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An Appraisal Analysis of the Language of Marital Conflict Resolution

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Abstract

Language plays a central role in judicial conflict resolution, particularly in divorce proceedings where courts must communicate authoritative decisions while addressing sensitive interpersonal disputes. Although courtroom discourse has attracted considerable linguistic attention, the evaluative language of divorce verdicts, especially in Ghana, remains underexplored. This study, therefore, examines how Ghanaian judges deploy evaluative linguistic resources to construct authority, negotiate moral positions, and manage marital conflict. Adopting a qualitative approach, the study analyses 30 written divorce verdicts delivered by Ghanaian district courts in 2023 and 2024 and retrieved from the Ghana Legal Information Institute. Using Martin and White's appraisal theory, the verdicts were manually coded and interpreted according to the attitude, engagement, and graduation systems. The findings reveal that attitude resources, particularly affective and judgmental expressions, communicate empathy and approve or condemn litigants' conduct. Within engagement, monoglossic assertions and boosters establish judicial certainty, while rhetorical questions contract dialogic space and hedging (or attribution) acknowledges alternative perspectives and mitigates confrontation. Graduation resources, including intensifiers, hedges, and adjectives, strengthen or soften evaluative meanings, while role-based forms of reference contribute to depersonalisation and procedural neutrality. The study demonstrates how evaluative language enables judges to balance institutional authority, moral evaluation, and interpersonal sensitivity in divorce adjudication, extending appraisal-based research on Ghanaian legal discourse.

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Introduction

Language shapes every aspect of society. Sapir Whorf's 'linguistic determinism' and 'linguistic relativity' hypotheses have shown the influence of language on human cognition. This demonstrates the impact of language in making sense of issues, experiences and interactions, including conflict. Anyabuike (2019) states that language plays a significant role in conflict management. This view is echoed by Taylor (2014) who submits that the positive use of language can lessen the incidence of conflict and promote effective conflict resolution. Indeed, various studies have found that in conflict resolution, language is instrumental in framing issues, assigning blame and ultimately achieving a resolution (Adejimola, 2009; Ani, 2015, Taylor, 2014). Straus (2005) posits that conflicts are an inevitable part of married life. These conflicts, when unresolved, may lead to a decision by any of the parties to seek a divorce. Johnston (1994) explains that the tactics dimension, one of the three dimensions of conflict in divorce, may include the use of attorney negotiation and arbitration by a judge to achieve a peaceful resolution. It therefore becomes the duty of the court, represented by judges and attorneys, to attempt a peaceful resolution of the conjugal conflict. Divorce proceedings are inherently conflictual and Morrill and Facciola (1992) reckon the crucial role of language in how judges frame and communicate their decisions on divorce cases as the language employed by judges significantly impacts the resolution of these disputes.

In legal settings, language serves not only as a medium of communication but also as an instrument through which judicial authority is exercised and disputes are resolved. Its instrumental function is evident in how judges evaluate evidence, interpret competing claims, justify decisions, and communicate legally binding outcomes (Stygall, 1994; Coulthard & Johnson, 2010). Beyond its procedural function, courtroom language also performs interpersonal functions, including the negotiation of power, the expression of evaluation, and the management of conflicting perspectives (Gyuró, 2013; Mooney, 2014). These functions are particularly significant in divorce adjudication, where judges must reconcile competing accounts and communicate decisions concerning emotionally sensitive marital disputes. Consequently, examining the evaluative language of divorce verdicts brings to the fore how judicial authority, moral judgement, and interpersonal sensitivity are negotiated in the resolution of marital conflicts.

Several researchers, such as Aldosari and Khafaga (2020), Grieshofer (2024), Gyuró (2013), Olsson (2004) and Wang (2012), have examined courtroom discourse and have found that language in the courtroom is not merely linguistic but restores broken social order. This finding complements Stygall's (1994) view of legal language having an instrumental function of achieving a social goal. Despite existing research on courtroom discourse, there is little work on divorce verdicts. Possible exceptions include Wharton (2007) who analyzes some of the texts used in the legal procedures of divorce in England and Wales, Wang (2013) who conducts a critical discourse analysis of court-ordered divorce mediation in China, and Dare et al. (2024) who examine selected marriage dissolution proceedings in the Federal High Court of Nigeria. Although these studies examine divorce-related legal discourse, limited attention appears to have been given to the evaluative language of divorce verdicts, particularly within the Ghanaian context. The current study also departs from previous research by applying Martin and White's (2005) appraisal theory to Ghanaian divorce verdicts. The framework examines evaluative meanings through three systems: attitude, engagement, and graduation. These systems provide a basis for analysing how judges evaluate litigants' conduct, negotiate alternative perspectives, and intensify or mitigate their pronouncements in resolving marital conflicts.

Considering the key role of language in (divorce) conflict resolution and the research gap identified above, this paper examines the language of marital conflict resolution using divorce verdicts of Ghanaian judges as data and Martin and White's appraisal theory as an analytic framework. The study offers understandings into how Ghanaian judges balance judicial authority, moral evaluation, and interpersonal sensitivity through

evaluative language in divorce verdicts. The following research questions are raised:

1. How are attitudinal meanings linguistically realised in Ghanaian judges' divorce verdicts?
2. How do judges deploy engagement resources to manage conflict resolution in divorce verdicts?
3. How are graduation resources used to intensify or mitigate evaluative meanings in judicial decision-making?

Research on legal discourse has identified various linguistic resources through which courtroom participants negotiate power, construct interpersonal relationships, and pursue institutional objectives. These include implicatures, presuppositions, speech acts, turn-taking sequences, and coercive questions (Gyuró, 2013; Ahialey, 2011), as well as hedges, boosters, elicitation strategies, and mood choices (Zhen, 2007; Aldosari & Khafaga, 2020; Ahialey, 2011). Such linguistic resources reflect the object and instrumental functions of legal language (Stygall, 1994), particularly how linguistic choices contribute to the exercise of judicial authority and the resolution of disputes. Previous studies have consequently examined how these resources operate in courtroom interactions and other conflict-resolution contexts.

Anyabuike's (2019) paper illustrates that language is a conflict indicator, and it exposes conflicts through how people express their feelings and perceptions about the conflict situation. Commenting on the role of language in conflict management and resolution, Chomba, Kiarie and Njani (2023) assert that language is important in marital relationships and they argue that it is a tool for marital satisfaction. In respect of conflict resolution, Anyabuike (2019) finds that conflicts among Nigerian couples were resolved using cooperative language. Liao's (2019) study reveals that even though conflict and confrontation dominate courtroom discourse, politeness is pertinent. He reports in his article that neutral politeness dominates courtroom discourse, rendering the communication cooperative.

Aldosari and Khafaga (2020) in their computer-aided text analysis of courtroom discourse also report that questioning, repetition, emotive language and justification dominated courtroom discourse. There is a consensus in the linguistic literature that the nature of courtroom discourse requires the use of questioning to elicit relevant information (Ahialey, 2011; Aldosari & Khafaga, 2020; Edu-Buandoh & Ahialey, 2012; Fărcaşiu, 2012). Aldosari and Khafaga (2020) see questioning in the courtroom as having a persuasive effect that helps judges to deliver their final verdicts.

As Khafaga (2017) notes, emotive language is also used persuasively in the courtroom to stimulate sympathy. This serves to motivate the emotions of recipients towards accepting verdicts. Relatedly, Liang (2020) maintains that persuasiveness and objectivity in the courtroom are achieved through dialogic expansion resources. He adds that legal discourse, specifically closing arguments, require attorneys to strengthen their views and reduce the rebuttal space of other parties. For judges, issuing verdicts ought to be persuasive. Hence, they are likely to employ more dialogic contraction resources (Liang, 2020). On the issue of objectivity, Chefor, Zhiying and Kyaw (2021) posit that judges use neutral lexemes to avoid explicit evaluative expressions in their communication.

These studies demonstrate that courtroom discourse draws on evaluative, persuasive, and interpersonal linguistic resources to negotiate authority, manage competing perspectives, and facilitate conflict resolution. However, much of this scholarship has concentrated on courtroom interactions and related legal proceedings, with comparatively limited attention to the evaluative meanings constructed in written divorce verdicts. This distinction provides a basis for examining how Ghanaian judges deploy linguistic resources to articulate judicial positions and manage the interpersonal dimensions of marital conflict resolution.

Martin and White's (2005) appraisal theory, developed within the tradition of systemic functional linguistics, provides a framework for examining how speakers and writers construct evaluative meanings and negotiate interpersonal relationships through

language. The framework accounts for the expression of positive and negative evaluations, the positioning of speakers in relation to alternative viewpoints, and the strengthening or weakening of evaluative meanings. These are considered meaning-making resources that reveal speakers' personal and evaluative involvement in the text. Martin and White also hold the view that meaning-making is divided into three broad modes, consistent with Halliday (1994) 'metafunctions': ideational, interpersonal and textual metafunctions. The process of appraisal involves negotiating meanings between actual or potential interlocutors so that each statement engages in processes of alignment or misalignment with others (Martin & White, 2005). This helps to comprehend the kinds and degrees of ideological cooperation that speakers keep with their interlocutors. Thus, a significant point highlighted by Martin (2000) is that appraisal enables researchers to analyse "how speakers can exploit different ranges of appraisal to construct particular personae for themselves" (p, 143). In addition, Martin (2000) asserts that the expression of attitude is not only a personal matter, but is also an interpersonal issue since the main purpose of presenting an opinion is to elicit a response of solidarity from the recipient (Oteiza, 2017).
There are three classifications of evaluative meaning within the appraisal framework, namely engagement, attitude and graduation (Fig. 1).

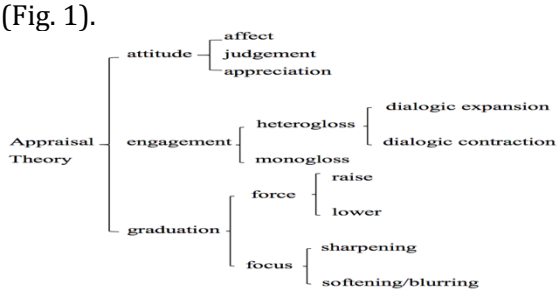


Figure 1: Appraisal Theory (Martin & White, 2005, p. 38)

The attitude system analyzes emotional, ethical and aesthetic evaluations (Martin & White, 2005), and has three sub-classifications of feelings: affect (expression of emotions), judgement (assessing the behaviour of language users against social norms) and appreciation (evaluating phenomena/text functionally). The engagement system studies speakers' sources of attitude and their engagement with alternative viewpoints. This includes monogloss (presentation of propositions as absolute) and heterogloss (acknowledgement of multiple voices). Heterogloss is further divided into expansion and contraction of dialogue. Dialogic expansion is characterised as attribute and entertain while dialogic contraction is classified as disclaim and proclaim (Martin & White, 2005). Monogloss includes presumptions and assertions of speakers. The graduation system is concerned with the degree of intensity of speakers' attitudes. This includes force (gradable attitudes) and focus (sharpening or softening categorical boundaries of ungradable attitudes) (White, 2015). In the present study, these three appraisal systems provide the analytical categories for examining how Ghanaian judges construct evaluative meanings in divorce verdicts. Specifically, the framework enables the identification of linguistic resources through which judges evaluate litigants' conduct, manage alternative perspectives, and intensify or mitigate their pronouncements. This provides a theoretical basis for interpreting the interpersonal functions of evaluative language in marital conflict resolution.

Methodology

This study is qualitative. A qualitative approach was appropriate because it allows for an in-depth, contextual interpretation of linguistic meanings and functions. The data include thirty written divorce verdicts delivered by Ghanaian district courts in 2023 and 2024; and retrieved from the Ghana Legal Information Institute (GhLII) (https://ghalii.org/judgments/GHADC/).

Purposive sampling was used to identify verdicts meeting the study's temporal and inclusion criteria. From this pool, 30 verdicts were selected based on their suitability for analysing evaluative linguistic resources, with equal representation of male and female judges (15 each). Gender balance was intended to ensure diversity in judicial representation rather than to control for stylistic variation, as gender-based comparisons were beyond the

scope of the study. Table 1 (see Appendix) shows the corpus size of the dataset.

The dataset comprised written divorce verdicts delivered by Ghanaian district courts and publicly available on the Ghana Legal Information Institute (GhLII) platform. Verdicts delivered between 2023 and 2024 were included to ensure currency and contemporaneity of judicial practice. Only complete, fully reasoned judgments written in English and available in downloadable PDF were selected to permit accurate linguistic analysis and reliable coding. To ensure analytical balance, verdicts issued by an equal number of male and female judges were included. Judgments from higher courts, non-divorce family law cases, rulings with incomplete textual records, duplicate entries, and documents with significant formatting or transcription distortions were excluded. Oral rulings, summaries, and non-judicial commentary were also excluded to maintain genre consistency and analytical rigor.

The verdicts were downloaded as PDF and converted into Word document for analysis. The analysis began with a close reading of the verdicts to identify recurring linguistic patterns. A coding framework was then developed to operationalize appraisal categories (attitude, engagement and graduation). This included the identification of the various classifications of the appraisal system and their subcategories (as shown in Figure. 1), linguistic forms in the verdicts and linguistic examples. Manual colour coding was used to tag instances of evaluative language/appraisal categories. The identification of the categories was validated via intercoder reliability between the authors with a percentage agreement of 83.0. To account for chance agreement, intercoder reliability was further assessed using Cohen's κ, which yielded a coefficient of $\kappa = 0.79$, indicating substantial agreement. Prior to full coding, all coders underwent joint training using a pilot subset of the data to familiarise themselves with the appraisal categories and resolve interpretive ambiguities through iterative discussion and code refinement. The final step was the functional interpretation of the identified evaluative language considering interpersonal dynamics, conflict management and moral framing. The preliminary findings were shared with two expert linguistic researchers and a lawyer to validate the interpretations. The subsequent sections present the findings by explaining the linguistic features that characterized each of the three appraisal systems and presenting examples from the verdicts. The citation of verdicts, including the sentence number of the extract, follows each example in square brackets as illustrated below.

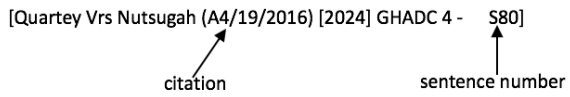


Figure 2. Data numbering

Results and Discussion

The findings show that the evaluative language of the judges does not only achieve the function of adjudication, but seeks to persuade, legitimize and mediate in divorce proceedings. Each of the three systems within the appraisal framework (attitude, engagement and graduation) has been discussed below to shed light on the evaluative language of the judges.

1. Attitude System

Within the attitude system, affect concerns emotional responses, classified into un/happiness, in/security, and dis/satisfaction; judgement evaluates human behaviour in terms of social esteem and social sanction; while appreciation evaluates phenomena in terms of reaction, composition, and valuation (Martin & White, 2005). These categories provide the basis for identifying and interpreting evaluative meanings in the divorce verdicts.

a. Affect

The affect subdomain of the attitude system addresses the evaluation of the emotional impact of a speaker's attitude (Martin & White, 2005). This subdomain details the linguistic representation of emotions and states of mind. Affect is mostly concerned with the speaker's capacity to

convey an attitude that allows them to place their views in relation to a circumstance, an individual, or an object. According to White (2015), the affect subdomain creates a dialogic space, making it more probable that the listener (here, the litigants) will consider and embrace the speaker's (here, the judges) perspective as valid. In the verdicts analyzed, the judges used adjectives to convey their emotional evaluation of their assertions as shown in the following examples:

i. She has suffered this unwarranted physical and psychological trauma just because she offered her true love to the Respondent… [Amankwaa Vrs Boasiako [2023] GHADC 415 - S176]
ii. …the Respondent has caused the petitioner much embarrassment, anxiety, emotional, financial and psychological distress. [Asibiga Vrs Atia (UE/BG/DC/A4/3/2023) [2024] GHADC 37 - S13]

In Example 1, negative affect is realised through lexical choices such as *suffered, trauma, embarrassment, anxiety*, and *distress*, which evoke unhappiness and insecurity within the appraisal framework (Martin & White, 2005). Specifically, *embarrassment* and *distress* convey unhappiness, while *anxiety* and *trauma* suggest insecurity arising from the litigants' experiences. Although *financial* and *psychological* do not independently encode affect, they specify the dimensions of distress, thereby contextualising the negative emotional evaluations. Examining the use of emotion in legal contexts, Mindus (2023) argues that an understanding of emotion is crucial to appreciating how jurisprudence constructs the relation between psychology and judicial decision-making. Hence, the various negative feelings expressed in the extracts, including unhappiness, insecurity, and dissatisfaction, give an indication of the affective disposition of the judges towards specific cases in an attempt to not only adjudicate, but to persuade listeners of the legitimacy of their decisions.

The judges deliberately list various emotional challenges faced by respondents and petitioners, suggesting that the court is empathetic of and understands the real-life experiences of litigants. We contend that harnessing these emotions allows the judges to assess and contextualize their stance on particular cases, enabling them to elevate the suffering of individuals to a broader societal level as part of validating their decisions. That is, the affective posture of the judges can be said to provide a foundation for their subsequent assertions, especially when they highlight the ethical transgressions of litigants. Aldosari and Khafaga's (2020) study discusses the function of emotive language in legal discourse, and corroborates the view that expressions of emotion are not only common but also influential within courtroom settings. Similar to the present study, Aldosari and Khafaga (2020) and Khafaga (2017) maintain that emotive language in the courtroom stimulates sympathy. Judges use this linguistic resource to underline their emotional evaluation of issues as part of the process of legitimizing their judgements. This highlights the importance of emotional intelligence in legal decision-making processes, hence why we agree with Mindus (2023) that the role of emotion in legal discourse must not be viewed reductively.

b. Judgement

This subdomain evaluates behavior against moral and ethical grounds. It measures behavior against societal norms and signals its approval or rejection. The analysis revealed that the judges used adjectives such as *unacceptable, irresponsible, distasteful, unsupportive, abusive, scandalous, vexatious, offensive* and *unhealthy* to condemn certain actions, and they used adjectives such as *weighty* and *grave* to approve actions. Example 2 illustrates this view:

i. After reconciliatory efforts by family of both parties, Petitioner returned to the matrimonial home and persisted in her unacceptable behavior. [Tawiah Vrs Asare (G/WJ/DG/A4/107/23) [2024] GHADC 138 - S33]
ii. The Respondent also denied the Petitioner's claim that he has been an irresponsible husband and father… [Amankwaa Vrs Boasiako [2023] GHADC 415 - S48]
iii. At odd times, between the hours of 10pm and 1am, and on weekends, she would engage in unhealthy and romantic

conversations on phone, saying, "I don't have a man, and I am staying alone". [Quartey Vrs Nutsugah (A4/19/2016) [2024] GHADC 4 - S77]

The extracts above highlight adjectives the judges used to condemn certain actions of people involved in divorce cases. In example 2(i), 2(ii), and 2(iii), the pejorative *unacceptable, irresponsible* and *unhealthy* have been used to negatively evaluate the actions of the litigants against an accepted moral standard and to present their actions as worthy of condemnation. These adjectives place a value judgment on the actions of the litigants by assessing their behavior and/or character with reference to ethics and other social norms, and concluding that specific actions of the litigants are inappropriate. The adjectives suggest that the court delivers verdicts based on what it considers legitimate evidence, thereby establishing a benchmark for litigants to adhere to in their cases. As elucidated by Aldosari and Khafaga (2020), courtroom discourse relies heavily on justifications. Therefore, it is not surprising that the current paper also finds that in divorce verdicts, the judges employed various adjectives to categorize evidence as admissible or objectionable. The use of these adjectives implies that the judges have the ability to make considered decisions or come to sensible conclusions so as to ensure a fair process for the parties involved in the divorce cases. Thus, they allow the judges to highlight their legitimacy and authority.

c. Appreciation

This subdomain deals with the evaluation of behavior as aesthetic or functional. In contrast to judgement, appreciation is unrelated to the assessment of human behavior as it denotes the construction of meaning that encompasses the evaluation of objects, particularly those we create and the performances we deliver as well as natural phenomena. Appreciation is directed towards the "appraised" rather than the "appraiser." Some of the adjectives used in the verdicts to achieve appreciation include *meritorious, best, convenient* and *quality*. They were used to describe the actions of the litigants who in this instance are the appraised as illustrated in Example 3:

i. It is the view of this court that the respondent should pay an amount of GH₵5,000.00 as alimony to the petitioner for the 8 years that the petitioner provided meritorious services to the respondent. [Adoma Vrs Kumi [2023] GHADC 1 - S30]
ii. He further indicated that although he works in Accra and Petitioner stays in Takoradi, he visits the Petitioner every weekend to enable them spend quality time together with much sexual intimacy

In example 3(i), the services of a petitioner are evaluated by the court and described as meritorious. This positive assessment suggests that the efforts of the petitioner must be recognized and praised, indicating the court's stance and attitude and revealing an overall sense of appreciation for the petitioner's actions. In 3(ii), the judge revisits and echoes the sentiments of the respondent as a form of contextual information. By recounting the respondent's assertion, especially the phrase 'quality time', the judge evaluates the actions of the respondent as functional and socially acceptable. This positive appraisal highlights the court's validation of established norms, reinforcing their continued acceptance within the given context. Through the appreciation mechanism described above, the judges present their thoughts on the efforts of petitioners and respondents based on various systems of social valuation as part of justifying their verdict.

2. Engagement System

The engagement system investigates the basis of attitude and postulates that the subjective choice of monogloss or heterogloss is the linguistic source of attitude. The analysis revealed that the judges used both heteroglossic (the presence of multiple/alternative voices in a text) and monoglossic (the presence of a single/dominant voice in a text) statements.

a. Heterogloss

Heteroglossic engagement in the verdicts was achieved through rhetorical questions and was used by the judges to acknowledge potential counterarguments while positioning the court's authority as definitive. In the use of rhetorical questions for heteroglossic engagement, dialogic contraction was found to be prevalent as the judges used the rhetorical questions to implicitly state a point intended to close an argument. Example 4 explains how the judges used rhetorical questions to achieve heteroglossic engagement:

i. The question any reasonable person would ask is why would a married woman travel to visit her ex- boyfriend for two days and turn off her phone? Why would a married woman allow another man dress up in her room? [Quartey Vrs Nutsugah (A4/19/2016) [2024] GHADC 4 - S80-81]
ii. Why did Mr. Ametepe choose to inform the Respondent and why did the Respondent not take steps to ensure that the perpetrators were dealt with by law? [Quartey Vrs Nutsugah (A4/19/2016) [2024] GHADC 4 - S114]
iii. But the question that every reasonable person would ask is that why did the petitioner not insult him that he had a bad body odour since their marriage in 2012 until 2021? [Nartey Vrs Bediako [2023] GHADC 204 - S36]
iv. Having stated the principles of law above, what did the petitioner do to prove that the marriage has broken down beyond reconciliation? [Otabil Vrs Asamoah [2023] GHADC 288 - S52]

The rhetorical questions in Example 4 superficially invite reflection and create space for alternative perspectives. We argue that the judges used these questions to avoid direct accusation and encourage the litigants to reflect on their actions and implicitly agree with the judges' decision. They thus helped to make the verdicts less confrontational and sought to create collaboration among the parties. Although the questions seem to give room for the litigants to contest the viewpoint of the judges, they indirectly compel any other viewpoint to align with the judges' stance. In 4(i), the question acknowledges a potential justification for the married woman's actions. However, the judge implies that the answer to the question is obvious to any 'reasonable person', thereby dismissing any alternative answer and suggesting that the woman's actions are indefensible. In example 4(ii), the judge introduces doubt about the respondent's inaction and acknowledges the possibility of a hypothetical explanation. However, the question implies that the inaction of the respondent undermines their credibility, thereby rejecting any alternative opinion. Similarly, in example 4(iii) and example 4(iv), even though the judges seem to consider the potential of some justifications, they implicitly dismiss alternative perspectives. These dialogic contractions help the judges to close their arguments by aligning them with societal norms and legal standards. This finding aligns with Liang's (2020) observation that dialogic contraction resources reduce the rebuttal space for opposing views in courtroom closing arguments. We assert that the heteroglossic framing in Example 4 seeks to present an objective critique of the actions of the litigants in order to validate the verdicts of the judges. That is, the hypothetical alternatives raised in the judges' criticisms depersonalize their stance and reduce confrontation with the litigants. This strategy, as noted by Opara (2016) and Anyabuike (2019), is instrumental as far as the use of cooperative language aimed at consensus-building in the courtroom is concerned.

Heteroglossic engagement in the verdicts analyzed was also achieved through hedging. Hedging devices were used to open dialogic space by introducing subjectivity into the judges' claims and mitigate face-threatening acts in the context of divorce proceedings as shown in example 5:

i. <u>If the Court chooses to believe the only evidence on record</u>, the plaintiff <u>may</u> win and the defendant may lose. [Amponsah Vrs Akorli (G/WJ/DG/A4/86/23) [2024] GHADC 137 - S33]
ii. Petitioner <u>alleged</u> that the respondent has taken to spreading false information about her that she is a cheap flirt… [Otabil Vrs Asamoah [2023] GHADC 288 - S16]
iii. <u>According to the petitioner</u>, the respondent has little to no affection for

her. [Mensah Vrs Arthur (A4/ 38/ 2023) [2024] GHADC 173 - S4]

iv. The respondent consented to the petition for divorce, which <u>according to him</u> has even been done at home, where their customary marriage was dissolved… [Darko Vrs Darko [2023] GHADC 187 - S27]

The sensitivity of marital conflicts requires that arbitrators carefully craft their communication, making hedging devices extremely important. Indeed, Zhen (2007) avers that hedges can be adopted to prevent or temper conflicts or negative reactions by minimizing certain face-threatening acts in order to pave the way for a smooth, cooperative and successful course of communication. In example 5(i), the judge acknowledges the tentativeness of any outcome based on existing evidence; hence, the modal verb *may* hedges the assertion and acknowledges contingency. However, the verb does not open up space for alternative voices (dialogic contraction) as the judge is not expressing personal belief or advocating for a specific outcome. Instead, the judge states a possible legal consequence based on a contingent condition. In example 5(ii), the judge explicitly attributes a claim to the petitioner, thereby opening up space for the respondent's voice and potential counter-arguments. The use of the verb *alleged* signals that the court is not necessarily endorsing the claim, but is reporting what has been said, thereby helping the judge to maintain procedural neutrality. Similarly, in example 5(iii) and 5(iv), the expressions *according to the petitioner* and *according to him* indicate that the judges are simply restating a litigant's claims/assertions and do not necessarily confirm their accuracy. This acknowledges the respondent's or petitioner's perspective and potentially opens up space for further evidence or arguments about the divorce process.

The hedging devices discussed in example 5 allow the judges to present different sides of a case, neutrally introduce conflicting accounts, and avoid assigning unnecessary blame. Their acknowledgement of different voices and perspectives, through dialogic expansion, creates space for dialogue and counter-arguments. Given that divorce proceedings are a highly interpersonal event, we contend that the judges' use of hedging contributes to a thoughtful and deliberate process of considering different viewpoints, weighing evidence carefully, and arriving at judgments that consider legal provisions and the different perspectives of the parties involved in the divorce proceeding. That is, hedging enables the judges to balance neutrality with evaluative authority, regularly oscillating between dialogic expansion (opening space for alternative perspectives) and dialogic contraction (privileging institutional interpretations).

b. Monogloss

Monoglossic engagement in the judges' verdicts was linguistically realized with boosters, allowing the judges to project their authority, express their conviction in their judgements, and present some of their (i.e., the court's) views as absolute. Examples 6 illustrate this point:

i. Normal wear and tear incidents of married life <u>will not</u> amount to unreasonable behaviour. [Tawiah Vrs Asare (G/WJ/DG/A4/107/23) [2024] GHADC 138 - S55]
ii. It is <u>clear</u> from the evidence before the court that the parties after all attempts by their respective family members have proved futile. [Yeboah Vrs Aidoo [2023] GHADC 143 - S23]
iii. <u>Indeed</u>, the Petitioner's evidence was that there was a customary act of dissolution of the marriage in the year 2017. [Antwi Vrs Antwi (A8/147/23) [2024] GHADC 8 – S60]
iv. It will <u>certainly</u> not work again. [Otabil Vrs Asamoah [2023] GHADC 288 - S145]

Although monoglossic engagement excludes the voice(s) of one party or both parties involved in a divorce proceeding, we contend that it can reduce prolonged emotional conflict by expediting the decision-making process of the court. In example 6(i), the phrase *will not* eliminates ambiguity and excludes certain marital conflicts as good grounds for divorce. This positions the court's stance as non-negotiable, reinforces what the

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court believes to be acceptable marital conduct, and sets clear legal boundaries aimed at preventing frivolous claims. In example 6(ii), the adjective *clear* is used to articulate the court's logical conclusion based on the evidence presented before it. The judge's pronouncement in this extract dismisses potential objections as they reference the futility of all reconciliation attempts. In example 6(iii), the emphatic adverb *indeed* amplifies the validity of the petitioner's claim and in example 6(iv), the adverb *certainly* forecloses any hope of marital reconciliation, framing the resolution as inevitable. These boosters position the court as the ultimate institution to determine the outcome of the divorce proceedings beyond subjective perspectives. Monoglossic engagement thus creates a psychological finality that compels litigants to accept the outcomes of the divorce proceeding as non-negotiable.

3. Graduation System

The graduation system is conceptualized as the increase or decrease in the attitude of speakers and their degree of gradation. The two sub-classes are force and focus. The former refers to attitudes that can be classified using numbers and adverbs and the latter refers to attitudes that cannot be classified. Both sub-classes were found in the data and have been subsequently discussed.

a. Force

Force involves the intensification of the speaker's proposition to emphasize certainty. In the verdicts, the judges used boosters and adjectives to intensify the force of their assertions as highlighted in examples 7:

i. Having held as such, I declare that the marriage between the parties herein has broken down beyond reconciliation. [ADJEI VRS DONKOR (A13/01/2021) [2023] GHADC 824 – S73]
ii. The Court must have regard to the personalities of the individuals before it and it must assess the impact of the Respondent's conduct on the particular Petitioner in the light of the whole history of the marriage and their relationship. [BROWN VRS AMANKWAA (A8/160/23) [2024] GHADC 6 - S41]
iii. Therefore, the court accepts as factual all the averments in the evidence of the petitioner that indeed the respondent is having extra marital affairs, and has intentionally refused to have sexual intercourse with the petitioner because he does not want any more children. [DANSO VRS MAYME (A4/06/2024) [2024] GHADC 168 - S60]
iv. It is ordered that the petitioner should take custody of their 8year old child with limited access to the respondent. [Adoma Vrs Kumi [2023] GHADC 1 - S36]
v. …the Respondent has caused the petitioner much embarrassment, anxiety, emotional, financial and psychological distress. [Asibiga Vrs Atia (UE/BG/DC/A4/3/2023) [2024] GHADC 37 - S13]
vi. She further stated that the frequent physical assault by the respondent resulted in a miscarriage and since then she has been unable to conceive till date. [Amanor Vrs Narteh (A4/91/2023) [2024] GHADC 130 - S7]

The judge's use of the lexical verb *declare* in example 7(i) indicates absolute judicial authority. The lexical item amplifies the judge's certainty in the pronouncement and presents their stance on the dissolution of the marriage as incontrovertible. The deontic modal verb *must* has been repeated in example 7(ii) to intensify the obligation imposed on the court. This modal verb thus strengthens the judge's view that various contextual and subjective factors are considered before deciding a case. In example 7(iii), the judge uses the adverb *indeed* and the verb phrase *accepts as factual* to intensify the court's endorsement of the claims made by the petitioner. In example 7(iv), the judge employs the performative verb *ordered* and the deontic modal *should* to intensify their directive and present it as legally binding. In example 7(v) and 7(vi), the judge uses the adjectives *much* and *frequent* to amplify their negative evaluation of the respondents' conduct. The linguistic markers mentioned above can be analyzed as the use of force-driven language realized through intensification that enables the judges to strengthen their

pronouncements and present them as valid and hence enforceable.

Force, under the graduation system also examines speakers' mitigation of the strength of their assertions. In the data analyzed, it was found that such mitigation was achieved through hedging and was used by the judges to avoid blaming one party in absolute terms as illustrated in example 8:

i. Even if the Respondent needed to name the child, it should have been with the consent of the father. [Boah Vrs Amoako (A4/104/2022) [2024] GHADC 166 -S81]
ii. …it would be unreasonable to suggest that she had no hand in the acquisition of any of the properties… [Darko Vrs Darko [2023] GHADC 187 - S36]
iii. The parties are also encouraged to communicate in order to enable them take good care of the children together. [Asibiga Vrs Atia (UE/BG/DC/A4/3/2023) [2024] GHADC 37 - S64]
iv. If he had, I don't think she would have bothered to fetch any water for the construction. [Nartey Vrs Bediako [2023] GHADC 204 - S46]
v. As such, it is my opinion that the marriage between the parties has broken down beyond reconciliation. [Owusu Vrs Owusu [2023] GHADC 266 - S24]

In example 8(i), the judge mitigates the force of their evaluation using the modal verb *should* and the conditional marker *even if*. Here, the judge uses the modal verb to frame the Ghanaian social expectation of a father's consent during child naming as opposed to this being a legal mandate. The conditional marker introduces hypotheticality into the judge's evaluation to soften their critique of the respondent's unilateral decision/action. In example 8(ii), the judge uses the epistemic distancing *it would be unreasonable to suggest* to reduce the force of their accusation and indirectly negates it. By so doing, the judge indirectly affirms the contributions of the respondent in the acquisition of properties without explicitly dismissing the petitioner's claims. In example 8(iii), the judge uses the verb *encouraged* to lessen the obligation they place on the couple. Though a directive, the verb is used to offer a recommendation to the couple in an attempt to achieve a more socially acceptable resolution. Personalized view is used in example 8(iv) and 8(v) to reduce the categorical force of the judge's pronouncements and introduce an element of subjectivity in them.

The hedging devices discussed above serve to mitigate face-threat by avoiding absolute assertions in order to foster total compliance by the litigants. They also enable the judges to assume a neutral posture by distancing themselves from their pronouncements where necessary. We argue that the use of such language by the judges is strategic as it can de-escalate conflicts in the emotionally tense context of divorce proceedings. This form of language also avoids dogmatism and encourages litigants to consider rulings as fair and neutral. Hence, the findings above concur with Aldosari and Khafaga's (2020) observation that courtroom discourse is persuasive, with one of its functions being encouraging litigants to accept verdicts.

b. Focus (and Role-Based Reference)

Within Appraisal Theory, focus concerns the sharpening or softening of category boundaries (Martin & White, 2005). Although role-based references do not conventionally realise focus, their use in judicial discourse offers a related interpersonal function. Expressions such as 'the petitioner', 'the respondent', and 'the court' foreground institutional roles rather than personal identities, thereby contributing to depersonalisation and procedural neutrality. This interpretation draws on the interpersonal orientation of appraisal theory but is distinguished from its conventional treatment of focus as category sharpening or softening. Even though appraisal theory does not explicitly address nominal forms as a focus mechanism, we submit that the framework's idea of interpersonal positioning makes it possible to discuss the judges' use of role-based address terms as a focus mechanism as shown in example 9:

i. The respondent, however, did not tender any evidence or document to support her claim and for that matter I am unable to

grant this relief. [ADJEI VRS DONKOR (A13/01/2021) [2023] GHADC 824 - S87]

ii. The terms of agreement of the parties dated 24th July 2023 is hereby adopted as consent judgment and made a part of the final judgment of this court. [AMPONSAH VRS AKORLI (G/WJ/DG/A4/86/23) [2024] GHADC 137 - S41]

iii. I will therefore not order the respondent to pay any maintenance arrears to the petitioner. [Adoma Vrs Kumi [2023] GHADC 1 - S33]

iv. …I took inspiration from section 41 which empowers this honourable court to deal with the instant petition… [Dartey Vrs Dartey [2023] GHADC 145 - S32]

In Examples 9(a)–(d), the judges employ role-based references such as *the respondent, the parties, the petitioner,* and *the court*. These expressions foreground participants' institutional identities rather than their personal identities. This creates interpersonal distance and highlights procedural neutrality. Although they do not directly instantiate focus in its conventional sense, they illustrate how nominal choices can contribute to interpersonal positioning in judicial discourse.

Conclusion

This study has examined the language of marital conflict resolution using divorce verdicts of Ghanaian judges as data and Martin and White's appraisal theory as an analytic framework. The analysis and discussion revealed three main findings. First, the attitude system was linguistically realized using affective language that approved or condemned the actions of litigants. Second, monogloss in the engagement system was linguistically realized using boosters to create a sense of finality in the judges' pronouncements whereas heterogloss in this system was realized by rhetorical questions and hedging devices to close debates and mitigate face-threatening acts respectively. Third, the graduation system was linguistically realized with boosters, hedges, and adjectives to achieve intensification or mitigation while role-based references contributed to depersonalisation and procedural neutrality in judicial discourse. The paper demonstrates that the language of divorce verdicts intertwines with authority, morality, and empathy, and these are mediated through the strategic use of evaluative language. On one hand, the judges leveraged monoglossic assertions to assert institutional power and present rulings as non-negotiable. On another hand, they utilized hedging strategies and affective language to soften their directives and humanize litigants. This dual approach suggests an attempt to balance judicial authority with relational sensitivity. The judges' moral evaluations enforced societal norms and positioned the court as an arbiter of ethical conduct while their use of graduation strategies strengthened the import of their pronouncements and enforced the authority of the court. Thus, the language of the verdicts can be said to position the court both as an arbiter and a repository of communal values. This reflects Ghana's hybrid legal culture where customary practices coexist with statutory provisions.

These findings extend previous scholarship on the role of language in marital relationships and conflict resolution (Chomba et al., 2023; Anyabuike, 2019) and shows how evaluative language facilitates judicial resolution of marital disputes. The use of hedging and neutral forms of reference resonates with Liao's (2019) findings on politeness in courtroom discourse, while the deployment of affective expressions, rhetorical questions, and boosters corroborates Aldosari and Khafaga's (2020) observations on courtroom persuasion. Similarly, the judges' management of alternative perspectives aligns with Liang's (2020) findings on dialogic expansion and contraction. The present study extends these findings with evidence of how such linguistic resources jointly construct judicial authority and interpersonal sensitivity in Ghanaian divorce verdicts.

This paper extends research on the linguistic analysis of legal discourse by focusing on a key text-type that has received little attention in the literature. With this focus, the paper contributes to a better understanding of courtroom discourse by shedding light on the way judges can utilize linguistic resources to exercise judicial authority and manage interpersonal relationships through evaluative language.

Applying Martin and White's (2005) appraisal framework to a text-type that has hardly received attention in the literature, the present article also extends the application of the framework and builds on the extant scholarship on evaluative language, especially in a context underexplored in the literature. Finally, this paper sheds light on the performative nature of judicial language and demonstrates why linguistic sensitivity is essential in enacting justice with humanity and why court rulings must combine legal rigor with restorative empathy. Legal training must, therefore, include an integral language/linguistic component that emphasizes the value of effective and empathetic communication in family law and in legal practice in general.

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Appendix: Text Details

s/n	Citation	Date of Judgement	Word count
1	Antwi Vrs Antwi (A8/147/23) [2024] GHADC 8	26-January-2024	1673
2	Mensah Vrs Owusu (A4/ 32/ 2023) [2024] GHADC 167	31-January-2024	2218
3	Klutse Vrs Havor [2024] GHADC 175	29-January-2024	2275
4	Boah Vrs Amoako (A4/104/2022) [2024] GHADC 166	15-January-2024	4078
5	Brown Vrs Amankwaa (A8/160/23) [2024] GHADC 6	9-February-2024	1826
6	Kwadje Vrs Botwe (A4/25/2023) [2024] GHADC 172	29-February-2024	2794
7	Mensah Vrs Arthur (A4/ 38/ 2023) [2024] GHADC 173	28-February-2024	1967
8	Nunoo Vrs Kumesi (A4/ 121/ 2022) [2024] GHADC 171	13-February-2024	2396
9	Quartey Vrs Nutsugah (A4/19/2016) [2024] GHADC 4	12-February-2024	4950
10	Amponsah Vrs Akorli (G/WJ/DG/A4/86/23) [2024] GHADC 137	27-February-2024	1201
11	Danso Vrs Mayme (A4/06/2024) [2024] GHADC 168	24-April-2024	2233
12	Avedzi Vrs Avedzi (G/WJ/DG/A4/65/23) [2024] GHADC 135	27-February-2024	1405
13	Oparebea Vrs Aryee (G/WJ/DG/A4/104/23) [2024] GHADC 134	27-February-2024	1352
14	Tawiah Vrs Asare (G/WJ/DG/A4/107/23) [2024] GHADC 138	13-February-2024	1751
15	Adjei Vrs Donkor (A13/01/2021) [2023] GHADC 824	27-October-2023	3438
16	Asibiga Vrs Atia (UE/BG/DC/A4/3/2023) [2024] GHADC 37	27-March-2024	6314
17	Anto Vrs Matey-Korle (A4/182/2023) [2024] GHADC 129	11-January-2024	1020
18	Amanor Vrs Narteh (A4/91/2023) [2024] GHADC 130	4-January-2024	1209
19	Nartey Vrs Bediako [2023] GHADC 204	20-January-2023	1690
20	Otabil Vrs Asamoah [2023] GHADC 288	2-February-2023	3631
21	Ansah Vrs Wornah [2023] GHADC 293	31-March-2023	708
22	Yeboah Vrs Aidoo [2023] GHADC 143	6-April-2023	610
23	Yeboah Vrs Christian [2023] GHADC 139	10-May-2023	656
24	Darko Vrs Darko [2023] GHADC 187	7-June-2023	1265
25	Owusu Vrs Owusu [2023] GHADC 266	17-July-2023	924
26	Obiri Vrs Obiri [2023] GHADC 286	20-July-2023	8387
27	Dartey Vrs Dartey [2023] GHADC 145	14-June-2023	1735
28	Amankwaa Vrs Boasiako [2023] GHADC 415	6-June-2023	5474
29	Adoma Vrs Kumi [2023] GHADC 1	6-April-2023	653
30	Dorinda Vrs Emmanuel [2023] GHADC 210	6-April-2023	720
	TOTAL		**70,553**