### **Analysis of Speaking Difficulties Uzbek Law Students Confront in the Process of Improving their Communicative Competence**

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Annotation: This study intends to define communicative competence, pin down the potential challenges of Uzbek law students in enhancing CC in the process of learning foreign languages, particularly English and propose some viable solutions to address these certain problems. Indeed, this research holds both theoretical and practical value providing various data regarding speaking difficulties faced by learners in a certain context and the analysis of those challenges as well as some recommendations. The results were obtained with the interview, observation, and the survey, and both quantitative and qualitative methods were applied to achieve them. Prior to the specific analysis, the viewpoints of several scholars along with linguists and psychologists were thoroughly studied and discussed. In fact, some limitations arise in this paper since it partially evaluates the minority of the university students and more in-depth research is still needed. Overall, the work is of importance in addressing the speaking challenges confronted by law students and preventing future problems by suggesting useful solutions.

**Keywords:** CC, CLA, speaking difficulties, activities, methods, communicative tasks, linguistic means, psychological factors, L2, foreign language acquisition

#### INTRODUCTION

For a start, nowadays speaking has been one of the essential skills that should be mastered by learners to achieve further development both in their career and lives. As stated by many scholars speaking is a way of interacting, arranging, developing, and explaining the thoughts according to the interlocutor's needs. Learning and communicating in the target language is not as easy as L1 since it requires more knowledge of not only grammatical and linguistic means but also other covert rules based on sociocultural norms and pragmatic awareness. Therefore, the improvement of communicative competence is a must for users of L2. In Uzbekistan, the resolution "On measures to further improve the quality of foreign language teaching and learning in educational institutions" of the Cabinet of Ministers of the Republic of Uzbekistan was enacted in 2017 and it aims to ensure the quality of teaching foreign languages to the younger generation at all stages of the system of continuing education, radically enhancing the system of training specialists fluent in foreign languages and ensuring the continuity of curricula in this area. It also considers the following:

- ➤ To develop and implement an evaluative mechanism of the level of foreign language acquisition at all stages of the system of continuing education based on listening, reading, writing, and speaking skills;
- > To introduce intensive language courses to improve communicative competence of students in higher education, and organize lectures of major subjects in foreign languages;
- ➤ To assess the level of foreign language proficiency of the language teachers in secondary schools and vocational colleges with B2 level and higher qualification certificate, etc.

It highly proves that much attention is also paid to the enhancement of CC in-state programs. Taking these factors into consideration, the researcher intended to carry out the research at Tashkent state university of law in a bid to depict the current state of language awareness, challenges of law students, and measures taken to address the issues. Apart from this, it includes the following research questions:

- What are the speaking problems of law students in L2 in this context?
- ➤ What causes these difficulties?
- ➤ How do the language instructors improve their CC?
- ➤ What can be done to resolve these issues or what are the applicable solutions?

#### LITERATURE REVIEW

Indeed, Noam Chomsky (1965) was one of the first scholars to draw a comparison between competence and performance, introducing his much-disputed theory of generative grammar in 1957. In this theory he initially proposed the concept "linguistic competence" as a system of linguistic skills owned by the native speakers of the language and "language performance" is the way of applying this system in communication (p. 3-4). He further noted "being grammaticalness, competence is understanding the linguistic means of the language by ideal speakers and listeners, whereas performance is an actual application of those means (p.11). Hence, performance might entail tongue slips and false starts which then leads to the limited usage of potential utterances.

This distinction, however, was once contradicted by other linguists since many crucial aspects of language use were missed in this theory and from a sociolinguistic perspective, Dell Hymes (1967,1972) was one of the criticizers of this theory as he deemed that there is a paucity of sociocultural aspects in Chomsky's theory, and considering solely grammaticality and acceptability this theory is too idealistic to accurately characterize real language behavior. Thus, the concept of performance is an imperfect representation of competence (Ohno, 2006, p. 26). He then suggested the core components of speaking including participants, setting, act sequence, genre, ends, norms of interaction, and instrumentalities, and they are thought of being speech contexts where actual verbal communication occurs. Also, upholding Chomsky's linguistic competence, four types of language use in social context were provided as well: probability, suitability, feasibility, and occurrence (Tarvin, 2014, p.4).

- ➤ Probability applies to the grammatical feasibility of a locution. For instance, is there a suitable lexico-syntax in the language, such as English, to obtain the locution?
- > Suitability relates to if the locution is appropriate for the intended communication in that context. Is a locution relevant to the local context? Or are there any cultural misunderstandings preventing the communication from being received as intended?
- ➤ Owing to psycholinguistic variables along with memory errors or the incapability to handle numerous factors that contribute clauses, feasibility applies to whether the speakers will use the locution. Is a locution so lengthy or complicated that interlocutors are unable to analyze it, even though it is grammatically feasible?
- The term "occurrence" means whether or not the locution is used. As Hymes stated "Something could be probable, feasible, and suitable and not happen," (1972, p.286). It means that despite being grammatically accurate, logically feasible, and culturally acceptable the statement could be disrupted by another action or event. As a result, it loses its meaning and the interaction does not take place.

Finally, he coined the concept "communicative competence," describing it as "underpinning grammatical standards, how to incorporate utterances with communicative functions in regard to discourse principles, and how to employ language in a social environment to accomplish communicative purpose." The nature of communicative competence, according to D. Hymes (1972), was an implicit perception of the language's situational significance, and the structure of communicative competence involving grammatical, sociolinguistic, strategic, and discursive competence (p. 270).

In the 1980s, his followers M. Canale and M. Swain gradually evolved the communicative competence theory, which contributed to growing public recognition. They have extended their understanding of each component of communicative competence in the following way, maintaining D. Hymes' structure:

- ➤ Grammatical competence-vocabulary, phonetics, grammar, semantics, and syntax are all examples of this competence;
- > Sociolinguistic competence-the connection of statements in form and meaning in a specific case, as well as the contextual background;
- > Strategic competence- compensation by special means for a lack of vocabulary, speech, and social contact experience in a foreign language setting;
- ➤ Discourse competence- the potential to construct holistic, coherent, and rational statements both orally and in writing.

As opposed to Hymes' theory, the framework of these two scholars focused on mostly grammatical and sociolinguistic factors in order to assess the syllabi of the SLA. According to them, communicative competence is the connection between grammatical competence (set of grammar rules) and sociolinguistic competence (rules of language use) and, thus, L2 speakers must not only communicate with native language speakers, but they must also use proper grammar (1980, p.6).

Unlike M. Canale and M. Swain, other linguists Bachman and Palmer also developed their so-called model CLA (Communicative Language Ability) in the late 1980s and it is divided into two types: language knowledge and strategic competence. Language knowledge further contains the following competencies (Bachman &Palmer, 1996, p.66-71):

Table 1

Language knowledge			
Organizational knowledge		Pragmatic knowledge	
Grammatical knowledge	Textual knowledge	Functional knowledge	Sociolinguistic knowledge
How the sentences or utterances are organized and developed/knowledge of syntax, phonology, vocabulary, etc.	How the sentences or utterances are developed to form texts/ cohesion/ conversational organization awareness	How the sentences/ utterances and texts refer to the objectives of the language speaker in communication	How the sentences/utterances or texts refer to the characteristics of language use/context/knowledge of registers/dialects idioms/cultural references

As can be seen, this model matches with the one created by Canale and Swain in terms of grammatical competence since both entail the awareness of grammatical rules in CC. The following table also illustrates the existing models of CC prior to the recent theory:

#### Table 2

### N.Chomsky

- Innatist method
- defined
   "competence
   &performance"
- homogeneous speech community

#### D. Hymes

- Sociolinguistic method
- contradicted Chomsky's theory
- introduced social context
- hetergeneous speech community

#### Canale &Swain

- Communicative method
- Grammatical/st rategic/Sociolin guistic/Discour se
- CC teaching models

#### Bachman &Palmer

- CLA model
- language knowledge &strategic competence

One of the newest models refers to the CEFR model of communicative competence which is classified into three main categories: pragmatic competence, linguistic competence, and sociolinguistic competence and all of these competencies are the features of both competence and performance (North, 2014). If we analyze them more thoroughly, it is evident that via pragmatic competence the use of speech acts and cohesion & coherence is understood, while linguistic competence refers to the ability to apply various language tools for the development of well-organized communication and sociolinguistic competence applies to the tools and resources needed for proper language use in social contexts. The main difference of this model from other abovementioned ones the strategic competence is not included and discourse competence is considered as a subdivision of pragmatic competence.

Apart from the abovementioned linguists, many Russian scholars also attempted to characterize this very term. For instance, Emelyanov defines communicative competence as a combination of the following characteristics (1985, p.165):

- the ability of individuals to carry and fulfill diverse social roles;
- the capability to adjust to social classes and circumstances;
- the ability to communicate effectively using both verbal and nonverbal means;
- > the capacity to perform and maintain "interpersonal space" in the process of effective and active contact with people;

According to Labunskaya communicative competence is described as having three components: accuracy (correctness) of interpretation of others, production of non-verbal communication, and knowledge of verbal and written expressions, whilst Petrovskaya (1989) highlights three aspects of communicative competence: attaining three levels of partner adequacy - communicative, interactive, and perceptual - is needed for competence in all forms of communication. As a result, we will talk about various forms of competence in communication. He further indicates that communicative competence presupposes the desire and capacity to establish interaction at various psychological distances - both distant and near. Problems may also be aligned with owning all of

them and implementing it anywhere, despite the existence of the partner or the uniqueness of the case (p.216).

Ezova considers that communicative competence includes a person's opportunity to apply intelligence, abilities, and personality traits:

- in the message creation and transmission, both conventional and virtual;
- > in the development of relationships;
- > in the selection of behavior tactics;
- in the ways in which you communicate with your partner.

Like many other linguists, she believes that CC is a communicative ability.

#### L2 speaking difficulties faced by learners

Indeed, teachers are of great importance in teaching L2 and helping with potential challenges confronted by learners. The application of various methods, instructional techniques, support, and motivation provided by the instructor holds a vitally important role in addressing learning problems.

Obviously, the most difficult aspect of learning L2 is gaining CC, as the majority of the students struggle with speaking difficulties including intonation, pronunciation, grammar, inhibition, and so on.

Ur (1995) also points out some of these difficulties as follows (p.121):

- ➤ Inhibition(shyness)-apprehension of making errors, or being judged;
- ➤ Nothing to speak students struggle to find reasons to talk, formulate thoughts, or make meaningful statements;
- ➤ low involvement mostly as a result of some students' ability to dominate the group;
- The usage of mother tongue- learners believe that it is simpler or less exposed to convey in their mother tongue, which is particularly prevalent in less disciplined or enthusiastic classrooms.

Apart from these abovementioned circumstances, psychological factors also impede L2 speaking which were stated by Juhana (2012, p.100-103):

#### 1) Fear of making errors

Many scholars claim that the concern of making a mistake is one of the key reasons why students are hesitant to speak in English. The problem of correction and negative assessment causes this concern. Furthermore, the learners' fear of becoming judged by their peers or mocked by the teacher has a significant impact. As a consequence, they do not often favor the speaking practice (Hieu, 2011). Hence, it is essential for educators to persuade their learners that taking chances is neither false nor bad since mistakes teach them how to learn.

#### 2) Shyness

Being an emotional state shyness, according to Baldwin (2011), is one of the most prevalent anxiety disorders among learners, and this causes forgetfulness. This hypothesis is also reinforced by the findings of this study, which show that the majority of students do not deliver their best speaking results. As they note, their failure to demonstrate their speaking capacity is heavily affected by their feelings of shyness.

#### 3) Anxiety

Anxiety is a sense of dread, and uneasiness that comes with learning another language. It is known among other factors as one of the most significant obstacles to successful learning.

#### 4) Lack of self-assurance

Students' loss of confidence is generally believed to arise once they feel their interlocutor does not understand them and in this case, they prefer to remain silent while others converse. Nunan (1999) opined that if students possess a dearth of confidence, their L2 is prone to communication anxiety. It demonstrates that an instructor's primary emphasis should be on boosting students' assurance.

#### 5) Lack of encouragement

As for Nunan (1999), motivation is a crucial component in learning progress. He also emphasizes the importance of encouragement in education since it could surely influence learners' apprehension to speak the language. Zua (2008) finds it as a kind of inner power that drives the learners interested and enthusiastic in learning environment. It has also been proven that highly motivated students are more likely to succeed with better grades in their studies and L2 as opposed to those who are less motivated.

Considering these factors teachers are highly expected to propose potential solutions employing alternative approaches such as TBT (Task-based teaching), CLT (Communicative language teaching), PBL (Project-based learning), Content-based instruction, Cooperative language learning, etc. Besides, Thornbury (2007) emphasizes three steps of enhancing L2 speaking (p. 40): awareness, appropriation, and autonomy, and including these stages, several activities and warmups are recommended and utilized by many language instructors for the betterment of CC:

- a) **Discussion/debate** is a common and effective method of class interaction. It is mostly held by dividing the learners into two groups in a bid to check their understanding of the topic and express their viewpoints. During the discussion, they might wrap up the lesson, come up with a solution, and exchange opinions, whereas in debates logical arguments and refuting ideas are presented along with the socio-cultural norms of the target language (Kayi, 2006).
- b) **Conversations** in SLA context is of utmost importance. Therefore, teachers should try to incorporate casual and meaningful conversations into a lesson plan since they facilitate the learning process. For this, conversation activities can be practiced with the elements of personalization and feedback (Thornbury, 2007).
- c) **Interviews** can also be incorporated into any speaking lesson with various prepared or unprepared topics. In fact, they have students construct questions related to the topic and improve their statements prior to the presentation of the interview results to the rest of the class (Kayi, 2006).
- d) **Prepared speech** is a common method of preparing learners to speak and present the topic in front of others. Prepared talk is mostly built for a spontaneous conversation having prepared the speech. In addition, students are allowed to use the notes if it is necessary. However, successful speaking activity should be planned ahead of time by the learners than relying on the text (Harmer, 2001).

There are other beneficial tasks as well to improve CC entailing drama, role-play, story-telling, jokes, dialogues, and simulation warm-ups; however, as noted by Thornbury one must bear in mind that each speaking activity should be authentic, interactive, meaningful, and efficient (2007, p.90).

#### **METHODOLOGY**

The purpose of this research is to identify the speaking difficulties encountered by Uzbek law students in improving their CC at Tashkent state university of law. Indeed, at present ESP is conducted twice a week to first-year students including both online and offline classes for 60 minutes each. The lesson content integrates both legal English and General English incorporating four skills since this context is ESP-based. During the legal English classes learners are expected to learn legal terminology, analyze and write various cases and make presentations, whereas in general English learning environment they are more likely to practice a variety of activities and tasks with the integration of all skills: reading, listening, writing and speaking. The assessment is based on continuous assessment, midterm, and final. Obviously, continuous assessment constitutes 10 points, midterm -30, final - 60 of the overall evaluation. The points of the continuous assessment are gathered considering students' attendance, active involvement, and implementation of the given tasks. As for midterm and final oral and written tests are taken. In order to enhance their CC mostly TBT and CLT, CLL approaches are used along with different speaking activities:

- Discussion/debates
- Presentations (individual & pair)
- > Interviews
- Conversations
- ➤ Online quizzes, tests
- > Role-plays
- **➤** Games
- > Public speaking, etc.

#### I. Stages of the research

In fact, the researcher follows a five-step research method, which was outlined by Fraenkel, et al (2012) as it provides a process of practical order for structuring research (p.429):

- 1) Identifying the process to be investigated
- 2) Identifying study's subjects
- 3) Data gathering
- 4) Data evaluation
- 5) Results and Conclusions

#### II. Data source

This research was carried out with the help of both primary and secondary data. It is worth pointing out that primary data source is directly collected by the researcher based on the topic that is being studied, while secondary data contain supplementary materials that support the hypothesis. When it comes to this very research, three instruments (observation, interview, and the survey) were gathered as a form of primary data, whereas the secondary data source was compiled by teaching course books, materials and assessment tests, and journal articles.

#### III. Subjects

For this research, two target groups (both Russian and Uzbek) of Criminal Law faculty were chosen totaling 41 students (18 females and 23 males respectively). According to their nationality,

most of them own Uzbek background and their age ranges from 18 to 23. Besides, the majority of the learners hold an IELTS certificate (5.5-6) which proves that their English level is at least pre-intermediate. These first-year students take ESP-based instruction twice a week and almost all of them eagerly attend the classes. However, since they still have speaking difficulties this research was conducted for 3 months (February-April, 2021).

#### IV. Research instruments

Research instruments are vitally crucial as they assist to obtain the data and the results. Ary (2010) mentions that the researcher is considered as a human instrument to collect the data, observe the process and draw a conclusion (p. 453). Besides this, three instruments were applied in the study in a bid to gain the final results:

- ✓ Observation
- ✓ Speaking test (picture description &interview)
- ✓ Questionnaire
- 1) **Observation**, as Creswell (2012) noted, is the process of data collection in a specific setting (p.212). Therefore, these target groups were observed for three months prior to their midterm test in order to detect their speaking challenges. They were monitored purposefully during the English lessons and the researcher noted those difficulties each time.
- 2) **Speaking test** was taken in the form of picture description and interview. It was their first midterm for the year 2021, which was taken at the very beginning of April. More specifically, the test consisted of two parts: interview and picture description. Stake (2010) puts forward the view that interview is a process of collecting information from various people to find out the factors that the researcher himself is not able to observe (p.95). During the interview, 15 minutes was allocated for each learner asking general and specific questions. It was divided into 3 parts:
- a) 1<sup>st</sup> part- general questions about themselves
- b) 2<sup>nd</sup> part-describing a card
- c) 3<sup>rd</sup> part-specific/academic questions related to the chosen topic

In the second stage, they were required to describe a certain picture they chose using legal terminology covered during the classes. The interview was recorded for further analysis. This test enabled the researcher to gather ample data regarding their speaking difficulties and analyze the results.

3) **The questionnaire** was the last stage that covers the learners' responses to the questions related to the L 2 difficulties of speaking. It was formed on Google forms and overall 20 items were included in the research ranging from open-ended to cloze questions.

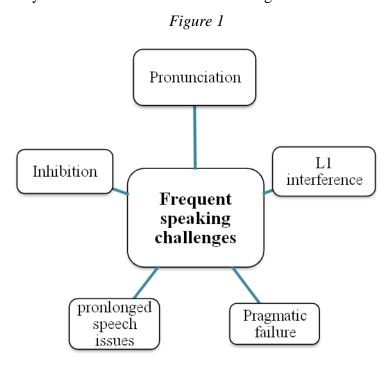
#### V. Variables

The study was based on the following variables:

- **The dependent variable-** CC is the main focus of this research.
- ➤ The independent variable- various approaches and speaking activities, tests, materials as well as the supplementary handouts have a great impact on the dependent variable
- **The moderator variable-** gender, age, and language awareness of the students
- ➤ The extraneous variable- teaching & learning environment which influence the attitude of the learners towards L2

#### RESULTS AND DISCUSSION

Having collected the data from different sources the analysis was made taking all the factors into account. Initially, these two groups were observed while conducting the lessons, and the researcher made notes of each class for data collection. He mainly attempted to note the common speaking difficulties confronted by the students and drew the following conclusion:



It can be seen from figure1 that most learners are confronted by pronunciation issues, particularly when it comes to legal terms, such as *innocent*, *executed*, *disciplinary*, *business entity*, *statutory*, *offence*, *negligent* and etc. This is due to the wrong stress placement which leads to the incorrect pronunciation and mispronunciation of some sounds.

Obviously, language interference is defined as the L1 effect on L2 which causes the spontaneous use of the native language in learning the target language. As Gutierrez claimed this phenomenon occurs when one owns two active languages concurrently and makes inappropriate use of L2 (2012, p.505). In the case of these two groups, some learners apply Uzbek words and incorrect sentence organization while speaking English.

The next issue is associated with uninterrupted and prolonged speech in conveying L2. It refers to the non-stop usage of L2 with no breaks between the sentences and prolonged speeches which leads to the lack of coherence and cohesion.

Inhibition is a reluctance of speaking L2 owing to the fear of losing face, making mistakes that hinder the learners in their SLA as well as providing stage fright. As for these certain students, some tend to feel inhibited to make oral speeches or PPTs in front of others even though they hold a good command of English.

The last but not least, pragmatic competence plays also a crucial role in the acquisition of L2. Taguchi (2009) opined that pragmatic competence is an ability to apply the language correctly and properly in a social setting and it is the cornerstone of successful communication in the target language. In fact, in most ESL/EFL classrooms, more emphasis has been laid on teaching

grammatical and communicative competence so far, whereas pragmatic competence has often been ignored, however, nowadays there is a consensus that being pragmatically competent is very important in the second language. The pragmatic failure also occurs among these students since they are confronted with the issues associated with the comprehension of speech acts in legal context, but these are not the only challenges encountered by law students as there are other psychological and social factors as well. Hence, language teachers are highly expected to deal with these problems in order to improve the CC of their learners.

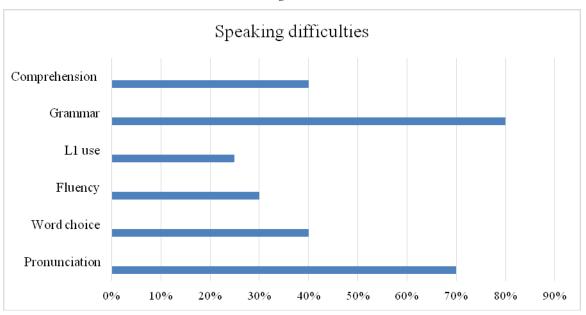
Having observed the groups, the speaking test was conducted which contained two stages: interview and picture description (15 points each). The test was recorded to analyze the results more thoroughly. They were assessed with the help of the rubric provided by the head of the department of foreign languages at this university. The following table illustrates the frequency of the gained scores of the students:

Table 3

Score	Frequency
28	6
26	5
25	10
24	8
23	4
22	3
21	1
20	1
19	2
15	1

It stands out from table 3 that the highest score accounted for 28, while 15 was the lowest point and the mean was 25. It indicates that most learners are good at speaking as they are capable of communicating their thoughts and describing something despite the challenges. Analyzing the recordings, the researcher outlined the following difficulties confronted by students:

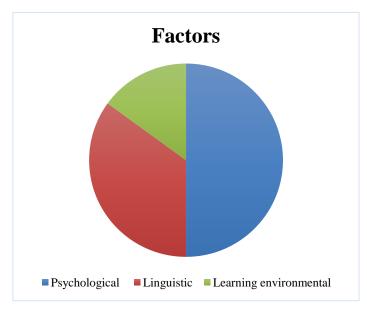
Figure 2



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Looking at the figure above, it is evident that problems faced by students during the interview were related to comprehension, grammar, L1 interference, fluency, word choice, and pronunciation. Indeed, the leading feature was indicated by grammatical and pronunciation problems, amounting to 80 % and 70 % respectively, whilst difficulties associated with fluency and L1 use maintained a relatively lower level at roughly 30 %. Lastly, 40 % of the students tended to choose incorrect words, especially in terms of legal terminology.

The last stage in the research was the questionnaire conducted to gather the opinions of those learners on speaking problems. The questions like "How difficult is speaking English for you?", "How often do you speak English? ", "Do you feel your speaking has improved during the classes?", "What problems do you face when you speak English? " and others were asked. In fact, most students indicated more psychological factors in the first place such as apprehension, anxiety, lack of confidence, and motivation as compared to linguistic problems. Also, some mentioned that lack of English speaking environment, level of the coursebook content, the high degree of the difference between L1 and L2, and others are the major problems as well. The figure below demonstrates those difficulties stated by the students:



In sum, three types of problems were mentioned in the questionnaire as the predominant factors of speaking problems: psychological, linguistic, and learning environment factors.

#### **CONCLUSION**

Undoubtedly, the enhancement of communicative competence is a must to convey the target language and eliminate the barrier between L1 and L2. For this purpose, the potential factors should be addressed before resolving the issues as they prevent the learners from communicating the second language confidently and easily. Thus, this study aimed to find out the factors and speaking difficulties at Tashkent state university of law. The findings were obtained with the assistance of observation, midterm test, and questionnaire. It was then obvious that students are often confronted by linguistic, psychological and somewhat environmental factors and they cause speaking difficulties including L1 interference, pragmatic incompetence, lack of motivation and self-assurance, inhibition, imperfect pronunciation, etc. Seeing all the data the researcher made the following recommendations for the language teachers:

- More pronunciation activities based on listening should be employed.
- Avoid the inhibition via applying more communicative activities in the form of pair and group work.
- > Create a friendly English teaching/learning environment
- > Provide constant encouragement
- > Praise and reward them for their achievements
- Use assistance strategies for the improvement of CC
- Try to use more innovative & interactive speaking activities that are appropriate for all learners.
- ➤ Have the learners attend more speaking clubs.

However, this research holds some limitations in terms of scope, time, and findings since it covers only the minority of the learners at this university. Due to these drawbacks, validity, as well as reliability, is partially achieved. Hence, more in-depth study and analysis are still needed for further research in this context.

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