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Theoretical and applied aspects of linguo-conflictology in the context of legal English

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Abstract. This article examines the theoretical and applied aspects of linguo-conflictology in the context of Legal English. It emphasizes the interdisciplinary nature of the field, which integrates linguistics, law, psychology, and conflict studies. The research identifies major linguistic sources of legal disputes, such as ambiguity, polysemy, and cultural misinterpretation, and highlights the specific features of Legal English that contribute to both precision and conflict potential. The applied analysis demonstrates how linguo-conflictology supports legal drafting, mediation, negotiation, forensic expertise, and multilingual lawmaking. Case studies, including contractual disputes, courtroom discourse, and EU multilingual legislation, illustrate the practical value of linguistic tools for conflict prevention and resolution. The findings stress the necessity of incorporating linguo-conflictological principles into legal practice and education to ensure clarity, fairness, and intercultural understanding in a globalized legal environment.

Keywords: *linguo-conflictology, Legal English, legal discourse, ambiguity, conflict resolution, mediation, forensic linguistics, intercultural communication.*

Introduction

In the globalized world of the 21st century, communication plays a central role in the resolution of disputes and the establishment of social justice. Legal discourse, being one of the most formalized and regulated types of communication, is not immune to conflicts arising from linguistic ambiguity, cultural differences, and pragmatic misunderstandings. The field of linguo-conflictology an interdisciplinary area at the intersection of linguistics, law, psychology, and conflict studies addresses these challenges by analyzing the mechanisms of verbal confrontation and by providing practical tools for conflict resolution.

The study of linguo-conflictology in the context of Legal

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English is particularly significant, given that English has become the lingua franca of international law, diplomacy, and business. Understanding the theoretical foundations and practical applications of linguo-conflictology allows lawyers, judges, and mediators to handle disputes more effectively, minimizing the risk of escalation due to language barriers or communicative misunderstandings.

1. Theoretical Foundations of Linguo-Conflictology

Linguo-conflictology is an interdisciplinary science that studies the relationship between language and conflict. Its origins can be traced back to sociolinguistics, pragmatics, discourse analysis, and legal linguistics.

Definition and Scope: Linguo-conflictology may be defined as the study of how linguistic phenomena—lexical choices, syntactic structures, speech acts, discourse strategies— contribute to the emergence, development, and resolution of conflicts. It focuses on the communicative mechanisms that trigger disputes as well as the methods by which communication can be restructured to mitigate tensions.

The scope includes: conflict-generating factors (ambiguity, vagueness, polysemy, cultural misinterpretation, irony, insults, or threats), conflict-escalating mechanisms (aggressive discourse, rhetorical manipulation, misinterpretation of legal norms), and conflict-resolution strategies (mediation, negotiation, reformulation of arguments, clarification of terms).

2. Legal English as a Medium of Conflict

Legal English is a specialized variety of English used in law. Its unique features—archaic vocabulary, complex syntax, and formulaic expressions—make it both a powerful instrument and a potential source of conflict.

Characteristics: lexical specificity (hereinafter, aforementioned), ambiguity (reasonable, consideration), nominalization and passives, and high degree of formality. Conflict-generating features include misinterpretation by laypersons, cross-cultural misunderstandings, strategic manipulation, and translation errors.

3. Applied Aspects of Linguo-Conflictology in Legal English

The practical dimension of linguo-conflictology lies in providing methodologies for preventing and resolving conflicts in legal communication.

Applications include:

- Forensic linguistics: authorship attribution, detecting

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ambiguity.
- Mediation and negotiation: reframing hostile language.
- Legal drafting: clarity, avoidance of vagueness.
- Cross-cultural communication: ensuring consistent interpretation of speech acts.

Table 1

Sources of Conflicts in Legal English and Strategies for Their Resolution

Source of Conflict	Examples	Possible Consequences	Strategies for Resolution
Lexical Ambiguity	*chicken* (live or frozen)	Misinterpretation in contracts	Clarification of terms, glossaries, definitional precision
Archaisms and Formulaic Phrases	*hereinafter, aforesaid, witnesseth*	Comprehension difficulties for laypersons	Replacement with modern equivalents, plain language adaptation
Complex Syntax	Long multi-clause sentences	Loss of meaning, translation errors	Division into simpler structures, syntactic simplification
Nominalizations and Passives	*the implementation of regulations was effected*	Dilution of responsibility, unclear agency	Active voice usage, specification of actors
Polysemy and Cultural Differences	*consideration* (legal: "something of value exchanged")	Misunderstanding in international agreements	Intercultural expertise, bilingual versions of contracts
Irony, Manipulation, Rhetoric	Cross-examination: leading or aggressive questions	Escalation of conflict in court	Training mediators, regulation of speech strategies
Translational Inconsistencies	EU legislation: divergent versions of one term	Legal uncertainty, lack of consistency	Harmonization of terminology, multilingual glossaries
Technological Factors (AI)	Machine translation of contracts	Distortion of meaning, legal risks	Human verification, development of AI with legal oversight

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4. Case Studies and Practical Illustrations

Case 1: Frigaliment Importing Co. v. B.N.S. International Sales Corp. ('chicken case') shows lexical ambiguity in contracts.

Case 2: Courtroom discourse often escalates through irony or loaded questions.

Case 3: EU multilingual legislation highlights risks of translation inconsistencies.

Case 4: Mediation practice shows how reframing hostile or emotionally charged utterances can de-escalate conflict and facilitate compromise between disputing parties.

Case 5: International arbitration reveals frequent misinterpretations of legal concepts when parties come from different legal traditions (e.g., common law vs. civil law), leading to terminological and pragmatic clashes.

Case 6: Online Dispute Resolution (ODR) illustrates the challenges of machine translation and automated communication systems, where misrendered legal terms may create new forms of linguistic misunderstanding.

5. Perspectives and Challenges

Challenges include balancing standardization and flexibility, technological influence (AI drafting, machine translation), and globalization of legal practice. Future research must integrate linguo-conflictology into legal education and ADR.

– **Balancing standardization and flexibility:** ensuring clarity in legal texts while preserving interpretive flexibility.

– **Technological influence:** the rise of AI-assisted drafting and machine translation brings both opportunities (automatic ambiguity detection) and risks (mechanical misinterpretations).

Conclusion

The study has shown that linguo-conflictology provides a productive framework for analyzing and mitigating conflicts in legal communication. Its theoretical dimension explains how ambiguity, cultural differences, and rhetorical manipulation escalate disputes, while its applied dimension offers strategies such as precise drafting, mediation, forensic analysis, and intercultural pragmatics. Case studies confirm the relevance of linguo-conflictology in resolving contractual and courtroom disputes as well as in managing multilingual legislation.

Future research should focus on integrating linguo-

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conflictological principles into legal education, developing digital tools for conflict-sensitive drafting, and exploring the role of artificial intelligence in legal communication. Special attention must also be given to *ethical concerns*, particularly the risk of strategic linguistic manipulation that can undermine fairness and justice in legal proceedings.

Finally, linguo-conflictology should be developed as a form of *preventive linguistics*, aiming not only to analyze conflicts after they arise but also to prevent them at the stage of legal drafting, translation, and negotiation. In the era of globalization, Legal English remains both a powerful medium and a potential source of conflict, making linguo-conflictology not merely a scholarly discipline but a practical necessity for promoting clarity, fairness, and justice.

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