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Exposure of Polish Learners of Languages for Legal Purposes to Law-Related Pop Culture

Abstract:

The paper investigates the exposure of Polish learners of languages for legal purposes to popular culture, including different types of foreign law-related TV productions (feature films, series and TV courtroom shows) that could be exploited as authentic legal language teaching materials. An empirical study, inspired by a multinational research project into student views on the image of law and lawyers, will try to elucidate the fact that law-related pop culture engages the interests of non-native learners of languages for legal purposes. Furthermore, the issues of authentic video materials *per se* and legal consciousness will be highlighted. The paper concludes with recommendations for further research.

Introduction

The aim of this paper is to investigate whether and to what extent Polish learners of languages for legal purposes¹ consume law-related pop culture including legal dramas, series and TV courtroom shows. The paper concentrates on foreign, mostly American TV productions, which are not only entertaining, but might also act as invaluable authentic materials that could be incorporated into legal LSP classes. The teaching practice shows that didactically adapted law-related pop culture might expose learners to a variety of legal and academic genres. Furthermore, the foreign TV productions in question lend themselves to dovetailing subject-specific knowledge (conceptual competence) with the language skills (language competence) (N. Bruce 2002, D. Douglas 2002, P. Sobkowiak 2008, M. Olpińska 2009).

An integral part of this paper is a study conducted among learners of languages for legal purposes which aims at gaining a thorough insight into the area of studying specialist languages of law in Poland at the tertiary level. Moreover, the research investigates the use of video materials in foreign language teaching at various stages of education. The presentation of the research data is preceded by chapters on the use of authentic materials in teaching languages for legal purposes as well as comments on

¹ For the purpose of this paper, the terms *Languages for Specific Purposes* (LSPs) and *Specialist Languages* will be used interchangeably, although the conceptual range of both terms, which results from different research traditions and perspectives, subtly differs (Th. Bungarten 1993: 26, S. Grucza 2008: 60-65). Similarly, in respect of the languages of law, the phrases *languages for legal purposes* as well as *legal LSPs* and *specialist languages of law* will be used synonymously.

law students' attitudes towards courtroom shows, and finally an analysis of a transnational study of student views on the image of law and lawyers (M. Asimow et al. 2005).

1. Authentic materials in teaching languages for legal purposes

One of the most important imperatives in foreign language teaching has always been to make the lesson content attract the students' attention so that they learn the language more efficiently. It is common knowledge that authentic materials, which are said to be "intrinsically more interesting or stimulating" than those artificial or non-authentic (M. Peacock 1997: 144), often play the role of successful attention catchers. Furthermore, they are frequently incorporated into LSP courses because they are distinctive real-world texts which are produced within the professional target groups that LSP students are likely to join. The students are therefore given an opportunity to familiarise themselves with various discursal practices, genres and communicative conventions (K. Hyland 2007: 399) to which they will be exposed once they join a particular professional community. Specialist languages of law are *polylects*² where the specificity of discourse plays a vital role. Authentic materials representing different legal genres should thus constitute an integral part of teaching languages for legal purposes.

In the eyes of the genre-based approach underlying the current trends in LSP teaching, specialist knowledge is claimed to comprise both disciplinary and genre knowledge (C.N. Candlin et al. 2002: 309). The disciplinary knowledge in respect of teaching languages for legal purposes mostly refers to the legal terminology of a selected branch of law, whereas the genre knowledge, as B. Paltridge (2007:934) claims, refers to the "repertoires of situationally appropriate responses to recurrent situations: that is, the knowledge that is needed in order to participate in the activities of particular discourse communities". Even though a genre-based approach concentrates on developing students' awareness of appropriate rhetorical procedures and conventions typically associated with the specialist discourse community they aspire to join (V.K. Bhatia 1995: 164), it does not ignore language features such as structures, functions, and vocabulary. As emphasised by M. Callaghan, P. Knapp and G. Noble (1993), the above mentioned aspects of language use should become an essential and fundamental part of a genre-based language learning programme.

2. Pedagogical rationale for using law-related pop culture in teaching specialist languages of law

Despite the constantly increasing number of well-written textbooks that could be incorporated into teaching languages for legal purposes, the practice shows that law-related pop culture supplements the textbook input. To support this statement, several educational benefits of using movies in the foreign language classroom could be mentioned (P. Arthur 1999): giving students realistic models to imitate for role-play, strengthening audio/visual linguistic perceptions, increasing awareness of other

² The notion of *specialist language*, more specifically *specialist idiolects* and *polylects*, derives from the main assumptions of anthropocentric linguistics that was developed by F. Grucza (1994).

cultures by teaching appropriateness and suitability, widening the classroom repertoire and range of activities, teaching direct observation of the paralinguistic features found in association with the target language, and above all, offering help when training students in foreign language related scenarios and the language itself.

However, as far as the pedagogical rationale for using law-related pop culture in the LSP classroom is concerned, there is no empirical data to support any methodological claims. Taking into consideration both the educational benefits of using movies in the specialist language classroom and the inevitable exposure of LSP students to pop culture, an assumption could be made that law-related pop culture might be effectively used when teaching languages for legal purposes.

Many authors argue (see R.P. Browne 2001) that studying pop culture requires clear and precise definition. Indeed, since the emergence of the notion of pop culture in the 1920s and 1930s, many academic fields such as anthropology, communication, history, literature, psychology, religion and sociology have all developed their own understanding of the core concept. For the purpose of this paper, the key issue is defined as “cultural commodities and experiences produced by the culture industry and marketed to mass audiences” (D.R. Papke 2007: 3). As the paper turns its attention exclusively to legal matters, the sampled law-related pop culture incorporated feature movies, series, and lawyer shows (fictional, docudrama and reality-based), which are often described as reel justice as opposed to real justice (M. Asimow 2009: 19).

3. Incorporating law-related pop culture into legal LSP classes

The first argument in favour of incorporating law-related pop culture into LSP classes were informal observations of students’ reactions to the existence of courtroom shows on Polish TV, thoroughly described in my previous paper (A. Dąbrowski 2010: 139).

The next argument in favour of incorporating law-related pop culture was provided by the transnational study of student views on the image of law and lawyers (M. Asimow et al. op.cit). The study instrument (the questionnaire) was distributed to first year law students during their first week of study at the following universities: *University of California, Los Angeles (UCLA); The University of Westminster; The Strathclyde University; The Ruhr-University Bochum; The University of Wollongong and the University of Buenos Aires*. Even though most of the questions concerned the respondents’ perceptions of law and lawyers, two questions corresponded with our area of interest. One referred to the sources of information for forming opinions about the character of lawyers, and the other explicitly focused on the exposure of the informants to popular culture.

University	The respondents who found popular culture helpful when forming opinions about the character of lawyers (%)	Exposure to law-related pop culture (out of 10 lawyer movies and TV shows listed)
UCLA	43	4.06
Westminster	53	4.41
Strathclyde	43	3.63

Bochum	34	3.61
Wollongong	42	3.96
Buenos Aires	19	3.55
Mean percentage	43	3.87

Table 1. *Opinion formation and exposure to law-related pop culture.*

As Table 1 shows, the average percentage of those who found popular culture helpful when forming opinions about the lawyers was 43%. As far as the second question is concerned, it consisted of two parts. The first part asked whether the students watched the following lawyer shows: *Law & Order*, *The Practice*, *Judge Judy*, *JAG* and *Perry Mason* ‘frequently’, ‘rarely’ or ‘never’. The term ‘watched’ was used with reference exclusively to those who marked the answer ‘frequently’. The second part focused on the following lawyer movies: *The Rainmaker*, *A Civil Action*, *Primal Fear*, *The Firm*, *Liar Liar*, *The Verdict*, *Class Action*, *Body Heat*, *Jagged Edge*, *The Devil’s Advocate*. The figures presented in Table 1 show the mean number of both lawyer movies and TV shows that were frequently watched by the sample students.

The study discovered that a comparatively high number of law students (43%) credit popular culture as a significant factor in forming their opinions of lawyers and law³. With respect to the consumption of law-related pop culture, the presented figures imply that the law students are avid viewers of the questioned TV productions. However, the answers provided by the Argentine and German subjects slightly differ from the comparison respondents. According to M. Asimow et al. (op.cit), these discrepancies seem to reflect a distinction between common and civil law jurisdictions. In the latter, which is represented by both Argentina and Germany, law seems to be discussed less by non-lawyers. Furthermore, especially in Argentina, most of the presented law-related TV productions are of American +origin and they bear, in the respondents’ view, almost no resemblance to the domestic legal system and are thus not worth watching. In order to check the validity of the above mentioned conclusions among the Polish learners of languages for legal purposes, who are practising or are going to practise law in Poland, which is a civil law jurisdiction, the following study was conducted.

4. The study objectives

Apart from checking the validity of the above conclusions among the Polish learners of specialist languages of law, the study also aimed at gaining a deeper insight into the area of studying languages for legal purposes by both undergraduates and graduates, as well as their exposure to authentic materials. Consequently, the survey focused on the following issues: (1) which specialist languages of law are learnt by the respondents; (2) why Polish learners are interested in studying specialist languages of law; (3) whether and when authentic video materials were used in their foreign language classes; (4) what kind of authentic video materials was applied; (5) whether the

³ The other sources of information included lawyers (family or friends), personal experience, jury service, classes in school, discussions with friends, news coverage, and popular culture. Pop culture was ranked third, after news coverage and discussions with friends.

respondents were familiar with the particular law-related feature movies, series and courtroom shows; and finally (6) whether and to what extent law-related pop culture affects the legal consciousness of its viewers.

4.1. Procedure and demographic profile of respondents

To gather the data, a non-interventionist approach was adopted, and a delayed retrospective method of data collection - a questionnaire - was applied. The questionnaire (see Appendix 1) consisting of 11 questions, was administered to 208 respondents - 118 females and 89 males. Their age ranged from 19 to 35. Unlike the quoted Asimow's survey, where all the respondents were 1-year law students, the sample in question included not only undergraduates and graduates of law, but also those of other faculties. As many as 76% of the respondents were undergraduates, of whom 62% studied law and 14% other faculties including Modern Languages (10%), Management (2%), Journalism (1%) and European Studies (1%). The remaining 24% of the subjects were graduates, of whom 22% had a law degree and 2% graduated from different faculties including Management (1%) and Modern Languages (1%). Almost 6% (12 subjects) of both undergraduates and graduates reported studying or having studied law along with a different faculty: Management (4 subjects), Cultural Studies (2 subjects), Journalism (2 subjects), European Studies (1 subject), Finance and Accountancy (1 subject), Public Relations (1 subject), Modern Languages (1 subject).

4.2. Results & conclusions

As far as the choice of specialist languages of law is concerned, as many as 92% of the surveyed subjects decided to study Legal English and merely 8% of the respondents reported studying German specialist language of law (*Deutsche Rechtssprache*). In 26 cases (13%) the informants claimed to study or had studied Legal English together with either *Deutsche Rechtssprache* or French specialist language of law (*Français juridique*) or Spanish specialist language of law (*Español jurídico*).

The second objective of the study was to discover why the sampled Polish learners, whose profile was presented in Chapter 5.1, are interested in studying languages for legal purposes. The subjects were asked to tick at least one of the following reasons for studying specialist language(s) of law: taking a certificate examination in Legal English (e.g. ILEC or TOLES), studying another foreign language, becoming more competitive in the job market, getting promoted at the current workplace, moving abroad to get a job and complying with the duties imposed either by the University curriculum or personnel policies. The subjects were also presented with an open-ended question concerning any other grounds for studying the specialist language(s) of law which were not mentioned in the questionnaire.

The survey shows that the following reasons were ranked highest: becoming more competitive in the job market, getting prepared for an examination that would certify the knowledge of the legal language and complying with the obligations of the curriculum. The less important factors included respectively: moving abroad to get a job, learning a new foreign language, promotion at the workplace and complying with personnel policies imposed by the employer. When it comes to the answers to the open-ended question, the most frequent reason was self-development.

The third objective of the study was to gather information about the students' exposure to video materials. The respondents were asked to tick on a rating scale (1-5)⁴ how often video materials were exploited in their foreign language education. Furthermore, the subjects were requested to tick at least one stage of their education where video materials were used. Finally, the respondents were presented with a list of different types of authentic video materials and they were asked to tick those which had already been applied in their foreign language classrooms.

The study reveals that video materials were used in the foreign language classrooms merely from time to time (mean number \approx 3). As far as the places of foreign language teaching are concerned, upper secondary school (*szkola ponadgimnazjalana*) (46%) and primary school (*szkola podstawowa*) along with lower secondary school (*gimnazjum*) (44%) were ranked highest. The figures for tertiary education were slightly lower, because only 41% of the respondents claimed to have used video materials in their foreign language education at university level. When it comes to the most popular types of video materials, videos integrated with the coursebook and feature movies were ranked highest.

The fourth objective of the study was to investigate which particular lawyer movies, series and shows the respondents had seen. Accordingly, the questionnaire provided a list of 10 feature movies, 5 series and 5 shows, and the informants were asked to indicate which of them they had seen. Most of the sampled items were American products belonging to the canon of legal dramas. However, the lists included a few examples of Polish and German productions. As far as the German TV courtroom shows are concerned, the study aimed to discover whether those who as assumed might claim to study or had studied *Deutsche Rechtssprache*, which seems to be the second most popular foreign language in Poland⁵, are familiar with the most prominent examples of the German law-related pop culture. The Polish courtroom shows were included in order to investigate whether the sampled learners of languages for legal purpose are familiar with their domestic productions⁶. The subjects were also given an opportunity to mention any other productions they had seen. Table 2 reveals the study's results in terms of familiarity with the law-related pop-culture.

Title	Percentage of viewers	Title	Percentage of viewers	Title	Percentage of viewers
<i>Civil Action</i>	7%	<i>Boston Legal</i>	14%	<i>Sędzia Anna Maria Wesolowska</i>	50%
<i>The Firm</i>	30%	<i>Ally McBeal</i>	44%	<i>Sąd Rodzinny</i>	34%
<i>Devil's Advocate</i>	61%	<i>Perry Mason</i>	0%	<i>Judge Judy</i>	25%
<i>Erin</i>	38%	<i>CSI</i>	41%	<i>Richter</i>	2%

⁴ On the rating scale in question, 1 meant *never* and 5 meant *very often*.

⁵ For further information about that, visit:

<http://ell.org.pl/sites/ell.org.pl/files/Powszechnosc+nauczania+jezykow+obcych+2009-2010.pdf>

⁶ *Sędzia Anna Maria Wesolowska* and *Sąd Rodzinny* are not purely Polish programmes since they have been produced under the licence of *Constantin Entertainment*, which is a German company specialising in TV entertainment productions.

<i>Brockovich</i>				<i>Alexander Hold</i>	
<i>Twelve Angry Men</i>	34%	<i>Prawo Agaty</i>	43%	<i>Das Strafgericht</i>	3%
<i>To Kill A Mocking Bird</i>	17%	<i>Suits</i>	24%		
<i>Philadelphia</i>	34%				
<i>Presumed Innocent</i>	5%				
<i>Green Mile</i>	71%				
<i>The Pelican Brief</i>	38%				

Table 2. Viewing figures of the selected types of reel justice (feature movies, series and TV courtroom shows).

The survey indicates that learners of specialist languages of law are not ignorant about law-related popular culture. The high viewing rates of *Green Mile* and *Devil's Advocate* can be explained by their frequent presence on Polish TV, especially at prime time. The same explanation might be bestowed upon slightly less popular titles such as *Erin Brockovich*, *Philadelphia* and *Ally McBeal*. As far as Polish productions are concerned, it can be assumed that they engage the learners' interests more readily, which might be supported by the observations mentioned at the beginning of this paper. They imply that regardless of the personal attitudes towards the programmes, Polish law undergraduates are attracted by their domestic TV courtroom shows. With respect to the fields of study, the viewing rates of both undergraduates and graduates of law and those of other faculties did not differ.

Another explanation for the familiarity with some of the productions is the fact that they could have already been used in the respondents' classes. Surprisingly, as few as 17% of those studying *Deutsche Rechtssprache* claimed to have seen the sampled German productions. Apart from the provided titles, space was left in the questionnaire to let the subjects suggest any other productions. In most cases those additional answers were rather insignificant, because new titles were put forward by merely 6% of the surveyed subjects. However, in respect of the series, as many as 24% of the respondents confirmed familiarity with the *Suits* series.

The final objective of the study was to discover whether and to what extent the law-related pop culture influences the legal consciousness of its viewers. For the purpose of this paper, legal consciousness, which is rapidly becoming one of the most popular and most important subjects in socio-legal research (M. Hertogh 2004), was defined as *knowledge and opinion about law*. Therefore the final aim of the study was to find out whether and how people's knowledge and opinion about law is influenced by the law-related pop culture. On a rating scale (1-5) the respondents were asked to mark the intensity of the influence of the law-related culture on the legal consciousness of its viewers. As Chart 1 reveals, a vast majority of the subjects, including both graduates and undergraduates of law and other faculties, incline towards a moderate influence as the mean rating figure was around 3.

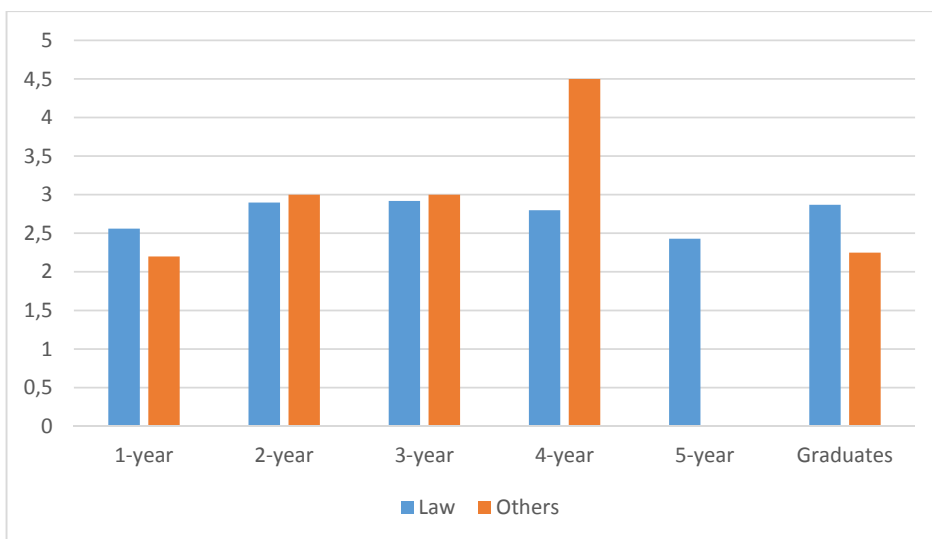


Chart 1. Influence of law-related pop culture on the legal consciousness of its viewers.
Figures 0-5 stand for the rating scale responses.

5. Concluding remarks

The research findings imply that Legal English is by far the most popular specialist language of law with Polish learners at tertiary level, which corresponds with the worldwide dominance of English as the lawyer's *lingua franca* (Ch. Goddard 2010: 46). Moreover, Legal English knowledge is claimed to enhance students' job opportunities. Consequently, almost 40% of those studying Legal English claim to strive for either ILEC or TOLES certificate, which are treated as invaluable tickets to the international legal job market.

As far as video materials are concerned, they are not as often used in foreign language classes as assumed. Foreign language teachers seem to take an "easy way out" by focusing on the video materials which are integrated with the coursebooks. Surprisingly, at tertiary level of education, when foreign language learners are emotionally and linguistically capable of consuming different types of authentic video materials, those are infrequently exploited.

With respect to the exposure to the law-related pop culture, learners of specialist language of law, especially those of Legal English, seem to be familiar with the most prominent examples of legal dramas, series and courtroom shows. Even though the surveyed, mostly American, TV productions, are based on Common Law and have thus no direct applicability in our domestic legal system, they constitute an invaluable source of disciplinary and genre knowledge.

In respect of further research, it would be advisable to investigate the efficiency of the law-related TV productions as a means of transferring subject-specific knowledge. Furthermore, catalogues of lesson plans based on feature movies, series and courtroom shows could be created, which in turn, would supplement traditional topic-based LSP coursebooks with genre-specific communicative content.

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Appendix 1

Ankieta dotycząca wykorzystania materiałów filmowych i nauki specjalistycznego języka prawa jako języka obcego.

Niniejsza ankieta jest anonimowa. Zebrane dzięki niej informacje będą wykorzystane wyłącznie do prowadzonych przeze mnie badań.

1. Wiek : _____

2. Płeć: kobieta mężczyzna

3. Status zawodowy:

Proszę zakreślić opcję *student*, bądź *absolwent*, a następnie odpowiednio wypełnić tabelę.

	Nazwa kierunku / kierunków studiów	Rok studiów
Student		
Absolwent		

4. Jeśli jest Pan/i osobą pracującą, proszę określić swoje miejsce pracy (np. kancelaria prawnicza, firma doradcza, sąd, itp.). Jeśli nie jest Pan/i osobą pracującą, proszę przejść do pytania nr 5.

.....

5. Którego z niżej wymienionych specjalistycznych języków prawa obecnie się Pan(i) uczy bądź uczył(a) ?

- angielski specjalistyczny języka prawa (*Legal English*)

- niemiecki specjalistyczny język prawa (*Deutsche Rechtssprache*)

- francuski specjalistyczny język prawa (*Françaisjuridique*)

- inne

6. Co zmotywowało Pana/-ią do uczenia się specjalistycznego języka prawa? Można zakreślić więcej niż jedną odpowiedź.

- chęć zdawania egzaminu certyfikującego w zakresie specjalistycznego języka prawa (np. TOLES, ILEC)

- uczenie się kolejnego języka obcego

- zwiększenie własnej konkurencyjności na rynku pracy

- awans zawodowy w obecnym miejscu pracy

- możliwość wyjazdu za granicę w celach zarobkowych

- obowiązek wynikający z programu studiów

- obowiązek wynikający z polityki kadrowej mojego pracodawcy

- inne

7. Jak często w Pana/i dotychczasowej nauce języka obcego pojawiał się na zajęciach językowych obcojęzyczny materiał filmowy? Proszę o zakreślenie odpowiedniej cyfry od 1 do 5, gdzie 1 oznacza niigdy, 5 bardzo często.

1

2

3

4

5

8. Na jakim etapie Pana/i nauki języka obcego pojawiał się materiał filmowy? Można zakreślić więcej niż 1 odpowiedź.

szkoła podstawowa /gimnazjum

szkoła ponadgimnazjalna

studia

kurs językowy

inne

