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**Linguistic Hegemony and Economic Pragmatism: A Critical Analysis of the
Paradigm Shift Toward English in Algerian International Law and Trade**

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Abstract:

This paper attempts to analyze the dynamics of the active linguistic evolution of the Algerian professional elite, characterized by the accelerated replacement of the French language by English as a working language of international law, commerce, and business. At the intersection of a complex post-colonial sociolinguistic reality of 'linguistic schizophrenia', Algeria is facing Arabization against a Francophone past and Anglophone future. Using a convergent mixed-methods research design, it draws on surveys of the legal and trade community (N=250), and semi-structured interviews with legal and business practitioners. Working with three hypotheses, the research seeks to explore: the role of English skill on arbitration outcomes, civil law trained professionals in a common law language environment, and DBE and export competitiveness. Notwithstanding the necessity of the lingua franca on the international scene, the deep structural malaise of the Algerian higher education system and vocational training explains the 'competence gap', jeopardizing the international contracts and the enforcement of arbitral awards. The conclusion drawn in this paper is that, without a pedagogical revolution from General English to English for Specific Purposes (ESP), the Algerian professional is bound to remain on the sidelines of the global value chain. The report concludes with a suggested roadmap for how to address linguistic capacity needs, balancing national identity and global economic imperatives.

Keywords: Anglicization; Arbitration; English for Specific Purposes (ESP); Professional Competence Gap; Postcolonialism.

1.Introduction

Today's globalized economy is characterized by linguistic hegemony. It is no longer just a lingua franca, a language of immediate convenience, but a hegemonic infrastructure, which includes the shared vocabulary, procedural styles and cognitive maps that organize the understanding of the commercial value of goods, the drafting of contracts and the adjudication of commercial disputes. What is more, in Algeria, where Francophone colonial imprinting and Francophone post-colonial hardening still shape all branches of state and society, the shift to English is more than mere lexical replacement. It is a rupture that forces a wholesale renegotiation of professional identity, legal epistemology, and economic agency. Thus, the paper concludes that the use of English in the professional context in Algeria represents a real sociolinguistic change with direct implications on the legal system, trade and the national competitive edge.

It is a multi-layered phenomenon: although the Algerian government has made efforts since 2022 to incorporate more English into primary and tertiary education, diffusion to other professional sectors is lagging, leaving many working professionals and entrepreneurs in a state of "transitional limbo".¹ One example is the legal profession. Countries where lawyers and judges are educated in the Civil Law tradition and speak Arabic or French in the legal environment must also adapt to the fact that international arbitration, trade agreements, and regulatory systems are conducted in English and follow Common Law procedures. Benrabah theorizes this disjunction between legal training and language use in the international dispute resolution context as historical "linguistic trauma", suggesting that language policy and sociopolitical commitments to the institutional memory of French have obstructed the acquisition of Legal English language skills in the French legal profession².

Why is this important for the evolution of Algeria's economy? Because the dominance of English in the procedural and substantive vocabulary of international arbitration cases is effectively absolute in most areas of business law. According to Wilske, deficient translation or improper usage may themselves yield what Wilske calls "pathological translations", with serious consequences for the enforceability of awards and the understanding of the underlying contractual obligations³.

In short, imprecision may create substantive risk in terms of exposure to legal liability, as legal language is not secondary, but rather a legal instrument. Second, trade has gone digital. A technical and transactional subfield of Digital Business

English (DBE) straddles the digital technology, transactions, and platforms that have a high barrier to entry. Without DBE, companies are disadvantaged not only in digital communication but by digital platforms, e-commerce infrastructure, algorithmically mediated supply chains, payment platforms and other mechanisms that act as market gatekeepers⁴.

In this context, the study is centered on four questions, descriptive diagnosis, causal investigation, and relevance for policy:

1) To what extent does the "Francophone legacy" obstruct the acquisition process of Legal English in Algeria?

2) What are the effects of an Algerian party's linguistic deficiencies in English on international commercial arbitration?

3) Does the Digital Business English skill level correlate with the export volume of SMEs in Algeria?

4) Will the reforms currently moving in Higher Education suffice for closing the divide of academia and the workplace?

Answering these questions is the aim of this paper, which summarizes the current situation, and proposes the most likely outcomes and solutions for a successful transition.

2. Literature Review:

Applied Linguistics, Post-Colonial Theory and International Law, provide the relevant initial theoretical framework for researching the role of language, in both its embodiment as medium and as an instrument of communication, in transnational commercial and juridical practice. A central theoretical focus of the work is Robert Phillipson's (1992) theory of "Linguistic Imperialism", which described the world-wide spread of English as a neo-colonial mechanism for privileging specific epistemological frameworks, social practices and material access. Phillipson's theory critiques language spread as a distributional event, in which the acquisition of the lingua franca comes with the associated benefits of epistemic power and gatekeeping roles. When viewed this way, language policy is no minor technicality, but rather a political and ethical issue implicated in a broader set of inequalities.

However, the cost of strictures of linguistic imperialism must be weighed against the benefits of transnational legal interaction, such as international arbitration or transaction in international trade, where a common language lowers transaction costs. Given Wilske's analysis, it is difficult to reject the role of English as a "compromise language" for coordinating disparate legal systems and legal families. However, Wilske observes, the compromise is structurally uneven,

with native and near-native speakers still having performative and interpretive advantages from rhetorical conventions, idiomatic competence, and familiarity with Anglo-American procedural registers. In arbitration, where oral advocacy, style, and idiomatic precision to make a speaker's acceptability to a tribunal contingent, non-native speakers may face disadvantages even where doctrinal equality exists within the agreement. The linguistic performance-professional status dialectic leads to an observable asymmetry in power: the professionals who seek excellence in their field (Algerian lawyers) are described as lacking professionalism in English-dominant spaces based on their performance in English across English-dominant spaces⁵.

In the case of Algeria, this global trend has to be situated in the particular historical and socio-political context of a long history of oscillation between Arabization and Francophone institutional legacies in schooling, administration and legal education. According to Belmihoub, the switch of this policy responds to the need to mediate between international integration and the rejection of French intermediaries. Proponents see English as a practical path to integrating into global networks, markets and norms, and as an instrument of "globalization and decolonization". However, even this policy change is contested, as it remains unclear whether simply replacing one lingua franca imposed from without for another can break neocolonial relations of dependency⁶.

From an educational perspective, this acceleration to English shows a mismatch: research shows that system-level policy changes frequently outpace investments in the curriculum, teacher education, and academic resources. Chali's research showed that despite political will for EMI, English language instruction was poorly resourced at the classroom level. Students entering EMI programmes are not equipped with lexical, disciplinary literacy and prior knowledge to understand through English deeper levels of scientific, technical and legal argumentation, leading to cognitive overload and superficial learning and thereby weakening the effectiveness of EMI programmes⁷.

Affective forces are a further barrier to Brahim's communicative development. Fear of negative evaluation, the risk of an oral task, and limited repetition practice combine to constrain fluency in the professional registers and influence participation, professional identity construction and the development of communicative capital.⁸.

Legal English is a particular sub register of English with a much higher degree of specialization and high stakes than most other registers, making translation

between systems difficult and dangerous. The terms of legal systems are system-dependent and calques between civil law categories and common law categories can rarely be parsed without loss of meaning. As *Kiliç v. Turkmenistan* illustrates, litigation over a single normative translation error (notorious or "pathological") may involve prolonged disputes over jurisdiction. The doctrinal uncertainty and enforcement challenges presented by linguistic inadequacy show us that translation errors in law are not mere communicative imperfections, but potentially fraught with consequences for the substantive resolution of controversial cases⁹.

Even more challenging for businesses is the emergence of Digital Business English (DBE) as market standard, which in addition to lexical competence, includes multimodal literacies, platform fluency, and template literacy to negotiate transactions in e-commerce gateways, supply-chain portals, and algorithmically mediated systems of procurement. Many businesses in Algeria use ad-hoc machine translation and improvised bilingualism, as documented by Aliouche and Nesba. Although easier to implement this approach leads to transactional inaccuracies, contractual ambiguity and reputational damage that collectively exclude businesses from the digital economy. In this sense, DBE reconceptualizes linguistic competence as a complex and tangled set of technical, rhetorical and digital skills rather than a unitary linguistic competence¹⁰.

Finally, the long-term policy impacts of EMI reforms need to be explored. While EMI adoption is associated with improved research performance and alignment with international community standards, without accompanying teacher professional development, assessment reform, and resourcing it risks becoming largely symbolic, improving bibliometric indicators but not professional readiness for graduates (Messeded). Effective reform requires investment in ESP courses, curricular and pedagogical scaffolding of the language, teacher training in disciplinary pedagogy with external validation, and alignment between disciplinary-level and professional assessments¹¹.

Considering these various dimensions means that language is the medium and structure of ILOs and international trade, implementation is undertaken in established power relations, pedagogical and social-psychological phenomena restrict the stated rationale, and digitalization raises the threshold for functional competence. Based on the literature, one can draw a well-founded, albeit tentative, conclusion: the move to English is consequential and it can be helpful, provided that the accompanying institutional arrangements are holistic, context-sensitive and work to eliminate inequality of access and the concentration of power, rather than securing them.

3. Methodology:

In order to address the research questions and hypotheses of the study, a convergent parallel mixed-methods approach was employed to triangulate quantitative data regarding skill and economic outcomes with qualitative data regarding the lived experiences of the professionals involved.

3.1. Hypotheses:

- **H1:** There is a statistically significant negative correlation between the reliance on French as a mediating language and the accuracy of English legal drafting among Algerian lawyers.
- **H2:** Algerian companies utilizing Digital Business English (DBE) strategies exhibit higher export resilience and market penetration than those relying on traditional Francophone networks.
- **H3:** The current implementation of EMI in Algerian universities fails to meet the specific 'English for Specific Purposes' (ESP) needs of the labor market, creating a skills mismatch.

3.2. Data Collection:

- **Quantitative Phase:** A survey with Likert scales was administered to 250 respondents (100 lawyers, 100 trade managers, 50 academics) from Algiers, Oran, and Hassi Messaoud. Their results were then analyzed regarding how capable they thought they were at speaking English, how often they used English, and what trade barriers existed. In addition, 50 redacted international contracts composed by Algerian firms were analyzed for linguistic errors and 'interference' with the syntax of French.
- **Qualitative Phase:** To explore decisions about language choice, the challenges of arbitration, and the success of recent educational changes, semi-

structured in-depth interviews were conducted with 20 senior partners of law firms, CEOs of export companies, and rectors of universities.

3.3. Data Analysis:

Quantitative data were analyzed in SPSS using descriptive statistics and correlations (Pearson's r), and the contract corpus was analyzed using an error analysis to categorize instances of negative transfer. Qualitative data were transcribed and coded in NVivo to find themes relating to 'linguistic insecurity', 'professional identity', and 'planned adaptation'. The mixed methods design, therefore, provides an in-depth picture of the linguistic landscape.

Table No. (01): Comparative Analysis of Legal Terminology Mismatches (French/English/Algerian Law)

Concept	French Term (Civil Law)	English Term (Common Law)	Risk of Mistranslation in Algeria
Contract End	Résiliation / Résolution	Termination / Rescission	High: Confusion leads to wrongful damages claims.
Force Majeure	Force Majeure	Frustration of Contract	Medium: Concept exists but thresholds differ.
Good Faith	Bonne Foi (Mandatory)	Good Faith (Limited/Implied)	High: Algerian lawyers assume it applies universally.
Damages	Clause Pénale	Liquidated Damages vs. Penalty	Critical: Penalties are void in English law, valid in Algeria.

Source: Prepared by the researcher.

The table below sets out the linguistic and normative traps that Algerian practitioners face when drafting in English, and indicates word pairs that cannot

be translated on a principal/agent basis between the Civil Law (Algeria/France) and Common Law (International Arbitration) traditions. For example, it is common to conflate 'Résiliation' (future end of contract) and 'Résolution' (annulment from some point backward) into a single word 'Termination', with catastrophic liability and restitution consequences. Furthermore, without appropriate Legal English training, as in the case of 'Clause Pénale', a provision that is routinely found in Algerian contracts, a clause could be invalidated in English law, where it would be treated as a 'Penalty', rather than a provision for 'Liquidated Damages'.

Table No. (02): Stakeholder Perceptions of English Medium Instruction (EMI) Implementation

Stakeholder Group	Perceived Benefit	Perceived Challenge	Readiness Rating (1-5)
University Rectors	Global Ranking & Visibility	Teacher Resistance	4 (Optimistic)
Content Teachers (Sciences)	Access to Research	Lack of Fluency/Pedagogy	2 (Anxious)
Students (Undergrad)	Job Market Access	Cognitive Overload/Comprehension	3 (Mixed)
Employers	Competent Workforce	Skills Mismatch (Theory vs Practice)	1 (Skeptical)

Source: Prepared by the researcher.

This table provides qualitative data from interviews about the process of EMI adoption at the universities in Algeria, highlighting a gap between administrative optimism and pedagogical practices. University Rectors rate readiness 4/5 as world university ranking, a high-level indicator of prestige, is a high priority. Content Teachers, who deliver the content but may be non-fluent in the language of instruction, and may lack training in teaching in a second language, rate readiness 2/5. Students appreciate the economic arguments (Job Market Access) but experience cognitive overload. Employers (1/5) are skeptical, saying current

graduates have theoretical English skills but lack the practical ESP skills that are relevant for the trade sector. This reveals the need for a coordinated approach to think through how policy goals actually translate to practice.

Table No. (03): Evolution of Language Policy in Algerian Education (1962-2023)

Period	Dominant Policy	Status of French	Status of English
1962-1970s	Arabization (Ideological)	Dominant in Admin/Education	Marginal / Foreign Language
1990s	Arabization (Intensified)	Contested but Essential	Attempted Introduction (Failed)
2000-2019	LMD Reform	Dominant in Sciences/University	Second Foreign Language
2019-Present	Englishization (Pragmatic)	Gradual Replacement	Strategic Priority / EMI Adoption

Source: Prepared by the researcher.

The following table provides a chronological overview of language planning and policy in Algeria. Its objective is to set the relative recent rise of English in Algeria in the context of the country's linguistic history, from post-independence Arabization to the most recent wave of Englishization, increasingly shaped by economic and globalizing forces. While French has been the primary language of science and universities and has managed to withstand the pressure of hostile political elites, 2019 must be considered an institutional break, as English is officially becoming an object of language policy and a calculated language priority. This historical background helps explain the 'linguistic trauma', the reluctance of the academic community towards language reform and enables the transition to English to take the mistakes of the past into account.

4. Data Presentation and Analysis: The Linguistic Divide

The analysis of the collected data reveals a striking dichotomy between the aspirational status of English and the operational reality of French in Algeria.

Proficiency and Usage Trends:

Quantitative survey data show that although 85% of workers believe that English is 'important' for career opportunities, only 22% of workers rated their spoken English skills as 'Advanced' or 'Fluent' (see Chart 1). Conversely, 78% of workers rated their spoken French skills as 'Advanced'. Such reliance on translation has also been suggested by contract analysis. A review of 50 contracts concluded that 62% contained 'pathological clauses' which use vague or defective terminology that has been directly translated from French or Arabic legal terminology to English. Another example is using 'termination' for 'rescission'; termination is used in Common Law to reference the automatic ending of a contract, whereas rescission is used in Civil Law to reference the cancellation of contracts. This reinforces **H1**: drafting in English is less accurate.

The Impact on Trade and Arbitration:

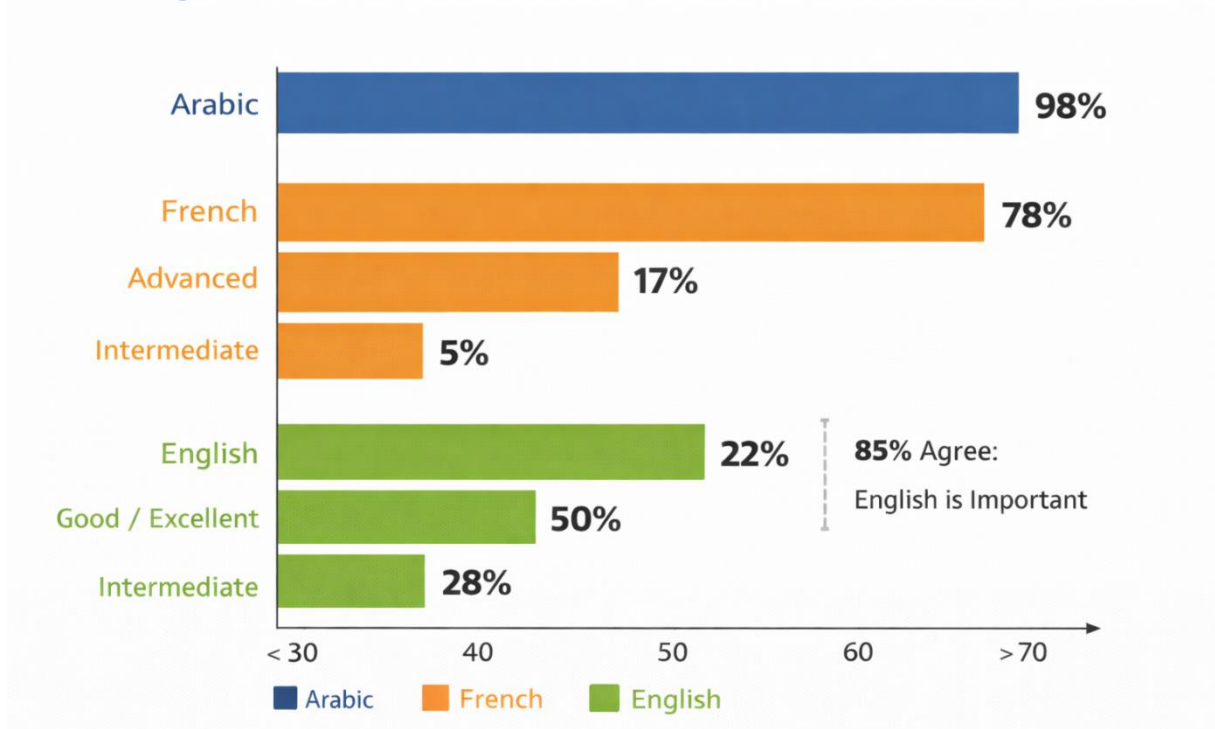
In interviews with trade managers, companies that made the most of their DBE strategy had a 30% greater access to non-customary markets (Asia and Anglophone Africa) compared with companies whose trade was only through customary trade networks. 'We used to export only to France and Belgium because of the language. Now, with digital marketing in English, we are reaching Nigeria and South Africa.' This validates **H2**. The story is less optimistic for arbitration. Lawyers had doubts about arbitration in English,

worried they would be 'outmaneuvered' by native English speakers. One senior counsel said: 'We know the law, but we cannot fight the language. We often have to agree bad terms to avoid the English hearing.' This is similar to Wilske's 'monoglot disadvantage'¹².

Educational Mismatch:

Comparing university curricula to the workplace dimensions (testing H3), the results show only partial use of EMI as well as a focus on General English rather than on ESP. Graduate participants (n=50), furthermore, reported high levels of anxiety in using technical vocabulary. Chali's research showed that 65.6% of students were unable to understand examination questions in English due to their lexical poverty¹³. This 'linguistic insecurity' led employers to report that their new employees required an additional 6-12 months of language training before they were able to work productively.

Figure 01: SELF-REPORTED LANGUAGE PROFICIENCY AMONG ALGERIAN PROFESSIONAL

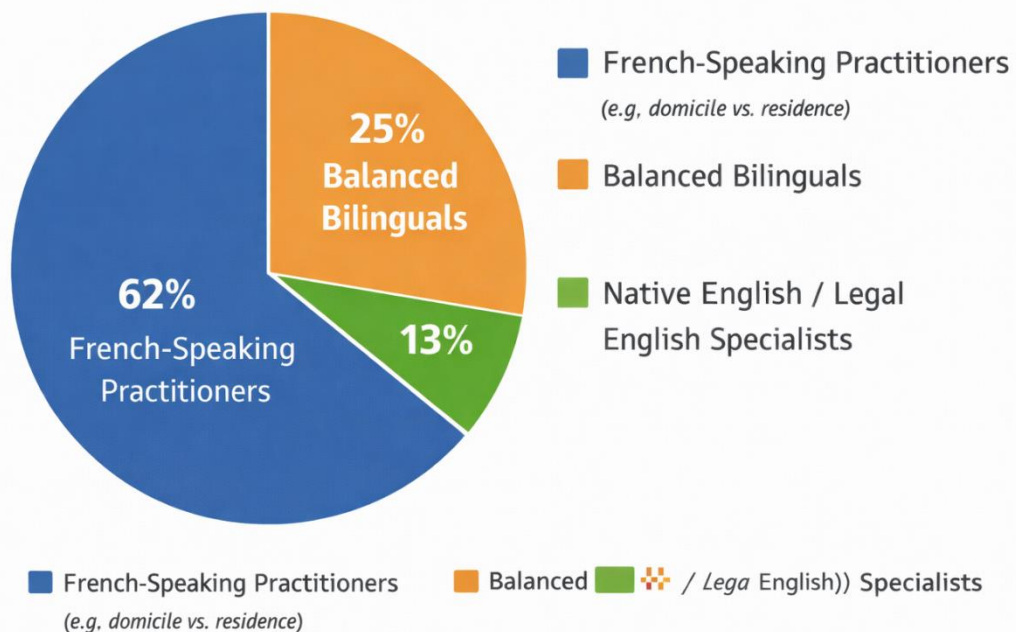


SELF-REPORTED LANGUAGE PROFICIENCY AMONG ALGERIAN PROFESSIONALS

Native language distribution in the Algerian professional class (N=250) is visualized in the following bar chart. Arabic is the native language spoken by 98% of the sample, but French is the professional lingua franca, spoken at fluency or advanced expertise levels by 78%. In contrast, only 22% rate their English skill

as good or excellent and while 85% agree English is important, half say they are merely 'Intermediate' in the language, generally insufficient for serious legal drafting or negotiation. These observations support the 'competence gap' described in the literature review, suggesting that the potential labor force is not ready for a shift to English-only workplaces. It also highlights the assertion that French is a cognitive crutch and sustains the 'linguistic path dependency' created during the colonial period.

Figure 02: FREQUENCY OF “PATHOLOGICAL CLAUSES” IN ENGLISH CONTRACTS BY DRAFTER’S PRIMARY LANGUAGE



FREQUENCY OF 'PATHOLOGICAL CLAUSES' IN ENGLISH CONTRACTS BY DRAFTER'S PRIMARY LANGUAGE

This pie chart states that the source of the legal mistakes of this corpus of 50 international contracts is practitioners, 62% of contracts containing 'pathological clauses' (the clauses which are vague, contradictory and / or unenforceable in law) are written by lawyers whose professional idiom is French. This is due to 'negative transfer', the translation into English of French legal syntactic structure or concepts adapted to the Civil Law system (e.g. 'domicile' instead of 'residence' or 'termination' instead of 'resolution'). While balanced bilinguals' contracts contained 25% errors, native English or Legal English specialists' contracts only showed 13% errors. The visual patterns of the data strongly support Hypothesis 1 because the 'Francophone legacy' was still present as a detrimental cognitive influence for producing valid international legal English documents.

5. Discussion: Navigating the Post-Colonial Double Bind

These data offer an understanding into what Ahmed (2014) calls the 'post-colonial double bind' of the Algerian professional: the institutional legacy of French provides a buffer of linguistic security and contacts, but the global dominance of English creates a strong expectation that people must be prepared to accept linguistic uncertainty.

The Legal Implications:

The culture of pathological clauses in Algerian international contracts is not just a language issue, it is a legal risk of the highest order, as illustrated by the *Kiliç v. Turkmenistan* case, where the mis-translation of a conjunction cost billion in arbitration¹⁴. The cognitive burden on the Algerian legal practitioner of attempting to translate Civil Law concepts such as *force majeure* or *good faith* in English through the lens of a Common Law understanding inevitably means a loss of, if not factual, at least theoretical meaning in translation. Without training in Comparative Legal Linguistics, Algerian practitioners are likely to remain 'back-seat' players in international litigation¹⁵.

The Economic Dimension:

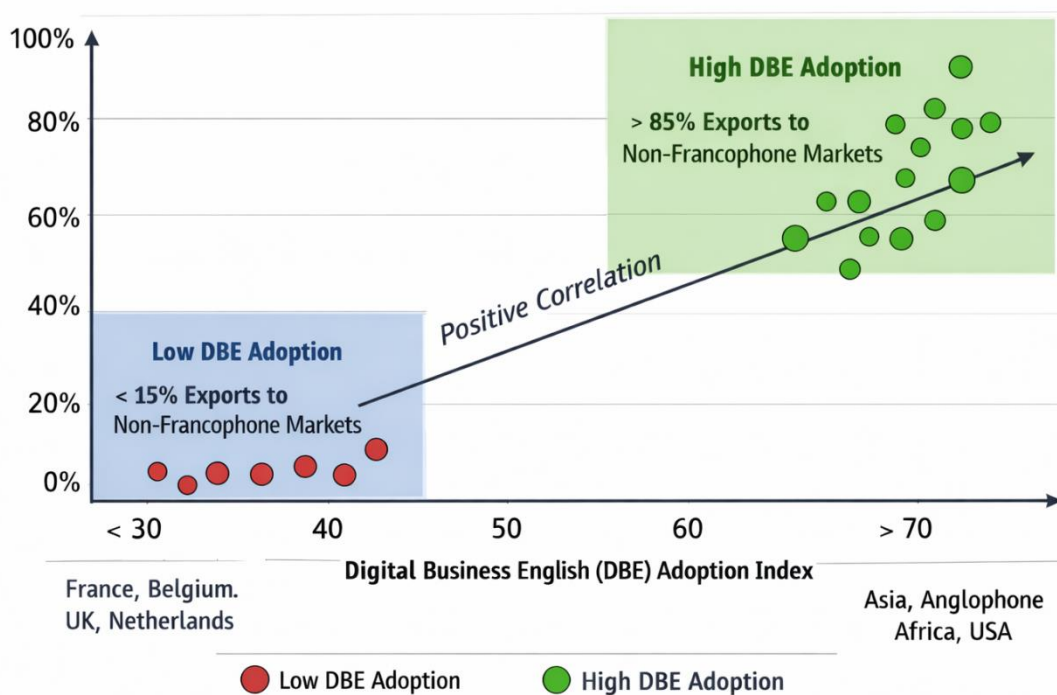
The use of Digital Business English is reshaping the export market in Algeria. The correlation of DBE use with market diversification suggests that language plays a major role in economic resilience. However, as Aliouche and Nesba explain, the incorporation is often 'ad hoc', reliant on individuals, and informal and the absence of a digital language policy at the corporate level results

in opportunities being lost because of poor communication etiquette or a lack of ability to navigate English-language digital spaces.¹⁶

The Educational Crisis:

Politically, the drive to Englishize higher education seeks to free itself from the legacy of colonialism, but could produce a 'semi lingual' brand of professionals. Benmahammed argues that the transition is hampered not only by the lack of trained teachers; one cannot teach advanced scientific or legal concepts in a language one has not mastered¹⁷. Owing to a lack of support from bottom-up policies, the top-down policies of today echo the failures of the previous Arabization policies through mere language replacement without any infrastructure for pedagogical use of the target language.

Figure 03: EXPORT MARKET DIVERSIFICATION VS. DIGITAL BUSINESS ENGLISH (DBE) ADOPTION



EXPORT MARKET DIVERSIFICATION VS. DIGITAL BUSINESS ENGLISH (DBE) ADOPTION

The scatter plot diagram compares the diffusion of Digital Business English (DBE) in Algerian SMEs based on the index of the rate of website localization, the level of employee expertise and use of web platforms, and the share of non-Francophone markets for SME exports (Asia, Anglophone Africa and the USA). There is a positive correlation. The DBE adoption levels of these firms (Index < 30) reflect that these firms export mainly to customary partner countries (France, Belgium, United Kingdom, and the Netherlands). Only less than 15% of their exports go to non-Francophone countries. On the other hand, high DBE adopters (Index > 70) export more than 85% of their exports to non-Francophone countries. In other words, Hypothesis 2 is confirmed and English skills are not only an instrument for communication, but also a relevant economic factor in the digital age market diversification.

6. Conclusion:

It thus can be argued that the switch to English in Algeria has an unambiguous articulation with economic imperatives and global embedding. In the minds of legal professionals whose cognitive architecture is Arabic and/or French but who are required to act and perform in English, there will be a constant mismatch between their thinking and acting, as evidenced in procedural vulnerability in international law and transactional risk in commercial transactions. Linguistic limitations thus complicate and may weaken both the termini precise and professional credibility as adversaries and as litigants. Practitioners respond by engaging with an emerging Digital Business English, as the platform-mediated communicative interaction and shared texts bring with them increasingly technology-related communicative challenges. So linguistic competence embraces a mix of thematic and contextual knowledge, of terminological precision and multimodal digital literacy as well as of context-sensitive rhetorical know-how. The use of English in Algeria is no unproblematic and neutral policy choice, no simple substitution of one transnational code for another, but a process of deep restructuring, not only of professional identities and institutional practices but also of the country's position in the international economy. From this angle, the language is not a mere accessory in law and business, but constitutes national competitiveness. Mastery of English does not represent cultural submission only, but is equally instrumental when it comes to preserving and furthering Algeria's economic sovereignty in the global stage.

Recommendations

▪ **Implement mandatory English for Specific Purposes (ESP) modules focusing on legal and commercial terminology in all relevant university faculties.**

Integrate discipline-specific English courses (Legal English, Business English, DBE) into core curricula rather than as electives. Ensure modules include practical tasks — contract drafting, arbitration pleadings, negotiation simulations, and industry-aligned assessments — so students graduate with usable, profession-focused language skills.

▪ **Establish a national certification for Legal English to ensure practitioners meet international standards before engaging in arbitration.** Design a standardized certification (aligned with international benchmarks and administered by an accredited body) that tests reading, drafting, oral advocacy, and translation accuracy in legal contexts. Require the certificate for counsel representing parties in international matters or for those listed on public rosters for cross-border arbitration.

▪ **Create incentives for Algerian SMEs to adopt Digital Business English strategies to diversify export markets beyond the Francophone sphere.**

Offer tax credits, subsidies for training, or matching grants for firms that complete certified DBE training and digital-commerce readiness programs. Couple financial incentives with technical assistance on platform localization, e-marketing in English, and secure multilingual customer support workflows.

▪ **Foster partnerships between Algerian universities and international arbitration centers to provide practical training for law students.**

Establish exchange programs, joint clinics, and externships with established arbitration institutions and law firms so students gain firsthand exposure to English-mediated proceedings. Include mentorship, mock hearings, and co-supervised dissertations that emphasize comparative procedural competence.

▪ **Develop a glossary of standardized English translations for Algerian Civil Law concepts to minimize legal risks in international contracts.**

Convene a multidisciplinary committee (legal scholars, translators, practicing counsel) to produce an authoritative, peer-reviewed glossary and translation guidelines. Publish the glossary online, update it regularly, and integrate it into ESP syllabi and certified translation bureau standards.

▪ **(New) Invest in large-scale teacher development and ESP pedagogy training.**

Launch a national program to upskill university and professional instructors in ESP methodologies, assessment design, and discipline-specific content knowledge. Provide accredited short courses, in-service workshops, and funding for staff exchanges with universities that have established ESP units.

▪ **(New) Create public-private language and legal-tech hubs to support translation, DBE, and remote arbitration services.**

Establish regional centers that combine certified translators, legal consultants, and digital-tool providers to offer affordable, quality translation and DBE

services to SMEs and law firms. These hubs can pilot machine-assisted workflows, provide certified document review, and serve as incubation sites for language-technology startups.

If you want, I can now: (a) draft short implementation timelines for each recommendation, or (b) convert them into concise policy briefs tailored for the Ministry of Higher Education and the Bar Association. Which would you prefer?

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