

TILTM 2022

Topical Issues of Linguistics and Teaching Methods in Business and Professional Communication

**COMPARATIVE ANALYSIS OF CULTURAL AND LINGUO-
LEGAL STEREOTYPES (EXEMPLIFIED BY «REASONABLE
MAN»)**

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Abstract

The research is aimed at identifying specific features of legal patterns representing special knowledge in the Anglo-Saxon law system and their actualization in the process of case analysis in the Anglo-American law system. The authors make an attempt to highlight the main differences between legal and cultural patterns expressed through the same linguistic means. The results of the research are illustrated by the analysis of the concepts of "reasonableness" and "reasonable man." The conducted analysis carries the inference that the legal pattern features fixation is a gradual process in the course of interpretational activity as judges make out social and legal characteristics relevant for legal treatment of a case. In the process of modelling events typical of the English courtroom discourse and based on the argumentation principles the judges in the original case (a precedent) work out a legal pattern correlating with the social and cultural parameters relevant to the case. This pattern further gets actualized in further cases to simplify and unify a judgement. It is regarded desirable to work out recommendations for higher education syllabus to take foreign legal patterns into account while teaching law students. Alongside the commonly accepted dialectical method, the following private scientific methods have been exploited: the formal logical method helping to identify attributes of patterns; discourse analysis focusing on verbal representation of patterns and contributing to modelling their structure based on legally relevant social and cultural parameters in the course of legal argumentation.

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Keywords: Legal stereotype, law system, legal pattern, professional worldview

Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami

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Table of Contents Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami

1. Understanding the eBook Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
 - The Rise of Digital Reading Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
 - Advantages of eBooks Over Traditional Books
2. Identifying Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
 - User-Friendly Interface
4. Exploring eBook Recommendations from Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
 - Personalized Recommendations

- Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami User Reviews and Ratings
- Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami and Bestseller Lists
- 5. Accessing Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami Free and Paid eBooks
 - Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami Public Domain eBooks
 - Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami eBook Subscription Services
 - Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami Budget-Friendly Options
- 6. Navigating Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami eBook Formats
 - ePub, PDF, MOBI, and More
 - Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami Compatibility with Devices
 - Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
 - Highlighting and Note-Taking Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
 - Interactive Elements Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
- 8. Staying Engaged with Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
- 9. Balancing eBooks and Physical Books Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
 - Setting Reading Goals Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami
 - Fact-Checking eBook Content of Razumnost Dobrosovestnost Nezloupotreblenie Grazhdanskimi Pravami

- Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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