

## TEACHING ENGLISH FOR LAW ENFORCEMENT OFFICERS

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**Abstract:** Teaching English for specific purposes (ESP) or for specific academic purposes (ESAP) involves a number of issues topical among the language teaching personnel. Beside these problems, common to the English teaching community, there are some concerns that apply in particular to teaching English to future police officers and the managerial staff in the field of law enforcement. Since teaching a language inevitably involves transferring of or at least exposure to certain values and attitudes characteristic of L2, learners have to be well informed about the cultural and historic background of such attitudes. Teaching English to students in the educational institutions of Serbian police imposes on us a task to make them aware of the differences between the legal framework within which police agencies operate, that is between the Anglo-American system and the continental one.

**Key words:** teaching English, ESP, ESAP, law enforcement officers, police, Roman law, common law, diversity, globalization.

### 1. Introduction

When people are being trained to become language teachers, they often think that too much is asked of them and frequently feel that the treatment they are receiving, to put it mildly, is not fair. The range of topics they have to cover seems too wide and, not infrequently, exaggerated. They tend to think that many of the topics they have to deal with are only there because their trainers find them interesting and they sincerely hope they will never ever have to set their eyes on those tiresome samples of extensive or, even worse, intensive reading they have so cruelly been exposed to over the not-so-short course of their professional training.

At long last, the graduation day arrives, they – or would it be more appropriate to say – we, put away piles of textbooks, exercise books and notebooks and cheerfully and confidently start studying, very eagerly, an entirely new type of

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reading – ads for job vacancies. To be honest, finding a post as a teacher of English is not too difficult or time-consuming, since the demand is very high. Besides, it is not among the best paid jobs, so it is only real enthusiasts who compete for it. Thus congratulations that we receive upon graduation are usually closely followed by those we receive for getting a job. For many of us, it soon turns out they have followed too soon, especially if we teach English for specific academic purposes.

Just to set one thing straight, this is not supposed to be an instance of taking a gloomy look on teaching ESP. On the contrary, the topic here is the unique experience, which the author is sure she shares with many of her colleagues, and that is the experience of teaching English for specific purposes with joy, enthusiasm and dedication.

So, once we have graduated, found a job of our dreams, and for a moment regretted because it all happened so quickly, we immediately start unpacking our dog-eared readers and exercise books and start going through all of them much more attentively than we did when we were students. Suddenly we are grateful that our teacher trainers took pain to introduce us to so many different topics. Sometimes we even resent their laziness: Weren't they supposed to give us more examples, more reading material, more homework? Did they really think it would be enough to read only a few pages of text about law or medicine or architecture? What were they thinking?

Soon we realize that, after all, we were lucky to have been given at least some vague ideas about the subject matter at hand and that our teachers' efforts were not in vain, for, if nothing else, they have contributed to our awareness of our own limitations and it is thanks to them that we understand, probably better than people in any other occupation, how much we do not know and how much there remains yet to be learnt.

## **2. English for Law Enforcement**

The first thing that has to be emphasized when speaking about teaching English for specific purposes (ESP) and for specific academic purposes (ESAP) in particular, is that it involves, at least initially, far more LEARNING than TEACHING.

It requires proficiency not only in linguistics but also in the skills and knowledge related to the occupation for which your students are being trained. That is the reason why it frequently raises questions of who should teach such a subject: an expert with excellent knowledge of English or an English teacher with excellent knowledge of the particular field.

In order to teach English to future police officers or those who are receiving in-service training, one has to become familiar with the walk and talk of law enforcers.

Police are entrusted with enforcing all such laws as govern and guide the society's life and conduct. Policing is therefore an occupation that requires very high standards of personal integrity but also acquiring special skills and studying a lot of theoretical subjects.

Just like any other sphere of human life and knowledge, law enforcement has its own terminology and occupation-specific discourse. It is characterized by a broad range of registers, both formal and informal, the diversity of which may be surprising to people outside the world of law enforcement.

Firstly, the very expression law enforcement implies that there are certain laws underlying the whole business of it. Those of us who choose to study foreign languages are hardly ever interested in the variety of legal acts that govern our daily life. We certainly have some ideas about a huge number of legal provisions, rules and regulations that we are supposed to adhere to, but how many of us, people with no legal education, know the difference between, say, criminal law and law on criminal procedure? How are we to tell which conventions and declarations are legally binding, within the border of one country or across continents?

But our students need to know the legal framework, which includes primarily criminal and procedural law, and within which the police agencies and services operate, as integral parts of all criminal justice systems. They also have to be familiar with ever increasing international legislation (internationally binding conventions, declarations, protocols).

Enabling them to read and understand original theoretical works and relevant international documents, as well as to communicate with their foreign counterparts in both spoken and written English inevitably implies introducing them to a concept of criminal justice entirely different to the one they are familiar with.

The extensive growth of international legislation over the past few decades has made us all better acquainted with different legal concepts, some stemming from the Roman law, and the others typical of the Anglo-American world.

The main difference here is related to the sources of law. Continental law implies the existence of a set or sets of written documents, called statutes, which define what people are obliged to do, what actions are prohibited and what sanctions can and shall be applied in the case of failure to comply with these provisions. These statutes, as legal act, are drawn and passed by legislative bodies, such as parliament, and are usually accompanied by sets of regulations provided by executive authorities. Such legal systems are referred to as civil law systems and they originate mostly from the *Roman law* and the *Napoleonic Code*.

Much of English law, however, is based on *common law* or *case law*. Common law nowadays is a concept peculiar to England and Wales, as well as to those countries whose laws are derived from English law, such as Australia, USA and Canada (therefore known as Anglo-American). It is based on the body of decisions in previous cases made by relevant courts (*courts of first impression* or *courts of record*) which become the source of law.

However, common law is what used to guide or even govern the lives of communities for centuries before written laws appeared. There is virtually no culture without some historic form of common law, which comprised customary and traditional mechanisms applied to ensure the proper functioning of a community and full compliance of its members. For example, one of the common law mechanisms, used by communities in the past in order to get rid of 'rotten

apples', was exile. Individuals were stripped of their rights and denied support even of their closest relatives.

People living in the former Yugoslavia will remember the work of famous Montenegrin movie director, Živko Nikolić, whose movies contained examples of some common law family duties and punishments. One of his most popular films, *The Beauty of Vice*, begins by showing a woman who takes a loaf of bread she has baked and follows her husband high up in the mountains, where he is supposed to place the loaf on top of her head and smash it with a huge hammer. That was the common law punishment for unfaithful wives. Adultery was punishable by death, unless the adulterous wife was quite an expert in baking bread.

In England, by the time the Roman law was rediscovered in the 12th and 13th centuries, the common law had already developed far enough to prevent a Roman law reception as it occurred on the continent. However, the first common law scholars, most notably Glanvill and Bracton, as well as the early royal common law judges, had been well acquainted with Roman law. These judges often were clerics trained in the Roman canon law. One of the first and, throughout its history, one of the most significant treatises of the common law, Bracton's *De Legibus et Consuetudinibus Angliae* (On the Laws and Customs of England), was heavily influenced by the division of the law in Justinian's *Institutes*. The impact Roman law had decreased sharply after the age of Bracton, but the Roman divisions of actions into *in rem* and *in personam* used by Bracton had a lasting effect and laid the foundation for a return of Roman law structural concepts in the 18th and 19th century. Signs of this can be found in Blackstone's *Commentaries on the Laws of England*, and Roman law ideas regained importance with the revival of academic law schools in the 19th century.

As colonies gained independence from Britain, most adopted British common law as the basis for their legal systems. In most cases, newly independent colonies received common law precedent as the default law, to the extent not explicitly rejected by the newly freed colony's founding documents or government.

For example, following the American Revolution, in 1776, one of the first legislative acts undertaken by each of the newly independent states was to adopt a "reception statute" that gave legal effect to the existing body of British common law to the extent that American legislation or the Constitution had not explicitly rejected British law. British traditions such as the monarchy were rejected by the U.S. Constitution, but many British common law traditions such as *habeas corpus*, jury trials, and various other civil liberties were adopted in the United States.

As a result, the common law constitutes the basis of the federal law of the United States and the law of individual U. S. states, except Louisiana, which uniquely uses a system based on the Napoleonic code, remaining true to the state's French and Spanish roots, which predate the U.S. annexation of the Louisiana territory in 1803. It is also interesting that significant elements of British common law prior to 1776 still remain in effect in many jurisdictions in the United States, because they have never been rejected by American courts or legislatures.

In Canada, all but one of the provinces use a common law system (the exception being Quebec, which uses a civil law system for issues arising within provincial jurisdiction). Criminal law, which is uniform throughout Canada, is based on the common law in all provinces.

The main alternative to the common law system is the civil law system, which is used in Continental Europe, and most of the rest of the world. The contrast between civil law and common law legal systems has become increasingly blurred, with the growing importance of jurisprudence (almost like case law but in name) in civil law countries, and the growing importance of statute law and codes in common law countries.

Examples of common law being replaced by statute or codified rule in the United States include criminal law (since 1812, U.S. courts have held that criminal law must be embodied in statute if the public is to have fair notice).

Common law that constitutes the foundation of the Anglo-American systems of justice, while still bearing traces of custom and tradition, mostly consists of court decisions pertaining to cases previously dealt with, which is why it is also referred to as case law. Some courts are regarded as courts of record and their decisions are used as precedents in trials that come later. This is often seen in the movies, again, when a judge presiding the court refers to the ruling of such-and-such a judge in such-and-such a case.

Some of the common law has indeed been superseded by statutes passed by legislative bodies, but some significant aspects of criminal law are still governed by common law. This is the case with the criminal offences of murder or incitement, whereas some other criminal acts have been defined by statutes, which are in fact codifications of common law, with or without modifications.

The establishment of international tribunals also called for some compromise and mixed type law systems similar, for instance, to that in Scotland. Such systems are also referred to as *bijudicial systems*. Thus, although the term “common law” is still frequently used as a contrast to Roman-derived “civil law” and although the fundamental processes and forms of reasoning in the two are quite different, we can conclude that considerable cross-fertilization of ideas has occurred, much as the two traditions and sets of fundamental principles remain distinct.

What implications does this have for teaching English to law enforcers? Just watching news broadcasts for five minutes or going through a few pages of any daily paper will make it obvious.

The twentieth century, which brought about unthought-of breakthroughs in technology and science, also brought about enormous possibilities for perpetrating criminal activities across state borders. The internationalization of businesses was closely followed by internationalization of criminal activities and transnational organized crime and terrorism have almost outgrown all mechanisms of social control.

This is where international law enforcement comes in, in the form of international crime-combating organizations, such as INTERPOL (founded in 1923) and EUROPOL (founded in 1994), or in the engagement of officers in the United Nations peacekeeping troops. Dramatic increase in international organized

crime and terrorism calls for stepped-up cooperation among national and international law enforcement agencies involved in international policing, transnational policing and global policing.

Here again the study of languages proves to be of great importance, because most peacekeeping missions have English as their official language. Besides, the law enforcers engaged in these missions come from different countries and sometimes dramatically different cultures.

When they get together, police officers from different countries may joke that they only need the services of an interpreter until they have had their second pint of beer, because the peculiarity of their job makes them brethren whose ways and manners are not easily understood by outsiders.

And indeed, law enforcement officers, especially uniformed police officers, have to cope with the strain of being conspicuous 'outsiders' on a daily basis. Their uniforms and the insignia of their profession make it very hard for them to stay out of the focus of the public. The strain is even greater when they are performing their duties in a foreign country teamed up with their peers from different cultures. If they are not well prepared, they may face embarrassment and sometimes even get involved in conflicts.

Not so long ago, people who lived in the former Yugoslavia believed that they knew everything about diversity and that they were experts in handling it, only to be awoken from this delusion by fierce ethnical clashes which taught us how little we actually knew about one another. The bloodshed in which our former common fatherland dissolved showed us how vital it is to learn as much as possible about people we live and work with, about our neighbours and colleagues, about their customs and beliefs.

### 3. Instead of Conclusion

Therefore the study of diversity, its advantages and obstacles, should by no means be neglected by us who teach future law enforcers. Globalization can easily mean that some day they may find themselves policing communities in distant regions of the world together with their local counterparts or with police officers raised and trained in the settings entirely different from their own.

It is our responsibility to enable future law enforcement officers to understand cultural backgrounds different from their own, to be able to present their systems of value in an unobtrusive way and, most importantly, to appreciate diversity. The success of their performance as working officers may greatly depend on how they respond to and how much appreciation they show of other people's customs and traditions.

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## ENGLISKI JEZIK U NASTAVI ZA LICA KOJA SPROVODE ZAKON

### Rezime

Nastava engleskog jezika za specifične namene (ESP) ili za specifične akademske namene (ESAP) podrazumeva bavljenje nizom problema koji su aktuelni među nastavnim osobljem zaduženim za nastavu jezika. Pored ovih problema, zajedničkih za sve koji predaju engleski jezik, postoje i oni koji se posebno odnose na nastavu engleskog jezika za buduće pripadnike policije i rukovodeći sastav u oblasti sprovođenja zakona. Kako nastava jezika neizbežno podrazumeva transfer ili barem izlaganje izvesnim vrednostima i stavovima karakterističnim za jezik koji se izučava (L2), slušaoci moraju biti dobro obavješteni o kulturno-istorijskoj pozadini takvih stavova. Kada predajemo engleski jezik studentima, odnosno polaznicima nastave u obrazovnim institucijama policije u Srbiji, pred nas se postavlja zadatak da im ukažemo na razlike koje postoje među pravnim okvirima u kojima deluju policijske službe, to jest, između anglo-američkog i kontinentalnog pravnog sistema.