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A proactive approach to English-medium instruction in legal education: using text mining for legal terminology acquisition

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Abstract: Teaching law in English in an international and multilingual classroom has become common due to the internationalization of legal studies; however, it poses a serious challenge. Lecturers must not only convey the relevant legal content but also ensure that students have proper handling of the terminology. This is not an easy task. As law is strongly intertwined with language, it is best taught in the language of the law itself (e.g., Dutch law is taught in Dutch). This article addresses potential difficulties reflecting on how to support law students in acquiring non-English legal terminology in a multilingual and international classroom, where English is the language of instruction. The paper aims to demonstrate how text mining can be applied to create learning materials for law students that would help them build their competences in relevant legal terminology in English and thus allow a more proactive approach to studying law in this language. After outlining the key issues related to English-medium instruction and English legal terminology, this paper presents several examples of the application of text mining to ECtHR judgments. One of the main findings is that the use of text mining can significantly assist teaching by creating meaningful learning material, as it can extract necessary information from any type of legal texts. It can also be concluded that these novel methodologies are consistent with proactivity, which could influence the study of law as much as it does legal practice. Educational technologies make way for further exploration of proactiveness as a concept in the context of legal studies.

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1. Introduction and the outline of the problem

English-medium instruction[2] is applied in many law courses or even entire study programs today. It is not unusual for law to be taught in English in universities located in countries in which English is not the national language (see, e.g., Tallinn University of Technology, no date; Riga Graduate School of Law, no date; Maastricht University, no date; University of Oslo, no date). These courses (programs) are often offered to an international audience—students who come from various countries (and legal systems) all around the world. Even though the entry requirement is usually at the B2 level in English (see, e.g., Tallinn University of Technology, no date; Riga Graduate School of Law, no date), students often have different levels of language proficiency and most likely not much experience with legal English. This might make the start of their academic studies particularly challenging. In addition to handling the study process in English, the students have to quickly master specific legal terminology as well. As "[t]he law is a profession of words" (Mellinkoff, 1963, p. vii), it is crucial that the students acquire the correct understanding of the meaning of the legal terms they study in English. The lecturer cannot assume that this will happen naturally. It is therefore the lecturer's task to facilitate and guide students' learning and understanding of legal terminology in order to prevent them from acquiring incorrect understanding. This *inter alia* means that the lecturer needs to use the law proactively to avoid a potential future problem—students using incorrect legal terminology.

The concept of 'proactive law' originates in Finland (Pohjonen, 2006) and aims "to use the law as a lever to create value for the company, the individual or society in general" (Berger-Walliser, 2012, p. 16). The Nordic School of Proactive Law defines it as "a future-oriented approach to law placing an emphasis on legal knowledge to be applied before things go wrong" (The Nordic School of Proactive Law, no date). It has also been described as "an

[2] This paper adopts the definition of English-medium instruction used by Dundon (2019, p. 46): English-medium instruction is "the use of English as an instructional language in a location where neither the students nor the general population in the environment in which the school is located use English as a first language" (see Section 2 of the paper).

approach which comprises a way of legal thinking combined with a set of skills, practices and procedures that help organizations and individuals to identify opportunities in time to take advantage of them, and to spot potential problems while preventive action is still possible" (Magnusson Sjöberg, 2006, p. 13). As stated by Pohjonen (2006, p. 55), "[i]n Proactive Law, the focus is in the development of understandings, structures, rules and procedures that *ex ante* enable the creation and achievement of desired goals and the avoidance of unnecessary problems (future-orientation)." An analysis of these sources allows concluding that one of the key and unifying elements of the concept of proactive law is the prevention of future problems by proactively using law in the present time.

Although the proactive law approach is often analyzed from a contract law or a business law perspective (see, e.g., Murray, 2021; Berger-Walliser and Shrivastava, 2015; Haapio, 2006; Siedel and Haapio, 2010), it could be applied in other areas as well. For example, one of the latest studies on proactive law addresses proactive international law (Saliternik and Agon, 2024). Unfortunately, so far it has not been possible to find any sources that would discuss the concept of proactive law in the specific context of legal education. Taking into account the existing definitions and explanations of the concept (see, e.g., Pohjonen, 2006; Berger-Walliser, 2012), one could propose that in the context of legal education, the concept of proactivity (Grosinger, 2022, p. 2), as the root notion of proactive law, means using knowledge of law to foresee what problems law students might encounter when learning, and then teaching law in a way that prevents or minimizes those problems before they occur. The present article aims to do exactly that—to demonstrate how lecturers by using their knowledge of law can try to proactively help students to prevent future problems related to studying law. It also encourages lecturers and law students to search for and use creative learning strategies that are oriented towards finding solutions in the present time and preventing future problems.

Although a lot of research has been conducted on English-medium instruction in higher education in general (see, e.g., Dimova, Hultgren and Jensen, 2015; Molino *et al*., 2022; Lasagabaster, 2022; Bolton, Botha and Lin, 2024), there is a serious, even alarming, lack of research in the area of the use of English-medium instruction specifically in legal education (see, e.g., Dundon, 2019). Tiersma (1999, p. 71) has stated that "much of the linguistic behavior of the legal profession is geared towards speaking and writing as clearly and precisely as possible". This means that the role of language in legal studies and the legal profession cannot be underestimated,

and one certainly cannot assume that students will somehow overcome the language-related challenges associated with English-medium instruction. It is therefore crucial that when English-medium instruction is used in legal education, lecturers are aware of language-related issues and that they know how to support their students in overcoming these issues. This means that lecturers themselves need to be qualified and trained to use English as their language of instruction. Also, there needs to be an effective method for assessing whether a lecturer has the necessary level (see, e.g., Molino *et al.*, 2022; Dubow, Gundermann and Northover, 2022). It is therefore alarming that so far there have been only a few academic publications on the use of English-medium instruction in legal education (see, e.g., Kornet, 2012; Dundon, 2019). Therefore, this multidisciplinary article aims to contribute to the existing knowledge about English-medium instruction in legal education and hopefully initiate a broader discussion on the topic, including the proactive use of law in the context of legal education.

The purpose of this paper is to demonstrate how text mining can be applied to create learning materials for law students, which would help them acquire the relevant legal terminology in English, and thus support students in studying law in English. The research takes place in the context of a study course that aims to train students to analyze legal cases and in which cases from the European Court of Human Rights (ECtHR) are used as examples. Furthermore, it is important to emphasize that the aim of this paper is to outline and describe the application of text mining in a way that any law lecturer would be able to use it (including the lecturers who might not have any programming skills, knowledge about machine learning, data analytics, etc.). So, the aim is not to provide an elaborate analysis of the texts of the judgments but rather to illustrate how text mining can be used for educational purposes in a simple and practical way.

To achieve the aim of the paper, the author reviewed the existing literature regarding English-medium instruction in higher education in general, and legal education in particular. In addition, the literature on issues related to English legal terminology was analyzed. The article consists of four parts. First, it provides a definition of English-medium instruction and an insight into the issues related to English legal terminology. This is followed by an analysis of the texts of 509 judgments from the ECtHR Grand Chamber by applying text mining. A detailed description of the selection of the judgments and the application of text mining is provided in Section 4. The paper ends with main conclusions and suggestions.

2. English-medium instruction: a definition

English-medium instruction is a relatively new topic. The end of the 20th century can be considered the beginning of an increase in research on English-medium instruction in Europe (Molino *et al*., 2022). Its spread in Europe can be associated with the Bologna Declaration (1999), which contributed to the increase in English-medium instruction (Richards and Pun, 2022). This can be observed in the increase in English-taught study programs in European universities as well (see, e.g., Smit, 2019). English-medium instruction in higher education has spread outside Europe, even to the extent that, for example, in the United Arab Emirates "it is almost impossible to find a university that uses Arabic as a language of instruction" (Masri, 2021, p. 515).

The concept of 'English-medium instruction' has been extensively discussed and commentators have provided several definitions. For example, it has been described as "the use of English to teach and assess the mastery of academic subjects in contexts where English has the status of what has traditionally been referred to as second or foreign language" (Richards and Pun, 2022, p. 22). Pecorari and Malmström (2018) have summarized and analyzed several definitions of English-medium instruction. The common aspects of the definitions are:

1. English is the language used for instructional purposes.
2. English is not itself the subject being taught.
3. Language development is not a primary intended outcome.
4. For most participants in the setting, English is the second language.

(Pecorari and Malmström, 2018, p. 498)

Similar characteristics and definitions of English-medium instruction can be found in other sources as well (e.g., Lasagabaster, 2022).

Han (2023) has analyzed the meaning of the concept of 'English-medium instruction' by conceptualizing the individual terms 'English', 'medium' and 'instruction'. One of the proposed conclusions is that "there is not one universal English in EMI, but rather 'Englishes'" (Han, 2023, p. 27). This means that one should not understand the 'English' in 'English-medium instruction' as native English (Han, 2023, p. 27). This allows concluding that any level of English in which the instruction takes place qualifies as 'English-medium instruction'. This is an important aspect for defining English-medium instruction, as it is largely used by non-native English speakers who themselves have various levels of English proficiency.

This article adopts the definition of English-medium instruction by Dundon (2019) as it is used in the specific context of legal education. Namely, English-medium instruction is "the use of English as an instructional language in a location where neither the students nor the general population in the environment in which the school is located use English as a first language" (Dundon, 2019, p. 46). Dundon (2019, p. 47) further narrows down the definition and excludes countries that use English in their legal system as "a legacy of colonialism" (e.g., in Sub-Saharan Africa and South Asia). Consequently, examples of this definition include all the law programs that are offered in English in higher education institutions in, for example, Estonia, Latvia, Finland, Sweden, the Netherlands and other states in which English is a foreign language and not a language of the legal system. Study courses focusing on English law or law from a legal system that uses English as the primary language were excluded from the definition.

3. English-medium instruction in legal education: issues with terminology

There are different legal families (see, e.g., Husa, 2001; Pargendler, 2012) which, in addition to legal differences, also have significant linguistic differences. As a result, it is not possible to talk about a single, uniform legal language that could be used globally without any problems. Even though nowadays English is widely used for the purposes of international communication, business, studies and work, it is not possible to say that English is or could be the uniform legal language, especially in areas such as private law or legal theory. It is not even possible to say that English is the language of international law, as French still plays an important role (see, e.g., Laverack, 2015). This peculiar situation distinguishes law from other academic disciplines. While one could safely argue that, for example, in mathematics, biology or economics, the national borders of different states and the different languages spoken in those states do not really intervene with researching and teaching these subjects, the same cannot be said about law. Law and legal studies are very much intertwined with different jurisdictions and different languages. Law does not cross borders easily, and it therefore cannot be assumed that teaching law in English is the same as teaching any other subject (see, e.g., Kornet, 2012; Allison, 2003). As Dundon (2019) indicates, English-medium legal education requires special attention. This, among other things, implies that lecturers need to be aware

of the issues related to English-medium instruction and that they need to know how to deal with them.

It is inevitable that using English as the language of instruction for teaching law will cause misunderstandings and lead to students potentially making inaccurate perceptions and assumptions. The difficulties and challenges of legal English have been extensively analyzed (see, e.g., Haigh, 2012; Mellinkoff, 1963; Mattila, 2006), and one commentator has even stated that legal English is "the impregnable fortress that blunts all attacks of progress" (Runes, 1938, p. 144). Knowing this, it is clear that there must be language-related support if English-medium instruction is used in legal education. A lecturer cannot assume that students, especially first-year students, will somehow be able to navigate legal English and master legal terminology in English on their own.

The literature provides many examples of issues with legal terminology in English, one of which is the difficulty in translating law (see, e.g., Wolff, 2011; Baaij, 2018; Simonnæs and Kristiansen, 2019). For example, the problems with the term 'contract' are well known, and it has therefore been chosen as the main example to illustrate the problems with using legal terminology in English.

The concept of a 'contract' does not have a uniform definition which would be the same in all legal systems (Kornet, 2012). In the context of teaching law, for example, when a lecturer who teaches Dutch contract law in Dutch mentions the term *overeenkomst* ('contract'), it has a certain meaning—the meaning that exists in Dutch law. In addition, the students might already have a certain understanding of what it means in the context of Dutch law, as they most likely have already seen and concluded contracts themselves. However, when a lecturer, who teaches contract law (which is not English contract law) in English to an international and multilingual audience, mentions the term 'contract', it is difficult to understand the exact meaning of the term. Furthermore, it is highly likely that students from different jurisdictions form different associations with this term based on the term's translation in their native language and the context of their own jurisdiction. As pointed out by Kornet (2012), the Dutch *overeenkomst* is not the same as the English 'contract', and therefore "[i]t becomes important to neutralize the English language to a certain extent, in the sense that it is made clear to students that the national concepts of a 'contract' do differ" (Kornet, 2012, p. 327). In practice, this means that a lecturer needs to be very conscious of the use of terminology during classes and has to be able to realize when it

is necessary to stop and provide an additional explanation of the term that has just been said out loud.

Another risk is students who, either during classes or during their individual studies, use a general monolingual English dictionary to search for the meanings of certain legal terms. For example, a search for the meaning of the word 'contract' in online dictionaries (as it is highly likely that this is how students would start their search) would yield different results. *The Cambridge online dictionary* (no date) indicates that a contract is "a legal document that states and explains a formal agreement between two different people or groups, or the agreement itself". This definition might leave the impression that a contract is always in the form of a document (and cannot be concluded, for example, orally). *The Collins online English dictionary* (no date) states that: "A contract is a legal agreement, usually between two companies or between an employer and employee, which involves doing work for a stated sum of money". This definition is rather misleading, as it might be understood in a way that all contracts involve the exchange of work for money (not just employment contracts). Another online dictionary suggests that a contract is "an agreement between two or more parties for the doing or not doing of something specified" (*Dictionary.com*, no date). Pursuant to this definition, a student might think that each person is a separate 'party'. Finally, *The Merriam-Webster online dictionary* (no date) defines a contract as "a binding agreement between two or more persons or parties". Under this definition, the distinction between persons and parties is not clear.

The use of specialized English legal dictionaries may be problematic as well. As English is the language of English law, it is highly likely that students would find explanations that contain some elements which are specific to English law (or common law in general). Again, the term 'contract' can be used as an example. *The Oxford dictionary of law* states that a contract is "[a] legally binding agreement. Agreement arises as a result of offer and acceptance, but a number of other requirements must be satisfied for an agreement to be legally binding" (Law, 2018). So far, this definition would be acceptable. However, unfortunately, 'consideration' has been indicated as the first requirement for a contract to be legally binding (Law, 2018). As the concept of 'consideration' does not exist in the civil law legal system, it would be highly unfortunate if, based on the definition of the term 'contract', a student would consider it always a precondition for any contract to be legally binding.

Every substantive law course has its own specific terminology. In contract law, one talks about, for example, remedies, performance, parties and

damages; in constitutional law—about state, government, power and rule of law; and in criminal law—about crime, sanction, intention and guilt. As each of the terms represents a concept that most likely has a different scope and meaning in different jurisdictions, conveying the intended meaning to an international and multilingual audience is a challenge. For that reason, law is typically taught in the language of the relevant jurisdiction (e.g., Dutch law is taught in Dutch), and most students usually come from that jurisdiction and study in a language that is their native language. As a result, when a lecturer introduces new legal terms, they are introduced in a language and in a cultural context that is familiar to the students, and thus it is easier for the students to acquire the correct meanings of the terms.

These examples, among other things, once again demonstrate that a lecturer needs to be aware of the language-related and terminology-related issues and apply certain teaching strategies to exclude any misunderstandings and ensure that students learn the correct terminology. One might argue that this is particularly important at the beginning of legal studies (e.g., in the first year), as students have little to no prior knowledge of law and the challenges of legal translation and English-medium instruction. As Kornet has pointed out, first-year law students "must be initiated into a legal language" (Kornet, 2012, p. 328).

The primary focus of any law course is to acquire legal knowledge and develop certain legal skills and competencies. It is therefore understandable that not much time can be devoted to language-related issues during lectures and tutorials. Research on English-medium instruction in law and the humanities in Taiwan identified that "[t]he majority of EMI instructors focused solely on content and provided limited or no English instruction or correction because 'this is not a language course' and/or because 'I'm not an English teacher'" (Huang, 2019, p. 1191). However, at the same time, as indicated by Dundon, "[f]or students learning in an English-medium environment without language support, the classroom experience is all there is" (Dundon, 2019, p. 54). This means that there is a need to develop specific teaching strategies and methods that can serve a twofold purpose—facilitate achieving the learning outcomes of the course and, at the same time, facilitate acquiring the correct understanding of the relevant legal terminology.

Acknowledging the above issues leads to the question of whether and how a law lecturer can support students in studying law and acquiring legal terminology in English. Dundon has outlined three options: (1) topics related to language can be integrated into the curriculum; (2) lecturers incorporate

language instruction into their courses as an addition to the official curriculum; and (3) lecturers spontaneously provide language instruction or explain the content in other languages (Dundon, 2019, pp. 53–54). This paper focuses on the second possibility: lecturers incorporate language instruction into their courses, specifically in their classes, as an addition to the official curriculum. When the focus is further narrowed down to issues related to legal terminology, the question is how a lecturer could provide students with meaningful support. This study argues that the use of text mining can provide significant help.

4. Application of text mining to ECtHR Grand Chamber judgments

Mining means "extracting the desired, meaningful exact information from the datasets" (Durugkar *et al.*, 2022, p. 1), and text mining is "an interdisciplinary field combining techniques from linguistics, computer science and statistics to build tools that can effectively retrieve and extract information from the digital text" (Lamba and Madhusudhan, 2022, p. 9). Its foundation is "information retrieval, information extraction, and information summarization" (Lamba and Madhusudhan, 2022, p. 6). It has also been defined as "the process of distilling actionable insights from texts" (Kwartler, 2017, p. 1), which "represents the ability to take large amounts of unstructured language and quickly extract useful and novel insights that can affect stakeholder decision-making" (Kwartler, 2017, p. 17).

Although text mining arguably is not commonly applied in legal research, it is becoming increasingly popular in legal scholarship. Several research papers have applied it to legal texts (see, e.g., Rull, Tamme and Võhandu, 2016; Medvedeva, Vols and Wieling, 2020; Alexander and Iannarone, 2021). A good description and demonstration of application to text mining has been provided by Dyevre (2021), who has outlined in a clear and understandable way how text mining could be used in legal research. This work may be a good starting point for anyone who wishes to pursue it further.

Text mining requires using a tool (software). There are many open-source text-mining tools available, for example, R, RapidMiner or Orange. Lamba and Madhusudhan (2022) have provided a clear overview of advantages and disadvantages of various tools. In this paper, an open-source tool Orange (https://orangedatamining.com/) was used, which, among other things, has

been described as the "easiest tool to learn" (Lamba and Madhusudhan, 2022, p. 303).

4.1 Selection of judgments

At the moment (data last checked on 27 March 2024), the HUDOC Database contains 82,974 judgments. When considering which judgments to select for the analysis, it is necessary to keep in mind that (1) the purpose of this paper is not to analyze any issues related to the interpretation or application of the European Convention on Human Rights (ECHR); (2) the purpose of this paper is to demonstrate how the application of text mining could be used to create teaching material that helps students acquire legal terminology in English; and (3) this article is intended for all law lecturers—that is, a law lecturer does not need to have any specific programming or data analytics skills to be able to recreate the approach demonstrated here.

As the article focuses on English-medium instruction, the first selection criterion in the HUDOC database is the language. The selection filter shows that there are 26,958 judgments in English. As this number is too high for the purposes of this paper, further selection criteria need to be applied. The database offers various criteria for filtering judgments, for example, by state, by ECHR articles, by violation or non-violation of concrete articles, and others. For the purpose of this paper, it is not relevant which articles or states have been involved, or whether there was or was no violation of the ECHR. The decision was made to select all judgments by the Court's Grand Chamber (509 in total). This number is sufficient for the purposes of this study.

4.2 Results

4.2.1 The most frequently used words

When considering how to support students in acquiring legal terminology, it is clear that a lecturer in one study course cannot equally focus on all relevant legal terms. It is therefore necessary to make a selection of terms. One way to do this is to use the knowledge of the subject and subjectively choose those terms which are relevant, and which might potentially be difficult for students. Another way is to look at the most frequently used terms in relevant legal sources and start with those terms. The latter approach is supported by contemporary research in English-medium instruction (see, e.g., Jablonkai, 2022).

Extracting and visualizing the most frequently used words can be done by creating a word cloud. A word cloud "obtains term counts from textual data, then generates HTML that takes the term counts into consideration" (Puretskiy, Schutt and Berry, 2010, p. 109). In order to do that, the first step is to pre-process the texts (in the context of this paper, the texts of the judgments). Depending on what kind of information one wishes to extract from the texts, it might be necessary, for example, to remove stop words (e.g., 'and' and 'or') and regular expressions (e.g., punctuation marks). In this paper, the following actions were taken to pre-process the texts: (1) all characters were converted to lowercase; (2) stop words were removed; (3) regular expressions were removed; and (4) specific tokens frequently used in the ECtHR judgments were removed (e.g., '§', '§§', 'mr', 'mrs').

Once the texts were pre-processed, it was possible to generate a word cloud, in which "font sizes vary according to the relative relationship between the overall term counts" (Puretskiy, Shutt and Berry, 2010, p. 109). For the purposes of this paper, the word cloud of 509 ECtHR Grand Chamber judgments contains 200 of the most frequently used words (Figure 1).

Figure 1: The most frequently used words in the selected ECtHR Grand Chamber judgments



As can be seen, the terms 'judgment', 'court', 'applicant', 'case' and 'article' are among the most frequently used ones. In addition to the visualization provided by the word cloud, it is also possible to extract the exact figures. The 10 most frequently used words are: (1) court; (2) article; (3) applicant; (4) judgment; (5) case; (6) convention; (7) law; (8) see; (9) state; and (10) government. This is a very helpful information for a lecturer. Knowing that 'court' is the most frequently used term, a lecturer may choose to start by explaining what 'court' means in this particular context, as students will come across this term on a regular basis.

Another helpful discovery is that the word 'see' is among the most frequently used ones. In the context of ECtHR cases, it is usually used to refer to either other cases in a judgment or to a certain paragraph of a case. (This can be verified by checking the context of the term 'see' as described in Section 4.2.3 of this paper.). Discussing this with the students allows them to gain an initial understanding of how the Court's argumentation is constructed. One can argue that without applying text mining, a lecturer might not foresee that that the word 'see' is actually among the most frequently used words, and the lecturer might thus not pay any attention to it.

Finally, showing a word cloud to students might help a lecturer raise awareness among the students of legal terminology and the language of law in general. In addition to creating a word cloud from the ECtHR Grand Chamber judgments, a lecturer could consider creating a word cloud from the text of the ECHR. A comparison of the results might lead to other ideas on how to teach relevant legal terminology to students.

4.2.2 Frequency of specific terms in specific cases

When discussing a certain legal term, it might be helpful to know the cases in which the term is interpreted and applied. Also, in some cases, a certain term might be used more extensively than in others, which might be particularly useful for teaching purposes. Text mining can help identify these cases. (In the text-mining tool Orange, the widget Statistics provides this information.)

As an example, the term 'interference' is used. As can be seen, of all 509 Grand Chamber cases, the judgment in the case of 'Big Brother Watch and Others v. The United Kingdom' (2021) contains the most references to the term 'interference' (it has been used 115 times).

Figure 2: Frequency of the term 'interference' in the selected ECtHR Grand Chamber judgments

Data Table

title	name True	path	onte	Contains interference
51	CASE OF BIG BROTHER WATCH AND OTHERS v. THE UNITED KINGDOM	/...	...	115
481	CASE OF VAVŘIČKA AND OTHERS v. THE CZECH REPUBLIC	/...	...	79
100	CASE OF CYPRUS v. TURKEY 2	/...	...	77
346	CASE OF NIT S.R.L. v. THE REPUBLIC OF MOLDOVA	/...	...	73
36	CASE OF BAKA v. HUNGARY	/...	...	72
372	CASE OF PERİNÇEK v. SWITZERLAND	/...	...	71
79	CASE OF CENTRUM FÖR RÄTTVISA v. SWEDEN	/...	...	68
391	CASE OF ROMAN ZAKHAROV v. RUSSIA	/...	...	58
425	CASE OF SELAHATTİN DEMİRTAŞ v. TURKEY (No. 2)	/...	...	55
49	CASE OF BÉLÁNÉ NAGY v. HUNGARY	/...	...	50
369	CASE OF PENTIKÄINEN v. FINLAND	/...	...	50

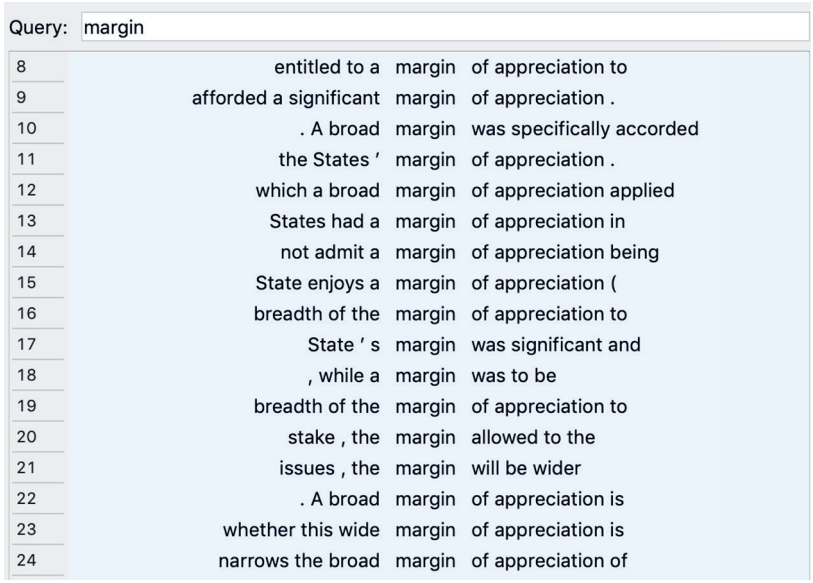
Once the results are generated, it is necessary to check whether the identified cases can really be used for the intended purpose. In this particular case, after checking the text of the judgment, one can conclude that the judgment in the case of 'Big Brother Watch and Others v. The United Kingdom' (2021) is suitable for explaining the term 'interference', as it contains a lot of discussion and arguments related to this term (Figure 2). Therefore, it can be argued that by applying text mining and looking for the frequency of certain terms, a lecturer can save time and quickly find cases that are suitable for learning purposes.

4.2.3 The context of a term

Another helpful information for teaching legal terminology is context. (In the text-mining tool Orange, the widget Concordance provides this information.) For example, when the concept of 'margin of appreciation' is discussed, there might be a question about how it is measured or described (i.e., what kinds of adjectives are used to express the extent of 'margin of appreciation'). Seeing the context of this concept (and the term 'margin') provides answers. The analysis of the texts of the cases show that 'margin of appreciation' can be described as, for example, 'broad', 'wide' and 'significant' (see Figure 3).

Another situation in which knowing the context of a term is helpful is when the term has different meanings in different areas of law. For example, an 'agent' in the context of the ECtHR is the representative of the state which is the party of the case. In the context of contract law, an 'agent' is party to an agency agreement. In order to explain this term and highlight its different meanings, a lecturer could show the students a visual material (Figure 4).

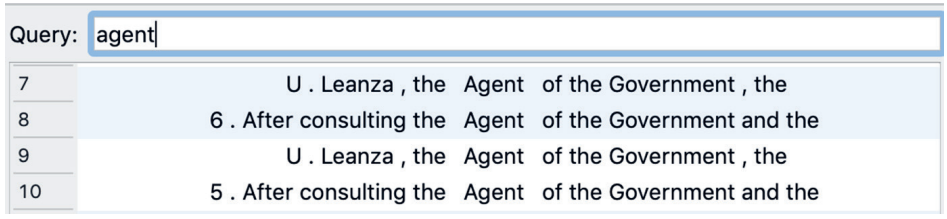
Figure 3: The context of the term 'margin' in the selected ECtHR Grand Chamber judgments



Query: margin

8	entitled to a	margin	of appreciation to
9	afforded a significant	margin	of appreciation .
10	. A broad	margin	was specifically accorded
11	the States '	margin	of appreciation .
12	which a broad	margin	of appreciation applied
13	States had a	margin	of appreciation in
14	not admit a	margin	of appreciation being
15	State enjoys a	margin	of appreciation (
16	breadth of the	margin	of appreciation to
17	State ' s	margin	was significant and
18	, while a	margin	was to be
19	breadth of the	margin	of appreciation to
20	stake , the	margin	allowed to the
21	issues , the	margin	will be wider
22	. A broad	margin	of appreciation is
23	whether this wide	margin	of appreciation is
24	narrows the broad	margin	of appreciation of

Figure 4: The context of the term 'agent' in the selected ECtHR Grand Chamber judgments



Query: agent

7	U . Leanza , the	Agent	of the Government , the
8	6 . After consulting the	Agent	of the Government and the
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Overall, one can argue that the possibility to identify and show the contexts of legal terms (or of any words in general) allows a lecturer to create meaningful learning materials or exercises. This can also be helpful for junior lecturers who have just started their teaching practice in English. If there is doubt over the use of a certain legal term, it is always possible to check which other words it is usually used together. Finally, if students, in addition to hearing a lecturer's explanation of different contexts, have the opportunity to see them (e.g., on a screen), it further supports student-centred learning principles (e.g., recognizing that students learn in different ways).

5. Conclusions

This article aimed to examine whether and how text mining can be used to support students in acquiring legal terminology in English. A total of 509 ECtHR judgments were analyzed using Orange software tool. The analysis demonstrated ways to determine (1) the most frequently used words; (2) the frequency of a specific term in cases; (3) the context of a specific term and (4) how the results could be used in teaching. Overall, it can be concluded that text mining is a useful approach to creating learning materials with the aim to support students in acquiring legal terminology in English. The availability of text mining tools that do not require advanced knowledge and skills in programming or data analytics makes them widely accessible and easy to use. Furthermore, this approach supports the concept of proactive law.

The internationalization and globalization of higher education have led to an increase in English-medium instruction in legal studies. This happened despite the fact that law is a discipline that does not easily cross language borders. As a result, both lecturers and students face challenges related to teaching and learning legal terminology in English, and those challenges could be overcome by using law proactively. One could propose that, in the context of legal education, the concept of proactive law means using knowledge of law to predict the problems that law students might encounter when studying law, and then teaching law in a way that prevents or minimizes those problems before they happen. This paper has demonstrated how lecturers, using their knowledge of law, can proactively help students prevent future problems related to studying law.

Finally, there is an urgent need to conduct further empirical research on English-medium instruction in legal education. Even though English-medium instruction in higher education in general is a rather well-researched topic, there is a significant lack of research that focuses specifically on legal education. Many topics for further research can be proposed. For example, this paper could be expanded further to explore how to teach subjects that are predominantly based on domestic laws (e.g., contract law, criminal law) using English as the language of instruction in a way that students in a multilingual and multicultural classroom would acquire the same understanding of the concepts being taught.

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