

PRAGMATICS AND LINGUISTIC COMMUNICATION: THE STUDY OF LANGUAGE USE IN REAL COMMUNICATIVE SITUATIONS, INCLUDING LINGUISTIC POLITENESS, CONVERGENCE, AND MUTUAL UNDERSTANDING

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Abstract: This research paper focuses on the study of pragmatics and linguistic communication in real communicative situations, with a particular emphasis on law faculties. The paper explores how language is used in legal contexts, including the role of pragmatics in legal communication, the use of language in legal discourse, and the importance of effective communication skills for law students. The paper also examines the challenges and strategies for enhancing pragmatic competence in legal settings. Therefore, the aim of the paper is to study the peculiarities of communicative competence, linguistic politeness, and mutual understanding of law undergraduate students during their study at higher education institutions in Ukraine. Instruments of data collection used were analysis of scientific sources, questionnaires, interviews, and focused group discussion. Searching the problem provide the opportunities to determine the most using typical mistakes that law students make during professional communication, and describe the ways of overcoming them. The results of research made it possible to rate key components of communication skills of law students at higher education establishments that aimed at increasing the level of pragmatic competence of Ukrainian higher education law students.

Keywords: linguistic competence, speaking competence, communicative competence, effective communication, undergraduate students of legal major, typical mistakes, the ways to overcome.

1 Introduction

Language communication is a complex process that involves the transfer of information between interlocutors. Effective communication is essential in the legal profession, as it involves conveying complex legal concepts and information accurately and clearly. Pragmatics, as a subfield of linguistics, studies how language is used in context and how people use language to achieve communicative purposes. We will focus on the study of pragmatics in real communicative situations, taking into account the aspects of linguistic politeness, convergence, and mutual understanding. This paper delves into the study of pragmatics in real communicative situations within law faculties, focusing on the various pragmatic aspects that impact legal communication.

The modernization of law educational process at a university involves increasing the requirements for the communication of intending lawyers' professional level. So, it is necessary to train competent lawyers of the new generation, who are able to act productively and purposefully in modern conditions, to be active participants in international communication, to have the necessary communicative experience in the spheres of professional and situational communication. Considering this, the problem of developing pragmatic and communicative competence of pre-service lawyers while studying at higher education institutions is relevant. It will contribute to increasing their competitiveness.

Most of higher education institutions in Ukraine today work in a mixed or distance format. At the same time, the requirements for graduate students' competencies are only growing due to the need to find a job and compete in the labor market. Therefore, higher education institutions students should work additionally individually to improve their own level of communicative competence.

2 Literature Review

In the research R. Kempson (2003) shows pragmatics as the application of conversational principles according to sentence meanings, describes the process of reasoning to choose the right interpretation and the interaction between linguistic processing and general processing.

G. Kasper and S. Rose (2013) claim that interlanguage pragmatics examines how nonnative speakers comprehend and produce actions in a target language, and how foreign language learners develop the ability to understand and perform actions in a target language. More recently, K. Bardovi-Harlig (2013) underlines that pragmatics and pragmatic acquisition in interlanguage pragmatics encompasses both form and use. She writes: "[pragmatics] bridges the gap between the system side of language and the use side, and relates both of them at the same time. Interlanguage pragmatics brings the study of acquisition to this mix of structure and use".

Situating interlanguage pragmatics in a broader scope of intercultural studies is timely, because in today's multilingual society, the goal of language learning is not to become a native speaker, but to become an intercultural speaker who is linguistically and intercultural competent – a person who is sensitive to other cultures and aware of his/her own cultural position to mediate across linguistic and cultural boundaries (Byram 2012; Wilkinson 2012). Pragmatic competence can serve as a source that assists in this process of mediation. Reconceptualizing pragmatic competence to reflect this notion of the intercultural speaker will elevate the practice to the area of global citizenship. At the same time, pragmatic insights into intercultural interaction will help move beyond the current practice of description of intercultural competence to the analysis of acquisition of that competence.

M. Blömer (2012) overviews structural features of legal language as a special language. It differs from everyday language in many ways. Although the overall language with which lawyers operate is standard, not every term of legal language would be tolerated in general. Therefore, legal language cannot be called a special kind of official language.

Some scientists draw their attention to problem of mutual understanding and disagreeing between speakers. In particular Jo. Angouri (2012) maintains managing disagreement in problem solving meeting talk; C. Maíz-Arévalo (2014) outlines the ways of expressing disagreement in English and the pragmatic rules; M. Marra (2012) describes the ways of disagreeing and negotiating workplace communities without being disagreeable. M. Sifianou (2012) studies the means of politeness and mutual understanding.

H. Netz and A. Lefstein (2016) make a cross-cultural analysis of disagreements in classroom discourse on the example of studies from England, the United States, and Israel. He claims cultural and institutional factors interact in shaping preference structures. The author explores the influence of cultural communicative norms on the one hand and pedagogical goals and norms on the other. The study highlights culture-specific discursive patterns that emerge as the teacher and students manage a delicate balance between often clashing cultural and educational motives.

C. Bryan and co-workers (2016) analyzing the discourse of personalization in online sermons, investigates the discourse of an American evangelical church. The study is based on the transcripts of a five-year period of online preaching. The goal was to apply the framework of critical discourse analysis to digital sermons, particularly focusing on examining the elements of personalization in this relatively new form of "net" evangelism.

By categorizing speech act expressions across languages using a single coding framework, the researchers were able to reveal culturally specific features of speech acts by investigating contrastively how many types of expressions exist in a language, which expressions are considered direct or indirect and how they vary in different situations. The coding framework and DCT instrument facilitated many replication studies, which provided empirical descriptions of speech acts across cultures. This trend continues today (Netz and Lefstein, 2016)

The author from Switzerland S. Assimakopoulos (2017) investigate the notion of context from a relevance-theoretic perspective. Endorsing the idea that, in cognitive terms, contexts for utterance interpretation are best viewed as sets of assumptions that are brought to bear during the processing of an utterance. The researcher proposals that contexts are actually selected during utterance comprehension rather than determined in advance of it. The author addresses the question of how considerations of relevance, in the technical sense facilitate the admittedly effortless selection of contexts by the hearer and, to a certain extent, the speaker too.

N. Taguchi (2017) analyzes interlanguage pragmatics, examines second language learners' knowledge, use, and development in performing sociocultural functions. The way of speaking is determined by context – to whom we are talking and under what circumstances, so learners need to know which forms are appropriate to use in what situations. Hence, linguistic knowledge and sociocultural knowledge of social conventions, customs, and norms of interaction are two layers of pragmatic competence. The scientist considers the process of learning these knowledge bases, individual variation between learners in the process, and factors affecting the process are the focal objects of inquiry.

Mamych M. and others (2021) offer an analysis of professional discourse as a thought-communicative activity. The validity of the problem for modern theoretical and practical linguistics is noted, which resulted from the significant expansion of the spheres of functioning of the Ukrainian professional language, its interaction with special purpose languages of other national cultures, in particular English. The research reflects the issues of history of the professional language study, theoretical aspects of the separation of special purpose language as a separate discourse of social practice, presents current perspectives on the practical study of professional language practice. The selected segment is studied as a modern literary language in its written and oral varieties.

The role of pragmatics in legal communication, the use of language in legal discourse were also studied in scientific sources. Thus, P. Chiassoni (2019) has isolated the disadvantage and called it the 'container-retrieval' theory. According to his theory legislative language is filled up with content by linguistic conventions as to the application of the words in which it is expressed. The task of applying legislation is the task of identifying those cases to which its words conventionally apply.

Enoch (2014) reviews the communication model can explain controversy over the law. He questions how a law maker can do 'normative magic', making mere words into law. M. Greenberg (2011) has argued that trying to understand legislation on the model of communication is misguided because legislation and legislative systems have purposes that have no parallel in the case of communication and that may be better served if a statute's contribution to the content of the law is not constituted by what is communicated by the legislature.

A number of attempts have been made in order to study philosophical and jurisprudential issues of vagueness (Geert Keil and Ralf Poscher, 2017); to demonstrate some cases of a realistic enquiry of interpretation without truth (Chiassoni, Pierluigi, 2019); to analyze strategic indeterminacy in the law (Lanius, David, 2019; to outline the nature and value of vagueness in the law (Asgeirsson, Hrafn, 2020) etc.

3 Aims

The analysis of above-mentioned works shows that different aspects of the searched issue have been studied quite thoroughly. However, pragmatics and linguistic communication in real situations, with a particular emphasis on law communicative competence may need further research. Therefore, the aim of this paper is to research the peculiarities of communicative competence, linguistic politeness, and mutual understanding of law undergraduate students during their study at higher education institutions in Ukraine.

To achieve the aim, we should implement some tasks, the solution of which will ensure the step-by-step realization of the result. The tasks are: 1) to rate key components of communication skills of law students at higher education establishments that aimed at increasing the level of pragmatic competence of Ukrainian higher education law students; 2) to determine the most using typical mistakes that law students make during professional communication, and describe the ways of overcoming them; 3) to study the main challenges and strategies for enhancing pragmatic competence of law faculty students.

4 Methods

To achieve the aim of the research, a lot of instruments of data collection were used: theoretical: analysis of linguistic and psychological scientific sources; empirical: observation of the educational process, questionnaires, interviews and focused group discussion; statistical; graphic. The methodology of expert assessment was implemented in order to find out communicative skills as the main means of developing pragmatic and communicative competence.

To achieve the objectives, the study used a questionnaire to address the study questions and objectives. 180 law students participated in the questionnaire. The study found that the undergraduate students have positive views toward the using of the language as communicative means in various, functions, contexts, and professional situations to enhance the student's fluency in using the target language as well as the take care about the language forms to avoid imperfect using of the language.

5 Results

Pragmatics is the branch of linguistics which studies how utterances communicate meaning in context. It is a medium where we examine how people convey different kinds of meanings with the use of language or how people express a variety of meaning with variety of people.

Pragmatics is generally considered to be the study of the ability of speakers to communicate more than that which is explicitly stated. As J. Mey (2004) writes: "Pragmatics is essentially about the users of language in a real-life situation, and about the conditions that enable those users to employ linguistic techniques and materials effectively and appropriately".

Pragmatics is the study of the aspects of meaning and language use that are dependent on the speaker, the addressee, and other features of the context of utterance. It is the study of meaning arising from language in context, in other words, the meaning intended by the speaker or text sender and understood by the listener or text receiver. When the communication act is successful, these meanings coincide, and when it is not, they diverge to a greater or lesser degree. As such, pragmatics focuses on the effect of context on communicative behavior as well as on how inferences are made by the receiver in order to arrive at the final interpretation of an utterance.

According to the professor of linguistics at the University of Wales D. Crystal (2020) pragmatics is the study of language from the point of view of users, especially of the choices they make, the constraints they encounter in using language in social

interaction and the effects their use of language has on other participants in the act of communication.

Researchers of various aspects of language always turn to pragmatics, the issues of which are diverse and multidimensional. The ambiguous understanding of the term "pragmatics" in modern linguistics is connected with the history of its origin and use. Here are some interpretations of this term: a branch of semiotics that studies the sign-person relationship; a branch of linguistics that studies the linguistic aspect of the relationship between a linguistic sign and a person; the category of the text, that is, the property of the text in one way or another, to correlate with the addresser and the addressee, to realize the communicative intention of the first to influence the second; pragmatic content / pragmatic information of a language unit, a fragment of speech, a whole speech work.

Ch. Pierce laid the foundations of pragmatics as part of semiotics, a complex science that studies all kinds of sign systems. Later, science developed and different scientists viewed this term in different ways. Pragmatic linguistics is understood as a science: about the use of the language (Leech, 2014), about aspects of meaning that are not covered by semantic theory (Levinson S.C.), about the interpretation of speech acts (Searle J.R., Austin J.L., Grice H.R.), about the language in the context (Parret N.), about the linguistic form, meaning and activity (Dijk, 2008, 2014).

In studying the use of language, the role of speaker and hearer, the role of the context, the amount of relative quality of language that is used and the relative distance between the speaker and the hearer is important.

In pragmatics, we focus only on a spoken language, conversation or how people speak or express their desire when they communicate with others. People express their feelings, desires, point of views and variety of things about their culture, society and so on. But sometimes they have many desires which they do not express or unable to express and there can be variety of reasons for that, for example, fear, inferiority, insult, etc. Pragmatics tries to study human beings at their characterization, feelings, needs, attitudes, volition or volatile personality and many other things through language. Therefore, pragmatics is the study of language used by real people in the real context. (Karthik, 2013).

Analysis of the text, its semantics and structure, as well as the semantics and structure of the units that make it up, should set the task not only to identify what determines the formation of the meaning of the text, but also how the ultimate goal of communication is achieved - the impact on partners in the process of speech activity. The way to achieve a specific result for the communicants determines the pragmatic orientation of the text. T. Dijk (2014) notes that the pragmatics of the text correlates the text itself and the structure of communication with each other, which obviously contributes to a deeper and more comprehensive understanding of the text as a whole.

Specialized language pragmatics is directly related to the situations in which this type of communication occurs, and to the ways that the text sender and receiver potentially and effectively deal with them. Such communicative situations are the focus of the external or sociocultural view of pragmatics, whereas the online construction of text and word meaning by sender and receiver refers to the internal or cognition-oriented view of pragmatics.

Cognition-oriented pragmatics explores how the text, which is the result of the communication act, is molded by the situation itself as well as the previous knowledge, intentions, expectations, and beliefs of the text sender. It also targets how the text is finally understood by the receivers, both at the micro and macrocontextual level. The structure, content, and terminology of the specialized text are constrained by all of these factors, and can be analyzed in terms of frame, context, and construal or speaker perspective. (Faber)

P. Garcia (2004) presents the concepts of pragmatic ability and pragmatic comprehension. The former is the ability to use language appropriately according to the communicative situation and the latter refers to the comprehension of oral language in terms of pragmatic meaning. Therefore, students need to be able to comprehend meaning pragmatically in order to: understand a speaker's intention; interpret a speaker's feelings and attitudes; differentiate speech act meaning such as the difference between a directive and a commissive; evaluate the intensity of a speaker's meaning, such as the difference between a suggestion and a warning; recognize sarcasm, joking, and other facetious behavior; be able to respond appropriately.

As we know, pragmatics is the way we convey meaning through communication (Ahmed, 2022), so the study aims at student's opinions on the use of language as a means of communication, and to show the significance of language function, context, and professional situations to develop pragmatic competence in law university learners.

Communication skills are a set of abilities that enable individuals to effectively exchange information, ideas, thoughts, and feelings with others. These skills play a crucial role in personal and professional interactions, allowing individuals to express themselves clearly, listen actively, and understand and interpret the messages of others. Effective communication skills are essential in various aspects of life, including relationships, teamwork, leadership, and career success.

In order to investigate main components of pragmatic and communicative competence of undergraduate students of legal major (specialty "International Law", "Public Administration"), the in the research process, the methodology of expert assessment was implemented with the determination of significant coefficients of communication skills, the provision of which contributes to the development of undergraduate students' pragmatic and communicative competence. This required the formation of an expert group, which included 7 specialists in the field of higher education. The survey involved the ranking by experts of communication skills that are important for the development of intending lawyers' professional competence. The ranking of the expert evaluation made it possible to identify nine dominant communication skills. Next, we will consider the key components of communication skills.

Verbal Communication: the ability to articulate thoughts and ideas using words. This includes speaking clearly, using appropriate language, and being able to convey messages concisely.

Nonverbal Communication: nonverbal cues such as facial expressions, body language, gestures, and eye contact can significantly impact communication. Understanding and using nonverbal cues effectively can enhance the message being conveyed.

Active Listening: being fully present and engaged while someone else is speaking, giving them undivided attention, and showing empathy and understanding. Active listening involves not only hearing the words but also grasping the underlying emotions and intentions.

Empathy: the ability to understand and share the feelings, emotions, and perspectives of others. Empathy helps build trust and connection in communication.

Clarity and Conciseness: expressing ideas in a straightforward manner, avoiding ambiguity or confusion in communication.

Flexibility: being able to adapt communication style and approach based on the context, audience, and purpose of the interaction.

Assertiveness: the ability to express thoughts, needs, and opinions confidently and respectfully, without being aggressive or passive.

Conflict Resolution: skillfully managing disagreements and conflicts by actively listening, finding common ground, and seeking mutually beneficial solutions.

Feedback: providing constructive feedback and receiving feedback gracefully to facilitate personal and professional growth.

The next step of the research was conducting a survey of students in order to determine the rating of each of the communication skills (Figure 1).

Strong communication skills not only foster better relationships and understanding but also contribute to professional success by improving teamwork, leadership, and the ability to influence and persuade others.

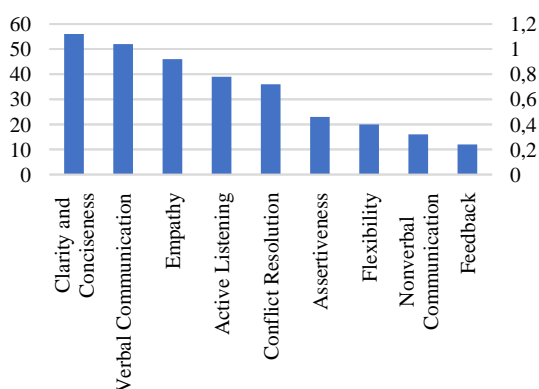


Figure 1. Rating the key components of communication skills according to law students' survey results

The language used in legal discourse can be highly specialized and distinct from everyday language. In the research we examine the unique features of legal language, including technical terminology, jargon, and formulaic expressions, the challenges of comprehending legal texts for law students and provides strategies for developing the necessary linguistic skills to navigate legal language proficiently.

Thus, law students need to develop effective communication skills to succeed in their legal careers. During the study we explore the specific communication skills required in the legal profession, such as legal writing, oral advocacy, negotiation, and client counseling, discuss the role of pragmatics in honing these skills and the significance of context and audience awareness in legal communication.

The study showed that communication errors may occur in law students due to the specifics of their future profession. The survey made it possible to identify the main typical mistakes that future lawyers make in communication. In order to improve students' speech, we offer ways to overcome these mistakes (table 1).

Table 1. The main typical mistakes that intending lawyers make in communication and the ways of their overcoming

Mistakes	Manifestation	The ways to overcome
Use of excessively complex legal terms	Law students, especially at the initial stages of their studies, can use a large number of complex legal terms, which can confuse the interlocutor if he does not have such knowledge	The way to overcome this error is to explain terms in more understandable language, avoid using overly complex terms where necessary, and ensure clarity and comprehensibility of speech
Insufficient ability to communicate	Legal education is often focused on academic skills such as analysing texts	To overcome this error, students can be encouraged to actively participate in

	and writing documents, which can sometimes lead to underdeveloped communication skills	discussions, seminars, and group projects where they can practice their communication skills. Reading and researching the literature on communicative competence can also be recommended
Insufficient ability to adapt to the audience	When communicating with unqualified or non-professional interlocutors, law students may use complex legal language that makes their message unclear or unacceptable	The way to overcome this error is the ability to adapt your language to the level of understanding of the interlocutor. It is worth using simpler language, explaining complex concepts, using examples and illustrations for better understanding
Insufficient attention to non-verbal communication	In communication, law students may overemphasize the verbal aspect of communication and not pay due attention to non-verbal elements such as gestures, facial expressions, tone of voice, etc	To overcome this mistake, it is worth studying non-verbal communication, observing your own non-verbal signals and taking into account their interaction with others
Insufficient preparation for communication	Often, law students can make the mistake of not preparing enough for a conversation by not researching the topic or situation before starting the conversation	The way to overcome this mistake is to thoroughly prepare for communication, study the relevant information, analyze the situation and think of possible questions or discussion points

In general, to overcome mistakes in communication, law students should actively practice their communication skills, learn the principles of effective communication, and develop their communication competence. Only through practice and conscious improvement can success be achieved in communication as a professional skill.

Legal professionals encounter various challenges related to pragmatic competence, such as cross-cultural communication, dealing with emotions, and navigating power dynamics in legal interactions.

In the course of the study, the main challenges and strategies for enhancing pragmatic competence of law faculty students were determined by means of questionnaires and surveys of law university teachers and students (table 2).

Table 2. Challenges for Enhancing Pragmatic Competence of Law Faculty Students

Challenges	Manifestation
Legal Jargon and Terminology	Law students often encounter complex legal jargon and terminology that may not be familiar to the general population. Understanding and appropriately using these specialized terms in different legal contexts can be challenging
Context-Specific Communication	Legal communication often takes place in various settings, such as courtrooms, law firms, and client meetings. Law students need to adapt their communication style based on the specific context, audience, and purpose of the interaction
Cross-Cultural Communication	In a globalized legal world, law students may interact with individuals from diverse cultural backgrounds. Understanding cultural nuances in communication and being sensitive to cultural differences is essential for effective communication
Dealing with Emotional Situations	Legal cases can involve emotionally charged situations, such as disputes,

	personal injury cases, or family matters. Law students must develop the ability to handle emotional communication with empathy and professionalism
Legal Writing	Crafting legal documents, briefs, and contracts requires precise language, clarity, and attention to detail. Law students must overcome challenges related to legal writing to ensure accuracy and clarity in their written communication

Strategies for Enhancing Pragmatic Competence of Law Faculty Students:

Specialized Training and Workshops: Law faculties can offer specialized training and workshops on legal communication, including understanding legal language and jargon, using appropriate legal terms, and adapting communication for different legal settings.

Role-Playing Exercises: Engaging law students in role-playing scenarios can help them practice legal communication in simulated situations. This approach allows them to receive feedback and improve their pragmatic competence.

Mock Trials and Moot Courts: Participating in mock trials and moot court competitions can help students practice legal advocacy, oral argumentation, and presentation skills in a real-life setting.

Mentorship Programs: Establishing mentorship programs where law students can work closely with legal professionals can provide valuable guidance on effective communication techniques in the legal field.

Legal Writing Clinics: Offering legal writing clinics where students can receive feedback and guidance on their written communication skills can help improve their ability to draft clear and concise legal documents.

Cross-Cultural Awareness Training: Law faculties can incorporate cross-cultural awareness training to help students navigate communication with individuals from diverse cultural backgrounds.

Communication Courses: Integrating communication courses into the law curriculum can provide students with a comprehensive understanding of effective communication techniques, both verbal and non-verbal.

Reflective Practices: Encouraging law students to engage in reflective practices, such as journaling or self-assessment, can help them identify their communication strengths and areas for improvement.

Encourage Active Listening: Faculty can emphasize the importance of active listening in legal settings and encourage students to practice this skill during discussions and debates.

By addressing these challenges and implementing strategies to enhance pragmatic competence, law faculties can better equip their students with the necessary communication skills to succeed in the legal profession. Effective communication is crucial for building trust with clients, presenting persuasive arguments, and resolving legal issues efficiently and professionally

6 Discussion

It is important to conduct user testing and gather feedback from law university teachers and students for improving the development process and ensure the app meets their needs and preferences. Considering all the advantages, it is clear that using proposed strategies is a highly topical and beneficial approach. However, it's important to note that while they can be an excellent supplementary means for developing pragmatic competence, they should be complemented with other forms of practice. Distance learning cannot replace full communication and interaction with live people. To our mind, only real life

communication learning methods can be useful, such as conversation clubs, classes with a teacher, engaging in language exchanges, real-life communication with native speakers.

7 Conclusion

Improving communication skills involves continuous practice and self-awareness. Law students can enhance their communication abilities by seeking feedback, taking communication-related courses, reading books on effective communication, and actively engaging in social interactions.

The study of pragmatics and linguistic communication in law faculties is of utmost importance for law students and professionals. Understanding how language is used in legal contexts and developing effective communication skills are essential for successful legal practice. By recognizing the role of pragmatics in legal communication and addressing the challenges in enhancing pragmatic competence, law faculties can better prepare their students for the complexities of the legal profession.

Our work has led us to conclude about the importance of developing undergraduates' skills of effective communication. According to the purpose of the study, we implemented some tasks:

1. The key components of communication skills of law university students that aimed at increasing their level of pragmatic competence were rated.
2. The most using typical mistakes that law students make during professional communication, and the ways of overcoming them were determined.
3. The main challenges and strategies for enhancing pragmatic competence of law faculty students were outlined in the paper.

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Primary Paper Section: A

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