

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



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