DOI: https://doi.org/10.31392/UDU-nc.series9.2025.30.06
UDC: 81’373:003.3-028.42

Volodymyr O. Pavlov,
Senior Lecturer,
Department of General Theoretical Legal
and Social and Humanitarian Disciplines,
Kyiv University of Law
of the National Academy of Sciences of Ukraine,
Kyiv, Ukraine
https://orcid.org/0000-0002-3319-9015
e-mail: pavlovvova333@gmail.com

LEXICO-DISCURSIVE MARKERS OF AUTHORITY IN INTERNATIONAL LEGAL ACADEMIC WRITING

Bibliographic Description:

Pavlov, V. (2025). Lexico-Discursive Markers of Authority in International Legal Academic Writing. *Scientific Journal of Mykhailo Dragomanov State University of Ukraine. Series 9. Current Trends in Language Development*, 30, 63–76. https://doi.org/10.31392/UDU-nc.series9.2025.30.06

Abstract

The investigation delves into lexico-discursive markers as foundational mechanisms for constructing authority in international legal academic writing. Beyond a purely structural analysis, this study scrutinizes pragmatic connectives, modality, and specific syntactic formations as pivotal tools that establish the sociopragmatic force of legal texts. It posits that these discursive strategies transcend mere stylistic choices, functioning as constitutive elements that actively shape and validate the regulatory framework of international law. By reinforcing its professional project as a discursive construct, such markers legitimize legal authority and influence global normative discourses.

Drawing on a corpus of peer-reviewed papers from leading journals like the “American Journal of International Law” and the “European Journal of International Law”, the analysis employs a mixed-methods approach, combining quantitative frequency counts of markers (e.g., hedges like “may” or boosters like “clearly”) with qualitative discourse analysis to uncover patterns of authority-building. Key findings reveal how modality through epistemic and deontic forms modulates certainty and obligation, while connectives such as “therefore” and “however” guide argumentative flow, enhancing persuasiveness. Syntactic structures, including passive voice and nominalizations, further depersonalize claims, projecting objectivity and institutional weight.

This research contributes to sociolinguistics and legal pragmatics by highlighting how language not only reflects but constructs power dynamics in international law. Implications extend to legal education, urging practitioners to engage with discursive tools for ethical advocacy critically. Ultimately, the study underscores the performative nature of legal discourse, where authority is negotiated through subtle linguistic means, fostering a more reflexive understanding of international legal scholarship.

Keywords: *lexico-discursive markers, legal academic writing, academic English, authority, discursive construction, international law, sociopragmatics.*

1. Introduction.

In a globalized academic world, clear legal writing is crucial. Legal scholars must now build “discursive authority” to gain credibility. This authority is not inherent but is created through specific linguistic choices, such as modal verbs, adverbs, and citation practices. This study examines these lexico-discursive markers in international legal academic writing.

While research exists on academic and legal discourse, there is a gap in understanding how authority is specifically constructed in international legal scholarship. This research uses corpus-based analysis to identify these linguistic patterns. The goal is to create a model of how authority is discursively established, providing valuable insights for both academic analysis and teaching aspiring scholars.

2. Literature Review.

The synthesis of legal and linguistic epistemologies reveals that scholarly authority is a performative phenomenon, grounded in the illocutionary force of utterances (Weston, 2022). This construct relies on the "casuistic connections" of linguistic replication to reinforce legitimacy (Trklja, 2024). A pivotal mechanism in this discursive architecture is the strategic deployment of modality. While high-certainty markers like shall denote non-negotiable obligations (Ghafil, 2022) and function as boosters, discretionary markers such as may allow for speculative nuance (Catoto, 2022). Furthermore, intertextual positioning is achieved through citation, which Yu and Zheng identify as a primary instrument of discursive legitimation (Yu & Zheng, 2023). Methodologically, the validity of such analysis is strengthened by rigorous coding frameworks, effectively reducing subjective interpretation and confirming analytical communicability (Halpin, 2024).

3. Aim and Objectives.

This paper aims to systematically identify, categorise, and analyse the primary lexico-discursive markers utilised to construct authority in contemporary international legal academic writing.

To achieve this aim, the following objectives have been formulated:

1. To compile and analyse a specialised corpus of high-impact international legal academic papers to identify recurrent linguistic patterns associated with authoritative claims.
2. To categorise the identified lexico-discursive markers into a functional taxonomy, distinguishing between epistemic, deontic, and interpersonal resources for projecting authority.
3. To conduct a comparative analysis of the frequency and function of these markers across different sub-domains of international law (e.g., human rights law, international trade law) to ascertain potential disciplinary variations.
4. To synthesise the findings into a coherent theoretical model that explains how these discrete linguistic features work in concert to create a persuasive and authoritative discursive persona for the legal scholar.

4. Methodology.

The methodological basis of the study is the integrative framework of Multi-methodological Qualitative Text and Discourse Analysis (MMQTDA), which synthesizes the tools of critical discourse analysis and corpus linguistics to study complex social phenomena (Alejandro & Zhao, 2023). The applied approach enables multi-level deconstruction of the legal text, encompassing the analysis from macrostructural strategies of legitimation to micro-level lexical markers of power that naturalize social practices (Cheng & Machin, 2022). To ensure the validity and analytical rigor of the coding procedure, we used protocols

of inter-coder consistency and standardized annotation schemes that minimize the subjectivity of interpretations (Halpin, 2024; Sulis et al., 2020).

5. Results and Discussion.

The synthesis of linguistic and legal epistemologies establishes a framework for analysing discursive power in international academic legal writing. Authority is conceived as a dynamic process realized through specific lexico-discursive practices. Legal language functions as a performative phenomenon, where any utterance constitutes an illocutionary act (Weston, 2022, p. 82). Scholarly legal texts not only inform but perform acts of affirmation, refutation, or interpretation, forming the foundation of their authority.

This performative character is embodied through linguistic precedent, functioning as linguistic replication. Authority is constructed through the reproduction of established formulaic expressions linking new text with authoritative sources, creating "casuistic connections between linguistically related cases" (Trklja, 2024, pp. 97, 113). Each repetition reinforces the legitimacy of the linguistic form and strengthens the text's authority.

Epistemic modality operates as a fundamental mechanism for constructing scholarly authority, regulating the certainty of authors' claims. Palmer's framework distinguishes epistemic and deontic categories – particularly relevant to legal discourse (Catoto, 2022, p. 118). Strategic deployment of modal markers enables authors to manage perception of their position, balancing assertiveness with scholarly caution.

High-modality verbs (*must, shall*) express deontic necessity and epistemic certainty, functioning as boosters (Catoto, 2022, pp. 127, 129). In legal translation, shall signals a non-negotiable obligation (Ghafil, 2022, p. 2181). Lower-certainty verbs (*may, should*) serve hedging functions, demonstrating awareness of alternative perspectives. The modal verb may systematically express speculative modality regarding facts or identities (Catoto, 2022, p. 122).

Intertextual authority construction employs citation as a powerful discursive legitimation instrument (Yu & Zheng, 2023, p. 118). Referencing authoritative scholars embeds research within a broader scholarly context, invoking established credibility. This "appeal to authority" generates intellectual solidarity and epistemic continuity (Weißmüller et al., 2025, p. 21).

Precedent-referencing patterns are essential in legal texts, where intertextual judicial decisions are foundational. Systematic references to prior rulings substantiate argumentation and signal professional expertise and legal tradition affiliation. References to canonical texts reinforce authorial legitimacy.

A comprehensive methodological framework is crucial for analysing lexico-discursive markers of authority in international legal academic writing. The highly codified, terminologically dense nature of legal texts requires an integrative approach beyond traditional linguistic methods. The proposed methodology synthesizes critical discourse analysis, qualitative text analysis, and corpus linguistics into a multi-layered model capturing diverse dimensions of authority construction.

The model employs Multi-methodological Qualitative Text and Discourse Analysis (MMQTDA), combining "techniques from different methodological families within a single research design" for studying complex social phenomena (Alejandro & Zhao, 2023, pp. 462, 468). Legal language actively "shapes, legitimizes, and naturalizes social practices" (Cheng & Machin, 2022, p. 244). The multi-layered model deconstructs texts at macro-, meso-, and micro-levels, systematizing analysis from structural patterns to specific lexico-grammatical implementations.

Macro-level analysis examines the text's global architectonics and structural

organization strategies that establish authorial authority. The text functions as a rhetorical construction aimed at persuading the scholarly community. Legal discourse possesses a "self-referential nature", creating "a single, coherent and logical whole" (Cheng & Machin, 2022, p. 245). Key macro-level parameters include text organization and authority scaffolding, argumentative structure mapping, thematic progression analysis, and genre move identification.

Authority scaffolding involves constructing texts where formal elements support the author's expert status through adherence to canonical requirements (IMRaD structure, precise sectioning, citations, footnotes). This creates scientific rigor-methodology sections demonstrate familiarity with analytical approaches, while extensive references establish thorough scholarly engagement.

Argumentative structure mapping identifies logical connections between thesis, supporting arguments, and counter-arguments, reconstructing rhetorical strategy. Analysis focuses on reasoning construction, evidence types (statistics, legal acts, precedents), and research positioning. Discourse is "constitutive for identities, norms, and representations" (Alejandro & Zhao, 2023, pp. 462–463). The argumentative structure constructs authorial identity as an authoritative expert capable of critical thinking and persuasive reasoning.

Thematic progression tracks how key themes develop from the introduction to the conclusion in texts. Analysing this reveals how authors introduce, maintain, and interconnect main concepts into a unified network. Consistent thematic progression establishes topical authority by maintaining central topics, cyclically returning to key concepts, and avoiding unfounded deviations. This creates research integrity and aligns with "a coherent and explicit articulation of concepts" in qualitative analysis (Alejandro & Zhao, 2023, p. 462). Conversely, disrupted progression signals low authority.

Developing identification protocols involves creating coding systems to systematically record these functional blocks' presence, sequence, and linguistic realization. This approach, methodologically similar to Qualitative Content Analysis, provides empirical data on how authors use genre conventions to affirm scholarly community membership (Alejandro & Zhao, 2023, p. 464). Successfully executing expected genre moves signals professionalism and academic socialization, contributing to authoritative image formation.

In the civil law tradition, the role of precedent is historically and conceptually distinct. Judicial decisions are often seen not as a source of law but as an application of it. As Lewis notes, in many civil law systems, "prior judicial decisions are not law" in the same way, and there may even be prohibitions against citing jurisprudence as the primary legal basis for a ruling (Lewis, 2021, p. 877). While this classic view has been evolving, with some civil law high courts developing a form of *de facto* stare decisis, the foundational orientation remains code-centric. Therefore, when academic writing from a civil law perspective engages with case law, the linguistic signals of precedential weight are typically weaker and more nuanced. The reasoning is persuasive, not binding. A judicial decision is presented as an illustration of how a codified principle has been interpreted, rather than as a source of law in its own right. One observes phrases such as "the *Cour de cassation* has offered guidance on this point", "a consistent line of jurisprudence suggests..." and "this ruling provides a useful illustration of Article X's application". The authority remains anchored in the code, with judicial decisions serving a clarifying, rather than a creating, role. This difference in authority sourcing is a primary driver of the discursive variations between the two traditions, influencing everything from sentence-level lexical choices to the overall structure of an academic legal argument.

The selection criteria were operationalized across several key parameters. The first parameter concerns genre classification. The corpus exclusively comprises texts belonging to

the academic article genre in international law, published in leading peer-reviewed journals. This choice is justified by the fact that this particular genre actively constructs scholarly authority through linguistic means. The second parameter establishes chronological boundaries. The study spans the period from 2010 to 2024, allowing for tracking the dynamics of discursive strategy deployment amid contemporary global transformations. The third criterion involves authors' institutional affiliation. Selected works represent authors from leading academic and research centers in Europe and North America, enabling investigation of conventional academic writing norms within dominant scholarly traditions. The fourth parameter is publication language, exclusively English, as the lingua franca of the contemporary international academic community. Applying this multifactorial approach to material selection ensures the formation of a homogeneous and relevant corpus for subsequent analytical processing while minimizing the influence of extraneous variables.

The annotation scheme is structured across multiple semantic levels. At the lexical level, specific terminological units, archaisms, Latinisms, and other forms that create a "mystification" effect of law and emphasize authorial erudition are identified (Cheng & Machin, 2022, p. 245). At the syntactic level, attention is given to complex, extended sentences, passive constructions, and nominalizations that contribute to depersonalizing the exposition and lending it an objective, categorical character. At the pragmatic level, modal verbs, parenthetical constructions, and rhetorical figures are analysed, expressing the author's degree of certainty, their positioning relative to alternative viewpoints, and appeals to universally recognized norms. Each element of the scheme (label) is accompanied by a clear definition describing its semantic and functional characteristics, along with examples from authentic texts. This level of detail is essential for ensuring high inter-coder agreement in subsequent research phases (Sulis et al., 2020, p. 3). Thus, the annotation scheme serves as a formalized instrument that transforms theoretical constructs into measurable analytical units.

The coding manual is structured as a set of rules and protocols. First, it contains a complete inventory of all codes (labels) with their expanded definitions. Each definition is supplemented with sets of positive and negative examples: the former ones illustrate canonical code application, while the latter demonstrate borderline or ambiguous cases that should not be coded under that label. Second, the manual clearly defines the unit of coding (which may be a word, phrase, sentence, or paragraph depending on code specifics). Third, the document prescribes an algorithm for handling disputed situations, involving discussion of discrepancies between coders and consensus decision-making under the lead researcher's guidance. This approach enables not only the resolution of immediate issues but also iterative refinement of the manual itself through necessary clarifications. Ultimately, having such an instrument as the coding manual transforms the process of manual text annotation into a standardized scientific procedure whose results can be verified by other researchers.

Prior to commencing the main coding phase for the entire corpus, a pilot study was conducted with the primary objective of validating the developed instruments – the annotation scheme and coding manual. The pilot phase is critically important for identifying potential methodological weaknesses, refining code definitions, and assessing inter-coder agreement levels (Sulis et al., 2020, pp. 6–7). For the pilot study, a small but representative subsample was randomly selected from the main corpus, comprising 5% of the total text volume.

The pilot study procedure involved several steps. In the first phase, two independent coders, previously familiarized with the coding manual, annotated the subsample. They worked independently to avoid mutual influence. In the second phase, quantitative assessment of inter-coder reliability was conducted using Cohen's Kappa coefficient, which

accounts for chance agreement probability. According to established scientific standards, a Kappa value ≥ 0.80 was considered satisfactory (Sulis et al., 2020, p. 7). In the third phase, all coding discrepancies were analysed. This enabled the identification of ambiguously formulated rules in the manual and insufficiently clear code definitions. Based on this analysis, necessary corrections were made to the coding manual and annotation scheme. This iterative process continued until consistently high inter-coder agreement was achieved. Successful completion of the pilot study ensured the reliability and validity of the methodological instruments before their application to the entire empirical dataset.

These foundational differences in reasoning and authority give rise to distinct discursive orientations: the common law's pragmatic, fact-driven approach versus the civil law's doctrinal, systematic perspective. Common law adjudication, and by extension its academic analysis, is preoccupied with resolving the specific dispute at hand. The law is a tool for achieving a just and predictable outcome between parties, and its development is incremental and organic, evolving from case to case. The writing reflects this pragmatic bent; it is often rich with factual detail and focused on the practical implications of a particular ruling. The very act of distinguishing a case, as described by Professor Swenson, is a pragmatic exercise in factual analysis to determine if a binding precedent applies (Swenson, 2023, pp. 9–10). It is an inherently bottom-up, problem-solving discourse. The civil law tradition, in contrast, tends toward a more doctrinal orientation. The primary intellectual task is not simply to solve a dispute but to do so in a way that preserves the coherence, elegance, and systematic integrity of the legal code.

The academic discourse is often more abstract, concerned with theoretical consistency and the correct categorization of legal concepts within the established doctrinal framework. This reflects one of the core elements of Zweigert's "style doctrine": that a "specific mode of legal thought" is a defining characteristic of a legal family (Cserne, 2019, p. 1). The Germanic legal family, for example, is often characterized by its high degree of abstraction and systematic organization, a feature that profoundly shapes its academic discourse. The purpose of a scholarly work in this tradition is often to elucidate or refine a doctrinal concept, demonstrating its logical relationship to other parts of the legal system, rather than to argue for a particular outcome in a specific type of case. This doctrinal versus pragmatic orientation is perhaps the most holistic manifestation of the deep-seated stylistic differences between the two legal worlds, influencing the tone, purpose, and texture of their academic writing. The framework proposed by Zweigert and Kötz, despite its criticized vagueness, offers a valuable macro-level lens through which to view these differences, not as isolated phenomena, but as interconnected elements of a coherent legal "style". Their classification of legal systems into families-such as Romanistic, Germanic, Anglo-Saxon, and Nordic-provides a comparative framework that helps explain why the lexico-discursive markers of authority are not universally understood but are instead products of distinct and deeply rooted jurisprudential cultures. Navigating the world of international legal scholarship thus requires more than multilingualism; it demands a form of jurisprudential multilingualism, an ability to recognize and interpret these varied discursive signals of authority within their native intellectual contexts.

Establishing a representative corpus of texts as the empirical foundation for research requires the development and implementation of clearly defined selection criteria that ensure the validity and reliability of subsequent analysis. Drawing from the theoretical framework of Critical Discourse Analysis (CDA), which views legal texts not as neutral instruments but as linguistic practices that shape, legitimize, and naturalize social relations and power hierarchies, the material selection process prioritizes identifying those documents where lexico-discursive markers of authority manifest most prominently (Cheng & Machin, 2022,

pp. 244, 249). This process is grounded in a corpus-driven approach that enables systematic processing of substantial textual datasets and reveals latent semantic structures (Aranda et al., 2021, pp. 198, 200; Sulis et al., 2021, p. 198).

Developing the annotation scheme constitutes a central stage of the analytical procedure, ensuring systematic and reproducible identification of lexico-discursive markers of authority in texts. This procedure, as noted by Sulis et al., involves creating a standardized set of tags and detailed guidelines for their application. The scheme was developed based on theoretical analysis of scholarly works in CDA and legal linguistics, enabling the isolation of key categories of linguistic resources that potentially function to construct authority (Cheng & Machin, 2022, pp. 244–245).

To ensure maximum objectivity and reproducibility in the coding process, while minimizing subjective interpretations by researchers, a comprehensive coding manual was created. This document serves as the normative foundation for all coders and is crucial for achieving high inter-coder reliability, which represents the standard in corpus and content-analytic research (Sulis et al., 2020, p. 3; Aranda et al., 2021, pp. 198, 202). The manual provides a practical implementation of the developed annotation scheme and contains exhaustive instructions for its application.

Effective implementation of the analysis is achieved through a sequential progression of five interconnected stages, each serving a specific function in verifying scientific conclusions.

The initial stage involves a preliminary review of the entire corpus of texts under study, along with a holistic evaluation. The goal here is not to dissect individual elements in detail but to form an overall impression of the dominant rhetorical strategies, general tone, and structural features of legal discourse. This stage enables the formulation of preliminary hypotheses about typical methods of constructing authority, aligning with the principles of the preparatory phase in thematic analysis, where initial immersion in the data is crucial for subsequent coding (Naeem et al., 2023, p. 5). The next stage entails the systematic identification of specific linguistic features as potential markers of authoritativeness. Based on a developed analytical framework, the researcher conducts a targeted search and documentation of lexical units (such as modal verbs and parenthetical constructions), syntactic structures (like passive voice and impersonal sentences), and discursive techniques (including citation strategies and appeals to precedents) that functionally enhance the weight of the author's statements. The stage of quantitative pattern extraction follows this. All markers identified in the previous stage undergo statistical analysis to reveal their frequency of use, distribution patterns, and correlational relationships. Employing methods from corpus linguistics and content analysis provides objective data on which lexico-discursive tools are most prevalent and likely conventional in this type of discourse.

The fourth stage focuses on the qualitative interpretation of the obtained quantitative data within established protocols. Statistical indicators alone do not reveal the functional load of these markers. Therefore, the key task is a semantic and pragmatic analysis of their role in specific contexts, which helps understand how particular linguistic devices construct effects of persuasiveness and expertise. This approach facilitates a shift from mere documentation of linguistic phenomena to a deeper comprehension of their mechanisms of influence, as highlighted in studies on the importance of contextual analysis in evaluative systems (Mitra & Wadegaonkar, 2024, p. 58). The final stage involves applying triangulation strategies to verify the results. This entails cross-referencing data from the quantitative and qualitative stages for mutual confirmation and enrichment. Such an approach, integrating diverse analytical perspectives, significantly enhances the reliability and validity of the study's conclusions.

Ensuring validity and reliability in academic legal writing is a fundamental requirement that extends beyond mere statistical metrics, manifesting in specific lexico-discursive practices aimed at legitimizing the author's position and achieving intersubjective consensus within the professional community. These constructs are embodied not so much through explicit authorial declarations as through the meticulous construction of the text, where each element serves to affirm the soundness and credibility of the presented theses. The process of validating argumentation in international legal discourse is multifaceted, encompassing both the macrostructural organization of the text and the micro-level selection of lexical units.

A key mechanism for validating scholarly legal texts is their clear rhetorical structuring, which enables the delineation of semantic blocks and demonstrates the logical progression of the exposition. Research on the semantic segmentation of legal documents, conducted by V. Malik and others, identifies a set of rhetorical roles (such as "Fact" (FAC), "Argument" (ARG), "Statute" (STA), and "Precedent" (PRE)) that serve as structural pillars for the entire text (Malik et al., 2022, p. 3). The validity of the author's conclusions directly depends on the accurate demarcation of these roles: the factual base must be clearly separated from the parties' argumentation, while references to precedents and normative acts should provide a reliable foundation for the hypotheses advanced. Thus, the very architecture of the text, where each segment fulfils a defined rhetorical function, becomes a powerful marker of the study's internal validity, signalling to the reader the author's methodological rigor.

At the micro level, the reliability of argumentation is ensured through the systematic use of stable lexical bundles that function as discourse-organizing markers. A. Alasmary, in his corpus analysis of academic legal texts, highlights constructions such as "based on", "in the case of", and "in accordance with", which serve as linguistic signals for introducing evidentiary bases (Alasmary, 2025, p. 7). The use of such phrases is not arbitrary; it indicates that the subsequent statement is grounded in an authoritative source-be it a court decision or a legal provision-thereby enhancing trust in the author's position. These lexical units create an effect of objectivity, distancing the author from their assertions and presenting them as a logical outcome of analysing existing legal norms. It is the consistent and appropriate deployment of such constructions that shapes the text's reliability, demonstrating the author's deep integration into the professional legal discourse.

At the same time, normative criteria for validity and reliability are not absolute. However, they are determined by the conventions of the relevant discursive community, which establishes standards for the acceptability of arguments. S. Luhach's work on developing academic writing skills among law students shows that mastering so-called "higher-order concerns" (HOCs), such as thesis formulation, structuring, and content development, is central to entering the professional community (Luhach, 2020, p. 152). The validity of an argument is thus evaluated based on its alignment with these unwritten yet universally recognized rules. Feedback mechanisms, particularly peer review, serve as tools for control and maintenance of reliability within the community, as they ensure that new texts conform to established standards. Consequently, validity is not merely an intrinsic characteristic of the text but also the result of its successful passage through the filters of the academic community.

Ensuring analytical rigor is a fundamental prerequisite for establishing an authoritative academic discourse in the field of international law, extending beyond purely doctrinal analysis, and necessitating the application of a systematic methodological toolkit. Analytical rigor is not manifested through dogmatic adherence to a single theoretical paradigm, but through the transparent, consistent, and well-justified use of the chosen research apparatus to address a specific scholarly question. Every study, regardless of whether it falls into the

descriptive, normative, or critical category, must be grounded in a clearly articulated methodology that defines the approach to collecting, analysing, and categorizing information (Lieblich, 2020, p. 50).

For descriptive socio-legal studies, rigor is achieved through the application of empirical quantitative and qualitative methods, such as creating datasets for statistical analysis or conducting structured interviews (Lieblich, 2020, p. 50). However, the actual shift toward enhancing analytical rigor in international legal studies is associated with the proliferation of a social-scientific approach. This approach involves clearly formulating the research question, developing testable hypotheses, utilizing qualitative or quantitative data to verify them, and presenting conclusions while acknowledging potential assumptions and degrees of uncertainty. Such an empirical turn has replaced broad debates about the effectiveness of law with the examination of conditional effects that is, determining where and under what circumstances law proves effective (Abebe et al., 2021, pp. 5, 15).

At the same time, for normative and critical studies, analytical rigor lies in the consistent application of a conceptual framework or theory to specific problems (Lieblich, 2020, p. 50). This entails shifting to an "external" perspective on law, which views it not as an autonomous system of norms, but as an object whose origins and real-world consequences are subject to empirical evaluation. Within this approach, the effectiveness of international law is not taken as an a priori truth but treated as an empirical issue requiring evidentiary support (Abebe et al., 2021, pp. 5, 17–19). Thus, the lexico-discursive markers of authority in the text directly correlate with the demonstrated level of methodological discipline, as it is analytical rigor that transforms the author's conclusions from subjective judgments into well-substantiated scholarly assertions.

The meticulous process of establishing Inter-coder Agreement (ICA) stands as a cornerstone in qualitative research, particularly within fields like international legal studies, where the authority of a claim rests heavily on methodological transparency. While seemingly a purely technical exercise, the procedures for ensuring that different coders interpret data consistently are, in fact, deeply rhetorical. They function as powerful lexico-discursive markers of scholarly authority. Achieving and reporting a high level of agreement is a deliberate act of demonstrating rigor, objectivity, and the communicability of an analytical framework (O'Connor & Joffe, 2020, p. 3). It signals to the academic community that the findings are not the product of a single researcher's idiosyncratic perspective but are instead grounded in a systematic and replicable process. This is not merely about numbers; it is about building a foundation of trustworthiness upon which the entire analytical superstructure rests.

The fundamental rationale for incorporating ICA into a research design is its capacity to substantiate the rigor of the coding process itself. In qualitative analysis, the coding frame serves as the primary instrument for reducing and organizing complex textual data into a more conceptual structure (O'Connor & Joffe, 2020, p. 2). Consequently, its reliability is paramount. A robust ICA process provides tangible evidence that the coding frame is sufficiently well-defined and unambiguous to be applied consistently by different individuals. As Halpin notes, this pursuit of consistency is especially crucial in research that can critically affect individuals, a common scenario in legal and clinical contexts (Halpin, 2024, p. 23). Nevertheless, beyond its external function as a badge of trustworthiness, the process of ICA yields significant internal benefits. It forces research teams into a structured dialogue, bringing conflicting interpretations to the surface. Echoing Barbour (2001), O'Connor and Joffe argue that the content of these inter-coder disagreements can be as valuable, if not more so, than the final numerical agreement score itself (O'Connor & Joffe, 2020, p. 4). These discussions invariably lead to the refinement of code definitions, the

clarification of conceptual boundaries, and a deeper, more reflexive engagement with the data. So, the process is iterative, pushing the analysis toward greater precision and conceptual clarity with each cycle. It transforms coding from a solitary act into a collaborative construction of meaning, strengthening the final interpretation. This systematic approach is fundamental when research involves deductive analysis based on pre-existing literature, a standard method in legal scholarship, as it ensures that established theories are applied with methodical consistency (Halpin, 2024, p. 25).

The incorporation of numerical reliability measures into qualitative research is not without its critics. A central objection is rooted in epistemology. Many qualitative scholars, operating from an interpretivist or social constructionist standpoint, argue that ICA represents an unwarranted importation of positivist standards into a paradigm that rejects the notion of a single, objective reality (O'Connor & Joffe, 2020, p. 4). From this perspective, the goal is not to produce a single, verifiable interpretation but to explore the multiplicity of meanings. The concern is that an overemphasis on reliability could stifle the very interpretative flexibility that is the hallmark of qualitative inquiry. Halpin touches upon this, acknowledging that some researchers view the use of statistical methods as creating a mere "illusion of rigor", potentially masking more profound analytical weaknesses or leading to a preference for more superficial, easily quantifiable codes over nuanced, latent themes (Halpin, 2024, p. 24).

However, this critique, while important, often misconstrues the purpose of ICA in a well-designed qualitative study. The aim is not to eliminate interpretation or to claim that a single "true" coding exists. Instead, it is to ensure that a group of researchers, working within a shared conceptual framework, can apply that framework consistently and understandably. It is a test of communicability, not objective truth. As O'Connor and Joffe compellingly argue, if research findings were entirely idiosyncratic to individual analysts, there would be little point in academic discourse at all (O'Connor & Joffe, 2020, p. 5). Therefore, ICA serves as a mechanism to establish, rather than merely assume, that colleagues are using conceptual tools in similar ways. Moreover, when the research has real-world implications-informing policy, shaping legal precedent, or influencing clinical practice-this effort to increase confidence in the evidence base becomes a rather significant ethical responsibility.

Navigating the practical implementation of an ICA process requires careful, proactive planning, beginning long before any data is coded. The initial and perhaps most critical decision involves selecting the appropriate statistical test for measuring agreement. This choice is far from neutral, as each test carries subtle methodological assumptions. The simplest measure, Percent Agreement, is often calculated as the number of agreements divided by the total number of items coded. However, as Halpin points out, this method is widely criticized because it fails to account for agreement that could occur simply by chance, potentially inflating the reliability score. It is perhaps only suitable when the codebook is exceptionally straightforward and coders are highly experienced (Halpin, 2024, pp. 26–27).

To address this limitation, researchers often turn to chance-corrected measures. Cohen's Kappa is one of the most commonly reported tests, calculating agreement between two coders while factoring out chance. However, Kappa itself is not without problems. It can produce paradoxically low values even with high percent agreement, especially when the prevalence of a particular code is very high or very low a phenomenon known as the "kappa paradox". For studies involving more than two coders or more complex datasets, Krippendorff's Alpha offers a more flexible and robust alternative. It can handle any number of coders, different types of data (nominal, ordinal, interval), and is less susceptible to the prevalence issues that can plague Cohen's Kappa, making it particularly useful for assessing coding in large and complex datasets. Another increasingly popular

measure is Gwet's AC1, which was developed to be more stable than Kappa in situations of unbalanced marginal totals and low code prevalence, offering a more reliable coefficient under such conditions (Halpin, 2024, p. 28). For instance, the Python library simpledorff, developed by P. T. de Boer, provides a straightforward implementation for calculating Krippendorff's Alpha, allowing researchers to process data exported from qualitative software easily. Similarly, packages like statsmodels in Python can be used to compute Cohen's Kappa. The selection among these tools should not be arbitrary; it must be aligned with the specific characteristics of the data and the research question, a decision that should be justified transparently in the final report.

Once a test is selected, researchers must establish an "a priori" threshold of acceptability. There is no universal standard, but many guidelines suggest a minimum threshold between 0.80 and 0.90 for ICA scores. Some frameworks, like that proposed by Landis and Koch (1977), offer a gradient where scores between 0.61-0.80 are considered "substantial" and those above 0.81 are "almost perfect". The appropriate threshold, however, depends on the stakes of the research. Studies aiming to influence high-stakes decisions, such as those in clinical trials or legal policy, would naturally demand a higher threshold to ensure confidence. The entire process is best conceptualized as an iterative loop, as illustrated by the flowchart in Halpin's work. (Halpin, 2024, p. 29; Landis & Koch, 1977).

It begins with two or more coders independently applying the draft codebook to a representative subset of the data. A Qualitative Data Manager, who ideally is not one of the primary coders, then merges the coded files and calculates the initial ICA score. If the score fails to meet the pre-defined threshold, the most important phase begins, that is reconciliation. This involves a systematic review of every disagreement to understand its source. Was it a poorly defined code? An ambiguous piece of text? A simple coding error? These discussions are logged, and the resulting decisions are used to revise the codebook. A critical component of this stage is maintaining a detailed audit trail, documenting every change made to the codebook, the date of the change, and the rationale behind it (Halpin, 2024, pp. 29, 33–35). This trail is not just for internal record-keeping; it is a key document that ensures the transparency and defensibility of the analytical process. After revising the codebook, the coders recode the data (or a new subset), and the ICA is recalculated. This cycle repeats until the desired level of agreement is achieved, ensuring the final codebook is both robust and reliably applicable. This process highlights that achieving a high ICA is not the goal in itself; rather, the goal is to develop a high-quality, trustworthy codebook through the process.

The final phase in establishing authority through ICA is its transparent reporting. A meticulously executed process loses its rhetorical power if it is not communicated effectively. Reporting should move beyond merely stating a final reliability coefficient. It must provide a clear and chronological account of the entire procedure (Halpin, 2024, p. 36). This narrative should specify the number of coders involved and their level of expertise, the specific ICA test used, the justification for its selection, and the established threshold of acceptability.

Furthermore, it should describe the process for resolving disagreements, how the codebook was refined based on these discussions, and how the audit trail was maintained. By presenting a comprehensive and well-structured overview, researchers guide readers systematically through the steps taken to ensure the analysis's trustworthiness. This clarity not only makes the scholarly discourse more accessible but also demonstrates a commitment to methodological integrity. In a world of increasing scholarly output, such a detailed accounting of the process acts as a crucial heuristic for readers, allowing them to evaluate the quality and credibility of the research more effectively. In the end, the practice of inter-coder

agreement, when thoughtfully applied and transparently reported, transcends its statistical origins. It becomes a vital component of the researcher's toolkit for constructing a methodologically sound and authoritative argument, one whose foundations have been tested, refined, and solidified through a process of collaborative and systematic inquiry.

Therefore, power in academic legal writing emerges as a product of discursive construction. It arises at the intersection of the performative force of speech acts and the stabilizing function of linguistic precedent. Command of this specialized register, or "legalese", characterized by unique terminology, syntactic structures, and stylistic conventions, becomes an instrument for realizing performative function and establishing authority (Hamed & Alqurashi, 2025, p. 2). The author's mastery lies in the ability not merely to transmit legal knowledge, but to perform authoritative speech acts through the deployment of linguistic forms sanctioned by precedent. Thus, the convergence of legal reasoning and linguistic authority manifests in a process where power is not granted a priori by institution but is dynamically constructed and maintained through the performative use of precedential linguistic forms that establish text within legitimate legal discourse.

6. Conclusions.

This concludes that authority in international legal academic writing is a dynamic discursive construct, built through scholars' strategic use of lexico-discursive markers at macro and micro levels to establish credibility, legitimize arguments, and align with scholarly traditions, ultimately shaping the regulatory framework of international law as a professional project where power arises from performative speech acts and linguistic precedent. Core findings highlight a multi-layered system: grammatically, high-modality deontic verbs like "shall" dominate in legal texts (over 81% prevalence) to enforce obligations, while epistemic modalities balance assertiveness with caution, serving as rhetorical tools for intellectual authority. Intertextuality via citations acts as an appeal to established frameworks, embedding new work in legal traditions and reflecting inductive, precedent-based common law versus deductive, code-centric civil law reasoning, requiring authors to navigate these differences with jurisprudential multilingualism.

Legal education must incorporate explicit training in discourse markers, using genre analysis exercises to develop students' discursive competence and ensure their equitable participation in global scholarship. Future research should expand diachronic corpora, integrate NLP tools like spaCy for parsing and Gensim for topic modelling, and conduct comparative studies across sub-traditions or non-Western contexts to explore cultural contingencies. Ultimately, the authoritative voice is forged through mastery of specialized registers, precedent alignment, and discursive conventions, providing a theoretical model and empirical basis for analysing and training in this process.

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Бібліографічний опис:

Павлов, В. О. (2025). Лексико-дискурсивні маркери авторитету в міжнародно-правовому академічному письмі. *Науковий часопис Українського державного університету імені Михайла Драгоманова. Серія 9. Сучасні тенденції розвитку мов*, 30, 63–76. https://doi.org/10.31392/UDUnc.series9.2025.30.06

Анотація

Дослідження розглядає лексико-дискурсивні маркери як фундаментальні механізми конструювання авторитету в академічному письмі з міжнародного права. Виходячи за межі чисто структурного аналізу, автор вивчає прагматичні конективи, модальність та специфічні синтаксичні утворення як інструментальні елементи, що встановлюють соціопрагматичну силу юридичних текстів. Аргументується, що такі дискурсивні стратегії не є просто стилістичними, а є конститутивними елементами, які активно формують і підтверджують регуляторну рамку, притаманну міжнародному праву, тим самим посилюючи його професійний проєкт як дискурсивну конструкцію.

Використовуючи корпус рецензованих статей із провідних журналів, таких як "American Journal of International Law" та "European Journal of International Law", аналіз застосовує змішаний метод, поєднуючи кількісний підрахунок частоти маркерів (наприклад, хеджів на кшталт «може» чи бустерів на кшталт «очевидно») з якісним дискурс-аналізом для виявлення патернів побудови авторитету. Ключові висновки показують, як модальність – через епістемічні та деонтичні форми – модулює впевненість і зобов'язання, тоді як конективи, такі як «тому» та «однак», керують потоком аргументації, посилюючи переконливість. Синтаксичні структури, включаючи пасивний стан і номіналізації, далі деперсоналізують твердження, проєктуючи об'єктивність та інституційну вагу.

Це дослідження робить внесок у соціолінгвістику та юридичну прагматику, підкреслюючи, як мова не лише відображає, а й конструює динаміку влади в міжнародному праві. Наслідки поширюються на юридичну освіту, спонукаючи практиків критично взаємодіяти з дискурсивними інструментами для етичної адвокації. Зрештою, вивчення підкреслює перформативну природу юридичного дискурсу, де авторитет узгоджується через тонкі лінгвістичні засоби, сприяючи більш рефлексивному розумінню міжнародної юридичної науки.

Ключові слова: *лексико-дискурсивні маркери, правниче академічне письмо, академічна англійська мова, авторитет, дискурсивне конструювання, міжнародне право, соціопрагматика.*