



THE PRESENCE OF NONVERBAL COMMUNICATION IN (PROCEDURAL) LAW

SZATMÁRI, NIKOLETT¹

ABSTRACT

This study examines the role of nonverbal communication in legal contexts, with particular attention to its significance in Hungarian law and international jurisprudence. It argues that gestures, facial expressions, posture, eye contact, and vocal cues can provide valuable insight into emotions, intentions, and credibility, even though they are not formally recognized as independent means of proof. The paper first outlines the theoretical relationship between communication and nonverbal communication, then explores the growing relevance of nonverbal signals in areas such as mediation, civil procedure, criminal procedure, labour law, and family law. It also reviews selected international cases in which nonverbal behaviour influenced investigations, public perception, or judicial evaluation. The study concludes that nonverbal communication can support legal decision-making, but its interpretation remains complex due to subjectivity, cultural variation, and the effects of digitalisation. Therefore, greater professional awareness and training are needed to ensure its careful and responsible use in the service of justice.

KEYWORDS Nonverbal communication, legal proceedings, witness credibility, mediation, judicial decision-making

1. Introduction

Communication stands as a fundamental aspect of human connection, enabling the exchange of ideas, feelings, and concepts among individuals. This exchange transcends verbal articulation, as nonverbal cues play a critical role in conveying meaning. Elements such as body language, facial expressions, hand movements, eye contact, vocal tone, and personal space contribute significantly to interpersonal interactions. These nonverbal signals can be more telling than

¹ PhD Student, Doctoral School of the Faculty of Law, University of Pécs, Pécs, Hungary.

words, often conveying the most profound and nuanced messages within our communications.

Nonverbal communication predates spoken language, emerging from the earliest human behaviours and evolving through natural selection to facilitate the expression of feelings and intentions. This silent form of interaction is intrinsic to how we connect with one another, often occurring instinctively and below the threshold of our awareness. Despite this lack of conscious recognition, the silent messages conveyed through our gestures, facial expressions, and posture are powerful communicators. Simple actions like a smile, a nod, or a handshake carry layered meanings that can reinforce or negate spoken words. Nonverbal cues play a crucial role in enhancing comprehension, fostering trust, and nurturing relationships. Their significance is particularly pronounced in close relationships, where emotional understanding and the interpretation of body language form the cornerstone of such connections. Acts of physical touch, such as a gentle handhold or an embrace, can communicate profound sentiments that words alone may fail to capture (Birkenbihl, 2007). Facial expressions, like a smile or a frown, can convey emotions quickly and effectively and help people respond instantly to each other's feelings. Nonverbal communication also plays an important role in social interactions, where body language and behaviour patterns can help people understand social hierarchies and relationships. The use of gaze, posture, and spacing can all communicate power, subordination, friendship, or hostility (Allison, 1990). Understanding nonverbal communication can help people respond appropriately to different social situations and navigate the complex world of social interactions more effectively. The importance of nonverbal communication is also evident in the work environment, where body language and facial expressions can be key to teamwork and leadership. A leader's posture and gaze can convey confidence and determination, which can increase team members' trust and commitment. Nonverbal communication between co-workers can help foster teamwork and collaboration and create a positive work atmosphere (Hengl, 2023).

In legal proceedings, where the precise meaning of words and the interpretation of evidence are key, the role of nonverbal communication has long been underestimated. However, in modern jurisprudence, it is increasingly recognized that body language, facial expressions, gestures, and other nonverbal signs can be important sources of information (Argyle, 1988). Lawyers, judges, and investigators alike know that the truth behind words is often revealed by telltale signs of nonverbal communication. A glance out of the corner of a witness's eye during testimony, a suspect's clenched lips, or a small nod of a judge's head can all contribute to uncovering the truth. For legal

professionals, these signs can help them better understand the emotions, intentions, and credibility of witnesses, suspects, and others involved.

However, analysing nonverbal communication is not an easy task. Body language interpretation can be subjective and can carry different meanings in different cultures. For this reason, the evaluation of nonverbal communication in legal proceedings requires serious expertise and often requires the involvement of experts who are able to interpret observed signals with the help of behavioural science.

In addition to the relevant domestic legal requirements, this study presents international legal cases where nonverbal communication played a decisive role in the outcome. These cases demonstrate that nonverbal communication in legal decision-making is not only ancillary information, but often an essential element in understanding the whole picture. When analysing relevant laws and cases, we can see how nonverbal cues can influence judgment, witness credibility, and final judgment. The study of cases provides valuable insights not only for legal professionals, but also for anyone interested in the relationship between human behaviour and legal processes.

2. The Relationship Between Communication and Nonverbal Communication

Communication and law are inseparable (Hengl, 2023). Human communication is much more than just words or sentences, and consequently the importance of nonverbal communication is unquestionable. From the appearance of the human intellect, human beings have communicated with one another, and this communication can be both one-way and two-way. From the very beginning, oral communication could not be separated from nonverbal communication. People and even animals instinctively communicate with nonverbal signals, because joy, pain, and emotions are also conveyed by people with their faces, hands, and entire bodies. Even before the formation of speech, people communicated using nonverbal signals. Nonverbal communication is therefore an integral part of verbal communication. Before we begin to deal with modern theories, especially their use in official proceedings, it is important to have an accurate picture of communication beforehand (Ambady & Rosenthal, 1992). It is through the concept, development, and dimensions of communication that we get to know nonverbal communication best. The word communication comes from the Latin word *communis*, which also has a corresponding meaning in the Hungarian language. This means community, but communication requires at least two participants. Receiving and transmitting information is as fundamental to life as breathing, metabolism, and reproduction. The timely transmission and receipt of detected distress signals, along with everything else,

can be categorized in the same way as the survival of individuals and species. Thanks to the development of science, we now know that not only people and animals, but also plants communicate and send signals to each other (Buda & László, 1981). Nonverbal communication appeared almost simultaneously with the development of life. This is explained by the fact that for the survival and reproduction of two individuals, it is necessary to establish some kind of relationship in advance, that is, the functioning of a signalling system, that is, communication (Wilhelm, 2015).

Through communication, we can use this system to understand what is happening around us. The basic elements of this communication system are the rules for the use of signs and signals. Signs are distinguished by their origin as natural or artificial signs. For communication to take place, a transmitter, a receiver, a channel or medium that connects the transmitter and receiver, and a common code that provides information and understanding are required (Horányi, 2003). Communication can be one-way or two-way, depending on the direction of the process. If there is no way for the receiver to respond to the transmitter, as in reading or watching TV, the communication is one-way. If it is possible for the transmitter and receiver to switch roles so that a dialogue can develop, then we can talk about two-way communication (Bajner, 2008). It can be distinguished whether communication is indirect or direct. Direct communication means that the transmitter and receiver are simultaneously involved in the process and are spatially close to each other. In all other cases, we are talking about indirect communication. Indirect communication also occurs when we make a memo note for ourselves or when information reaches the recipient through a third party. Communication is carried out through several channels. We distinguish verbal, vocal, and nonverbal communication. The entire communication system is about 7% verbal, 38% audible, and 55% nonverbal (Wilhelm, 2015).

Since the formation of human society, nonverbal and verbal communication has become increasingly important and sophisticated. Smart people soon realized that good communication skills allowed people to be manipulated and could serve as a tool for dominance. Influencing and deceiving others, however, is not necessarily selfish, but an essential means of survival. Higher-level communication is no longer about receiving or transmitting information, but about communication itself, when a person feels the need to communicate and share feelings. It is a fact that conscious control of communication is of great benefit to those who have the ability, and practice proves this.

The word communication comes from the Latin word *communis*, which also has a common meaning in the Hungarian language. This means community, but communication requires at least two participants. Communication basically

means the exchange of information using a common sign system, such as language or sign language. The latter refers to different forms of gestures, such as eye contact, facial expression, posture, intonation, tone of voice, and volume (Thompson, 2015).

There are various barriers to communication, including external, physical, and internal, that is, intellectual, conceptual, and language barriers. Physical barriers include many factors that impede external communication, such as distance, amount of information, speed, and background noise, but even more disruptive are internal conflicts between communicators. For example, communicators may have different levels of understanding and experience or interpret the meaning of words differently. All these factors have influenced the historical development of communication, from the appearance of sound signals (e.g. drumming, shouting, whistling) and visual signals (e.g. smoke, flags, mirrors) to printing and modern fibre-optic mass communication.

Good self-expression and the ability to structure and convey speech have been of great importance since ancient times. These qualities were first mentioned in the ancient Greek epic poem *The Iliad*. In this poem, Homer explains why and how important it is to know the science of rhetoric (eloquence) (Wilhelm, 2015). Rhetoric was originally associated only with speeches on solemn occasions, but gradually expanded to all areas of communication, showing that cultural conversation depends on participants mastering the art of reasoning and debate. In ancient times, lawyers were experts in rhetoric. Even today, we can see in many courtroom films how important the phrases and subtle language invented by lawyers are in sentencing, and how they carry as much, and in some cases more, weight than the physical evidence and witness statements themselves. We can observe how important they are in the decision-making process. With the advent of democracy, the ability of those in power to communicate effectively became increasingly important, and those who did not have such skills sought to learn them. In ancient democratic city-states, it soon became clear that popular assemblies sometimes did not have enough information. Those in power realized very early on that silence, like communication, was just as effective a means of communication. From silence developed secrecy, and from this emerged censorship, which is still used today. Thus, people recognized the importance of communication thousands of years ago. Over time, people have mastered the art of communication, acquiring and possessing the knowledge to maximize its effectiveness.

In the modern world, a new term has appeared to describe the science of communication: public relations. Public relations is a management and control activity. According to Wikipedia's definition, the goal of public relations (PR) is to achieve mutual understanding between people, organizations, and their

environment, and to build mutually beneficial relationships through two-way communication. However, the extent to which "mutually beneficial" relationships are in fact created and maintained in reality is a complex question.

Today, when we live in a communicative society, it is more important than ever to familiarize people with the mechanisms of communication. It is becoming increasingly obvious that one-way communication plays an increasing role in everyday life, where the listener does not have the opportunity to reflect and react to what has been said, as opposed to two-way communication, where, thanks to mass media, people have the opportunity to give seemingly immediate feedback and express their opinions. However, even in two-way communication, it is easy to be deceived if you do not know the basic principles of how communication works, so you may not find out the truth.

Since the advent of humankind, communication has had four epochs: speech, writing, printing, and electronic communication, more precisely, four revolutions in the means of communication (technology) (Wilhelm, 2015).

3. Nonverbal Communication and Law

The study of the relationship between nonverbal communication and law is an extremely complex area that is receiving increasing attention in legal practice and in the administration of justice. Although nonverbal communication is not explicitly recognized as a means of proof by either domestic or international jurisprudence, its significance is indisputable. In legal proceedings, judges, lawyers, and other legal professionals often face the challenge of interpreting the nonverbal communication of witnesses, suspects, and other participants, with all its complexity and hidden meaning. The complexity of nonverbal communication arises from the fact that it encompasses many forms of human behaviour, such as facial expressions, posture, gestures, gaze, and tone of voice. These signals often convey emotions, intentions, and attitudes both instinctively and unconsciously (Fisher et al., 1991). For legal professionals, these signs can help them better understand the emotions, intentions, and credibility of witnesses, suspects, and others involved. However, the interpretation of nonverbal communication can be subjective and can carry different meanings in different cultures, which further complicates the legal assessment.

The importance of nonverbal communication and the use of such signals is growing in areas such as labour law, family law, and specifically procedural law. In labour law, nonverbal communication can play an important role, for example in cases of harassment or discrimination in the workplace. Courts often investigate workplace interactions, including nonverbal communication, to determine whether there has been a violation. Body language, facial expressions, and other nonverbal cues can help the court better understand

workplace dynamics and the credibility of the complainant's claims. In the area of family law, especially in custody cases, nonverbal communication can also play an important role. Courts often consider nonverbal interactions between parents and children as indicators of attachment and relationship quality. The body language and facial expressions of parents can help the court judge the parent-child relationship and determine what best serves the child's interests (Vanderkool & Pearson, 1983).

With the rise of alternative dispute resolution procedures, especially mediation, nonverbal communication is making its way into legal regulation (Allison, 1990). In the next section, the procedural, and potentially broader legal, aspects of nonverbal communication in Hungary are examined, focusing on mediation, civil, and criminal procedure.

4. Nonverbal Communication in Hungarian Law

The Hungarian legal system, like all modern legal systems, relies primarily on oral and written communication. Laws, regulations, and legal documents are recorded in written form, and legal reasoning is also primarily expressed on paper. However, in legal practice, especially in litigious and non-contentious proceedings, nonverbal communication also plays a significant role. In these procedures, interactions between participants involve forms of communication that go beyond words and carry important information that can influence the outcome of the proceedings.

Alternative Dispute Resolution (ADR) is an increasingly popular method of handling and resolving legal disputes in Hungary outside of traditional court proceedings. ADR is an umbrella term that encompasses methods operating in parallel with the judicial system to resolve disputes. Its most important feature is that it places those concerned in a situation in which the conditions are in place for them to try to settle the dispute between them themselves and find a solution that is acceptable to both parties. ADR also differs from traditional litigation in that it seeks to resolve disputes while taking into account the interests and needs of the parties, which increases participants' confidence in the dispute-resolution process. ADR methods most often involve a person or body that is impartial and chosen by, or at least mutually agreed upon by, the disputing parties. The various forms of ADR include mediation, arbitration, conciliation, and conciliation procedures. These procedures allow parties to find more cost-effective and often faster solutions to their disputes, while giving the parties more control over the outcome (Hengl, 2023). The use of alternative dispute resolution (ADR) can bring benefits to both the judicial system and the parties to the conflict. Related procedures tend to be less formal, less costly, and less time-consuming than litigation and negotiation. ADR may be more suitable

for multilateral disputes. The procedure is more confidential and less stressful than traditional court proceedings. In ADR procedures, parties play an important role in resolving their own disputes, which often leads to more creative solutions, more lasting results, greater satisfaction, and better relationships. ADR should allow for a more complete resolution of conflicts, whereas in court proceedings the parties are bound to specific claims. Due to this, it can resolve disputes more thoroughly, since it addresses the causes of the emergence of conflict, unlike traditional judicial systems in democratic states, in which the rules of the rule of law prevail. Thanks to this, they deal only with the symptoms. ADR procedures can lead to long-term and more stable, creative, and mutually satisfactory conflict resolutions (Orlando, n.d.).

In Hungary, ADR methods have grown in popularity in recent years, partly because of increasing legal awareness, the need to reduce high litigation costs, and efforts to reduce the burden on court proceedings. Mediation is particularly popular in family law cases, such as divorce or custody, where the parties must maintain a long-term relationship. Arbitration is often used in commercial disputes, especially where parties want a quick and expert decision. Both the Hungarian government and legislators support the use of ADR methods and seek to further improve the legal framework to make ADR more effective and accessible to the public. The advantages of ADR methods include less formal and less confrontational resolution of conflicts, as well as the long-term preservation of relations between the parties. It is important that with the spread of ADR methods, more attention is also focused on nonverbal signals.

According to the preamble to Act LV of 2002 on Mediation Activities (Közv. tv.), Parliament enacted the Act in order to facilitate the out-of-court settlement of civil disputes. Mediation is a conciliation, conflict-resolution, or dispute-settlement procedure conducted under this Act to facilitate the completion of a specific pre-litigation, judicial, or official procedure, the purpose of which is to facilitate, by mutual agreement of the parties to the dispute, the conclusion of a written agreement containing the resolution of the dispute with the involvement of a third party who is not a party to the dispute, namely a mediator (Közv. tv., § 2).

The family law section of Act V of 2013 on the Civil Code also contains detailed rules on mediation. Before divorce proceedings are initiated or during divorce proceedings, the spouses may, of their own accord or at the initiative of the court, use mediation in order to resolve their relationship or disputes relating to the divorce by agreement. They may set out their agreement resulting from mediation in a court settlement (Ptk. § 4:22).

The court may, in justified cases, order the parents to use mediation in order to ensure the proper exercise of parental authority and the necessary cooperation, including contact between the separated parent and the child (Ptk. § 4:172).

The guardianship authority may, upon request or ex officio in the interests of the child, order the parents to have recourse to mediation in order to establish appropriate cooperation between the parent exercising parental responsibility and the parent who is separated from the child, in order to ensure the rights of the separated parent, including contact between the separated parent and the child (Ptk. § 4:177).

As noted above, nonverbal communication is not explicitly recognised as a means of proof either in domestic or international jurisprudence. This is due to the extreme complexity of nonverbal communication. It is difficult even for professionals to study all nonverbal communication channels and draw appropriate conclusions. In addition to the lack of the necessary professional background, the technical conditions do not allow nonverbal communication to be conclusive, as professionals often work from recordings, which can only be analysed after watching and slowing them down several times. This technique is extremely time-consuming and costly, and privacy legislation does not allow it to be incorporated into the system of evidence. However, it is important to emphasise that the current procedural law gives the judge enough leeway to take into account nonverbal communication when evaluating witness statements (Tremmel, 1993).

According to Section 283 (1) of Act CXXX of 2016 on the Code of Civil Procedure (Pp.), the court determines the facts on the basis of a comparison of the parties' presentations with the evidence presented during the evidentiary procedure; it evaluates the evidence as a whole and judges it according to its convictions. It is clear from the cited legal provisions that, in order to establish the facts forming the basis of the judgment, it is necessary for the court to establish the credibility and strength of the evidence and then its significance for the facts. In taking evidence, the court weighs each piece of evidence, determining its probative value, or in other words, its evidentiary weight. However, it weighs the evidence not only individually, but also as a whole, examining whether the facts to be proved are proven or not. The freedom of the judge is therefore reflected in both criminal and civil procedure, so it is important what kind of overall picture the witness presents during testimony.

Act XC of 2017 on Criminal Procedure (Be.), Section 167(1), provides for the evaluation of evidence. According to it: „*In criminal proceedings, all means of evidence laid down by law may be freely used and all evidentiary procedures may be freely applied. However, the law may provide for the use of certain means of proof.*” The law clearly states that in criminal proceedings “[...] *all means of evidence provided for by law may be freely used*”. The means of proof are listed exhaustively in Section 167(2), including witness testimony and the testimony of the accused. The law stipulates that all evidentiary procedures may be freely applied and declares that all evidentiary procedures may be freely used. This means that the means of proof are defined by law, whereas their assessment is completely free and depends solely on the authority as to what it accepts as evidence and when, how it evaluates it, and when it considers the fact to be proved as established. If the trial judge considers that the testimony was problematic and that there were discrepancies either in its content or in the relationship between behaviour and content, he or she may disregard the testimony.

Taking a step back from criminal proceedings, it is important to analyse nonverbal communication even during criminal investigations, as it can help investigators assess the credibility of suspects and witnesses. By observing body language, facial expressions, and vocal cues, investigators can gain valuable information about the emotional state and intentions of those involved. For example, the FBI employs specialists who specialize in facial and body language analysis to assist with investigations.

5. Nonverbal Communication in Jurisprudence

In the following, this study presents some international cases in which nonverbal communication played a prominent role in the outcome of the proceedings. The Amanda Knox case in Italy in 2007 is one such case. American student Amanda Knox and her friend Raffaele Sollecito were charged by Italian authorities with the murder of Meredith Kercher in Perugia. The case took many turns and received considerable media coverage. Italian police and prosecutors also took nonverbal signals into account during the investigation. During Amanda Knox's interrogations, police monitored her body language and facial expressions. Knox's behaviour, which authorities found strange and unusual, contributed to suspicion. During interrogations, investigators observed that Knox often avoided eye contact and made nervous gestures. These nonverbal cues contributed to investigators' belief that Knox was lying or hiding something. Although the nonverbal cues alone did not provide clear evidence, they contributed to the development of the charges against Knox and Sollecito. The case was finally closed after numerous appeals, and Knox was ultimately acquitted in 2015.

In the 1998 Bill Clinton and Monica Lewinsky case in the United States, US President Bill Clinton was accused of lying about his relationship with Monica Lewinsky. During the investigation into the case, Clinton testified under oath. During Clinton's testimony, his body language also received a great deal of attention. One of the most well-known moments was when Clinton denied the affair and declared, "*I did not have sexual relations with that woman, Miss Lewinsky.*" Investigators and the public watched Clinton's facial expressions, posture, and vocal cues. Many believed that his avoidance of eye contact and tense posture during the statement indicated deception. The case eventually served as a tool for Clinton's political opponents and led to impeachment proceedings. Although Clinton ultimately retained office, the role of nonverbal cues in shaping public opinion and influencing perceptions of the case was of great importance (Ekman, 2003).

The Jodi Arias case also arose in the United States in 2008. Jodi Arias was charged with the murder of her friend Travis Alexander in Arizona. The media coverage of the case was enormous, and Arias' behaviour during the trial received a great deal of attention. During Arias' interrogations and testimony at trial, investigators and judges watched her body language and facial expressions. Arias often changed her story, and her behaviour was often perceived as inconsistent. During interrogations, investigators noticed that Arias often made nervous gestures, such as playing with her hair and avoiding eye contact. These nonverbal cues contributed to the impression that Arias was lying. At the end of the case, Arias was found guilty of first-degree murder and sentenced to life imprisonment. Analysis of the nonverbal cues helped investigators and the court understand Arias' emotional state and the credibility of her statements.

The Harold Shipman case attracted public attention in the United Kingdom in 2000. Dr Harold Shipman, a British general practitioner, became notorious when it was revealed that he had murdered more than 200 of his patients. Shipman's case is one of the most serious serial murder cases in the UK. During Shipman's interrogations, police monitored his body language and facial expressions. Investigators noticed that Shipman remained calm and indifferent during interrogation, which was not consistent with the seriousness of the crimes he was accused of. Nonverbal cues, such as minimal facial expressions and a relaxed posture, helped investigators determine that Shipman was emotionally distancing himself from his crimes. At the end of the case, Shipman was found guilty of committing more than 200 murders and sentenced to life imprisonment. Analysis of the nonverbal cues helped investigators, and the court understand Shipman's emotional state and credibility.

The Oscar Pistorius case took place in South Africa in 2013. Oscar Pistorius, a Paralympic athlete from South Africa, shot his girlfriend, Reeva Steenkamp.

Pistorius claimed that he believed Steenkamp to be a burglar and acted in self-defence. During the trial, Pistorius' behaviour received much attention. The court watched his body language, facial expressions, and vocal cues. Pistorius often cried during the trial and seemed visibly emotionally broken. Nonverbal cues, such as crying and a trembling voice, appeared to validate his emotional responses. Although the court ultimately found Pistorius guilty of culpable homicide, analysis of nonverbal cues contributed to the decision. Pistorius' behaviour suggested that he felt deep emotional grief, which influenced the court's verdict (Darwin, 1872).

In the Elizabeth Holmes case, also in the United States, Elizabeth Holmes, founder of a biotech company called Theranos, was accused of misleading investors and patients about the effectiveness of the company's blood-test technology. The case came before the court in 2021. During Holmes' interrogations and trial, investigators and the court monitored her body language and facial expressions. Holmes often wore black turtlenecks, which indicated her admiration for Steve Jobs, and this was seen by many as a form of image management. During the trial, the court monitored Holmes' nonverbal signals, such as avoiding eye contact and nervous gestures. These signs contributed to the court's doubts about Holmes' sincerity. At the end of the case, Holmes was found guilty of fraud and misleading investors. Analysis of nonverbal cues helped the court understand Holmes' emotional state and authenticity.

The presented legal cases illustrate the importance of nonverbal communication in criminal investigations and court proceedings. Body language, facial expressions, gestures, and vocal cues can all help uncover truth and judge authenticity. However, it is important to remember that nonverbal cues alone cannot serve as clear evidence and should always be evaluated in conjunction with other evidence.

6. Conclusion

The use of nonverbal communication in legal proceedings is a complex and multifaceted issue. While it can make a significant contribution to uncovering the truth, legal professionals need to be aware of the limitations of interpreting nonverbal cues and the effects of cultural differences. Understanding and correctly applying nonverbal communication is essential to legal decision-making, and it is important for the legal profession to further develop its expertise in this area. In legal training and practice, increasing emphasis should be placed on the study and understanding of nonverbal communication so that lawyers are able to use this tool effectively in the service of justice.

It is important to note, however, the difficulties posed by cultural challenges and increasing digitalisation. Nonverbal cues may have different meanings in different cultures, which can lead to misunderstandings in international legal procedures. In addition, the interpretation of body language can be subjective and depends on the prejudices and experiences of the observer. Taking cultural differences into account is vital in interpreting nonverbal communication. What is considered polite and respectful in one culture may be perceived as suspicious or disrespectful in another. Legal professionals therefore need to be aware of the communication habits of different cultures in order to avoid misunderstandings and misinterpretations. Interpretive challenges add further complexity to the legal application of nonverbal communication. Legal professionals need critical thinking and the contextualization of nonverbal cues to accurately interpret behaviour. In addition, when interpreting nonverbal communication, legal professionals must take into account individual differences, such as personality traits and behavioural patterns.

The advent of digitalisation and the proliferation of the internet have revolutionised traditional modes of communication. Face-to-face interactions are increasingly being supplanted by digital communication platforms. This shift has profound implications for nonverbal communication, which has long been a cornerstone of human interaction. As technology continues to reshape the landscape, even conventional legal processes are undergoing transformation, complicating the recognition and interpretation of nonverbal cues as interactions migrate to the digital realm.

References

- [1] Act CXXX of 2016 on the Code of Civil Procedure (Pp.).
- [2] Act LV of 2002 on Mediation Activities (Közv. tv.).
- [3] Act V of 2013 on the Civil Code (Ptk.).
- [4] Act XC of 2017 on Criminal Procedure (Be.).
- [5] Allison, J. R. (1990). Five ways to keep disputes out of court. *Harvard Business Review on Negotiation and Conflict Resolution*. <https://pubmed.ncbi.nlm.nih.gov/10106402/>
- [6] Ambady, N. & Rosenthal, R. (1992). Thin slices of expressive behavior as predictors of interpersonal consequences: A meta-analysis. *Psychological Bulletin*, 111(2), 256–274. <https://doi.org/10.1037/0033-2909.111.2.256>
- [7] Ambady, N. & Weisbuch, M. (2010). Nonverbal behavior. In Fiske, S. T., Gilbert, D. T. & Lindzey, G. (Eds.), *Handbook of social psychology* (5th ed., pp. 464–497). Wiley. <https://doi.org/10.1002/9780470561119.socpsy001013>
- [8] Argyle, M. (1988). *Bodily communication*. Methuen.
- [9] Birkenbihl, V. F. (2007). *Testbeszéd*. Trivium Kiadó.
- [10] Buda, B. & László, J. (1981). *Beszéd a szavak mögött*. Tömegkommunikációs Kutatóközpont.

-
- [11] Darwin, C. (1872). *The expression of the emotions in man and animals*. John Murray. <https://historiesdrawingsprints.com/wp-content/uploads/2013/11/darwin-the-expression-of-emotion-1872.pdf>
- [12] Ekman, P. (2003). *Emotions revealed: Recognizing faces and feelings to improve communication and emotional life*. Henry Holt and Company. <https://zscalarts.wordpress.com/wp-content/uploads/2014/01/emotions-revealed-by-paul-ekman1.pdf>
- [13] Fisher, R., Ury, W. & Patton, B. (1991). *Getting to yes: Negotiating agreement without giving in*. Houghton Mifflin. <https://www.rhetoricinstitute.edu.gr/wp-content/uploads/2017/09/fisher-getting-to-yes.pdf>
- [14] Hengli, M. (2023). *Jogi kommunikáció: Jogi területen hasznosítható kommunikációs ismeretek*. Pécsi Tudományegyetem Állam- és Jogtudományi Kar. <https://pea.lib.pte.hu/server/api/core/bitstreams/50f9cf3f-c5e5-4b67-bc26-c4d4a4ddd0d5/content>
- [15] Horányi, Ö. (2003). *Kommunikáció I. – A kommunikatív jelenség*. General Press Kiadó.
- [16] Orlando, A. (n.d.). *Advantages and disadvantages of dispute resolution processes*. Blaney McMurtry LLP. https://www.blaney.com/sites/default/files/other/adr_advantages.pdf
- [17] Thompson, J. (2015). *Nonverbal communication and the skills of effective mediators: Developing rapport, building trust, and displaying professionalism* [Doctoral dissertation]. Griffith University Australia. <https://doi.org/10.25904/1912/3625>
- [18] Tremmel, F. (1993). *Igazságügyi retorika*. Janus Pannonius Tudományegyetem Állam- és Jogtudományi Kar.
- [19] Vanderkool, L. & Pearson, J. (1983). *Mediating divorce disputes: Mediator behaviors, styles and roles*. National Council of Family Relations. <https://doi.org/10.2307/583696>
- [20] Wilhem, J. (2015, June). A kommunikáció történetének rövid áttekintése. *Fókusz*. <https://www.fokusz.info/index.php?cid=1161908925&aid=1268641658>