinion concerning the course. They were asked to provide suggestions about what and how should be changed in teaching legal English in order to improve it. Table 2 shows the suggestions.

Again, six students (31.58 %) suggested legal English should be taught more than one semester. Eight students (42.1 %) either did not have any suggestions or were happy with the course and thought that nothing should be changed. Although the percentage of those who suggest the longer studies of legal English is not as significant as it is in Figure 5, it could be seen as an important issue in teaching and studying legal English. Other student suggestions include more practice, student grouping according to their knowledge of English, the use of visual material and translated vocabulary lists in the virtual Moodle environment.

The student answers to the two previously discussed questions suggest the students' need to study legal English, legal vocabulary in particular, for a longer period of time. Therefore, it is crucial to discuss how the research participants used the time they had, namely their self-study time. According to the course description of Legal English, the students should have spent at least 70 academic hours

per semester studying individually. Due to a very small number of the participants and highly different answers concerning the amount of time they had spent on studying legal English per day, the number of students in Figure 6 is not represented by giving the percentage. Numbers from one to four are used instead.

The answers varied even more when the respondents were asked to indicate the approximate amount of time spent studying for one test of legal English (see Figure 7). Numbers from one to three are used instead of percentage to indicate the number of students who indicated that particular number of hours.

Table 2. Student Suggestions about Changing the Course of Legal English

| | |
|-----|--|
| 1. | In terms of teaching methods, nothing should be changed, however, I think that either the lectures should be longer or legal English should be taught not one semester. |
| 2. | It should be taught longer than one semester; more creative work, discussions and writing assignments. |
| 3. | To prolong the time of lectures or add one more semester. |
| 4. | More practice. |
| 5. | 2 semesters, during which it would be possible to do the assignments by absorbing the material and so on. |
| 6. | It should be studied longer than one semester, because it is impossible to learn everything during such a short period of time. Everything else is good. |
| 7. | No suggestions. |
| 8. | No, I don't have any. |
| 9. | I think that it (the course) is wonderful, because it is taught by a lecturer that really wants to get the student interested and always tries to explain all the peculiarities clearly. |
| 10. | I think that groups should consist of students that have a similar level of English knowledge, therefore, first of all, students maybe should pass English level 5 (C1), or the students should be simply divided into separate groups with the help of tests. |
| 11. | I don't have. |
| 12. | Everything was fine. |
| 13. | Although I attended only one lecture, when a film was being shown, I liked the visual material. I think that teaching with the help of films about law would be useful and interesting. |
| 14. | I would like the words (probably the vocabulary list in the virtual Moodle environment) to be translated. It is very difficult to translate them because not everyone can buy a dictionaries. This part is the most difficult, since the foundation of the course is vocabulary, while a word that is translated incorrectly is worth nothing. |
| 15. | I think that legal English should be taught not one semester, as it is now, but two semesters. In that way, it would be possible to cover a broader variety of topics, to expand vocabulary even more, and develop speaking skills – all this would be useful not only in further studies, but also in professional activities. |
| 16. | - |
| 17. | - |
| 18. | - |
| 19. | - |

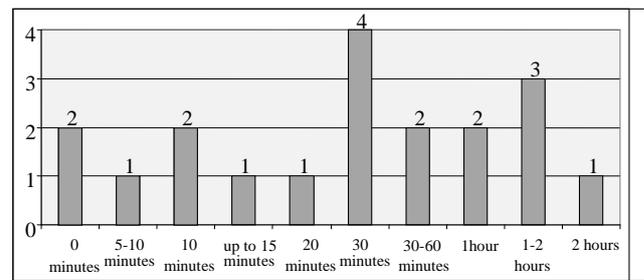


Figure 6. The Amount of Time Spent on Studying Legal English Outside the Class per Day

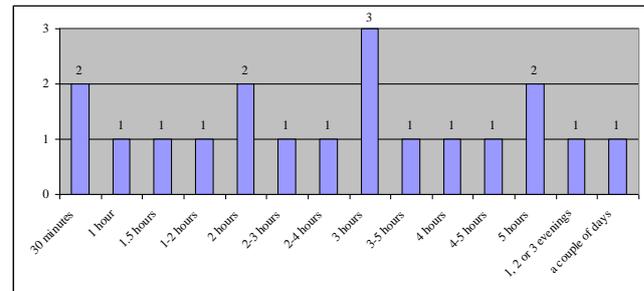


Figure 7. The Amount of Time Spent on Studying for one Test of Legal English

On the one hand, the research participants would like to study legal English longer, but on the other hand, the data in Figure 6 and Figure 7 suggest their self-study time may not have been used efficiently. Taking into account the different answers, it is difficult to draw definitive conclusions although it appears evident that the majority of the respondents (11 out of 19) spent only from 0 to 30 minutes on studying legal English outside the class per day. It is less than the course requires since every class takes 45 minutes, 60 academic hours per semester, while students should spend 70 academic hours, that is more than 45 minutes a day, on studying independently. Nevertheless, as Figure 6 shows, eight students out of eleven had spent from 30 minutes to two hours (much more than required) on studying at home. They used their self-study time effectively and probably it was them who did not have any suggestions about changes in the course and did not suggest it to be taught longer than one semester (see Table 2). In contrast, the amount of time spent on studying independently becomes significantly greater when it comes to the preparation for tests. Figure 7 demonstrates that the research participants studied from 30 minutes to five hours, from one to three evenings or even a couple of days in order to prepare for one test of legal English. Thus, tests rather than future necessity of studies (for instance, following law subjects taught entirely in English in the law programme) or career become a motivating factor in studying legal English. Accordingly, a great part of the information learned during such preparation for tests may not be stored for late use but rather lead to forgetting since it appears to be learned only for a test.

Conclusions

There is a variety of suggestions in recent research of how to teach legal English. They range from simplifying original texts to using original documents, contracts and the like,

employing lawyers with education in TEFL (Teaching English as a Foreign Language) and others. Researchers carrying out research in the area of teaching and learning legal English emphasise many areas that may cause difficulties, and the present small scale study contributes to the research by showing that VMU second year law students identify vocabulary as the most challenging one.

This study intended to get a glimpse into the present situation of teaching and learning legal English at VMU by asking for student feedback. The small scale research into the attitudes of non-native students of legal English studying law at VMU suggests the second year law students would like to study legal English for a longer period of time and think it would help them to master legal English and overcome the difficulties, such as challenging legal vocabulary, they face. Nevertheless, the paper is not meant to offer “better” ways of teaching legal English, but rather raise the awareness of the existing problem that does not seem to be new. It is unlikely legal English will be taught longer than one semester to law students at VMU or the number of hours dedicated to the course will increase, since foreign language courses are given maximum 6 ETCS credits (160 academic hours), but maybe redistribution of work load, say giving more hours to face-to-face lectures than individual work at home (and distant learning), would solve the problem, because the study shows the students of legal English do not always use their self-study time efficiently, and thus lack practice. As a result, they do not feel having sufficient knowledge of legal English to listen to other law subjects where legal English is used as a language of instruction and would like the course of Legal English to be taught for more than one semester. It is also important to point out that although the research is limited, it is a conscious attempt to research VMU law students’ needs for future improvement of the course of Legal English, because it has been taught only since 2010.

As mentioned, due to a very small number of the participants, the research conclusions could not be

definitive. They could only suggest to dedicate more attention to vocabulary when teaching and learning it in legal English classes. At the same time, it appears to be important to teach the students about time management in order to help them use self-study time effectively and increase student motivation. A larger scale research in the area could be useful as well, since it is important to research the attitudes, opinions and needs of those students who, for some reasons, fail the course of Legal English (C1/C2) for several times, since they are not considered in the present study.

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Aurelija Daukšaitė

Ar vieno teisinės anglų kalbos semestro pakanka?

Santrauka

Straipsnyje autorė siekia išsiaiškinti, ar Vytauto Didžiojo universiteto teisės studentai, kurių anglų kalba nėra gimtoji ir kurie mokosi teisinės anglų kalbos kaip privalomojo programos dalyko vieną semestrą, mano, kad išklausę kursą, jie turi pakankamai teisinės anglų kalbos žinių, kad galėtų klausyti kitus specialybės dalykus anglų kalba, kurie dėstomi vizituojančių dėstytojų vėlesniuose kursuose. 2012 m. pavasario semestro pabaigoje 19 studentų, besimokiusių teisinės anglų kalbos, dalyvavo mažos apimties tyrime. Jie pildė internetiniu įrankiu parengtą klausimyną, sudarytą iš atvirų ir uždarų klausimų apie teisinės anglų kalbos naudą, paskaitų lankomumą, laiką, skiriamą teisinės anglų kalbos mokymuisi ne auditorijoje, sudėtingiausias teisinės anglų kalbos sritis jos mokantis ir kita. Tyrime nustatyta, kad daugiau nei pusė studentų mano neturintys pakankamai teisinės anglų kalbos žinių, kad galėtų sėkmingai klausyti angliškai dėstomus studijų dalykus ateityje. Dauguma respondentų norėtų, kad teisinės anglų kalbos būtų mokoma ilgiau, kadangi nepakanka laiko įsisavinti teisės žodyno, kuris ir sudaro daugiausia sunkumų mokantis. Kita vertus, tyrimo rezultatai rodo, kad laiką, kurį studentai turėtų praleisti besimokydami teisinės anglų kalbos savarankiškai, ne visada panaudoja efektyviai, o studijos suintensyvėja ruošiantis testams, kurie tampa motyvacijos veiksniu.

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