

Features of legal vocabulary functioning in the texts of law in communicative-pragmatic aspect

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For a long period of time there have been discussions about the relations between language and law. Foreign studies on the problems of law consist of two sections, the language of law and the law of language. Home studies contain the problem of text and logical-linguistic phenomena in the law, legal studies and practice [3, 4].

Connection of language and law refers to the problems at the junction of the general theory of law, philosophy of law, the general philosophy, semiotics, linguistics, logic and psychology.

To try to determine connection of these categories, at least, makes it possible to significantly diversify the conceptual and terminological system of jurisprudence, as well as to enrich the methodological and theoretical arsenal of legal science fields and spheres. The language and law performance as regulatory tool of human behavior in society, have a mutual influence on each other, they are in a relationship of mutual enrichment and mutual correction.

A characteristic feature in the relationship between language and law is the similarity of their functions: language and law are endowed with communicative functions, manifested in acts of communication between legislators and law executives and between law executives and citizens. The content of the legal rules set out in the texts of legal acts may be put to work only through language, as expressed in a language form. «Law is formulated, interpreted and applied by means of language» [5: 9]. Social legal relations are materialized through language. In all areas of law activities quality of enforcement is inseparable from the quality of its linguistic presentation [8: 101]. Law executives assess not only the circumstances of the case, but also work «with the language set out in the form of case description» [7: 171], that is legal text. Also, the court's decision is set out in the written form of language, which is directly related to coming to judicial solution. Statement of legal actions in the form of language is important for legal interpretation.

German researchers in the field of legal studies D. Busse and R. Hartmann emphasized three main criteria that characterize relationship between language and law: 1) codification, 2) explanation, and 3) interpretation [5: 11; 6: 47]. By codifying they understand the binding legal elements, taking into account the language rules and the regulations of law. N. D. Golev complements this thesis, drawing a parallel between the language (language vs. speech system) and law (law vs. law enforcement practice). «As well as loose social norms can be legalized by canon law, spontaneous, natural changes in language can be transformed into recognized patterns» [2: 14]. «In many linguistic rules (in particular, codified ones) there are legal elements and they can be legally secured if public necessity occurs. But the principles of this attachment must be installed only in the light of language rules and regulations» [2: 11-58]. However, for the practice of law there are more important concepts - the meaning and interpretation of legal texts. Any legally significant action is a reflection of the language, that is «... a special case for the use of a special language» [5: 12]. This confirms the thesis that it is not possible to perform

a function of the law as a mechanism for regulating social norms without reference to a legally significant action through language.

For the rule of law to serve as a regulator of social behavior, it is necessarily embodied through linguistic expression. The great philosopher Georg Wilhelm Friedrich Hegel wrote: «it is the power of linguistic expression itself carries out what should be done. For language is the actual existence of pure self as self; in it there is sheer individuality of self-consciousness as such comes into existence in the sense that it is for others» [1: 48]. That is why we can safely say that law gets its ontological status through language.

Legal norms, combined through the language into the text, are considered not only as a legal phenomenon, but also the phenomenon of language. They are subject to almost all the linguistic rules specific in the language. Language is seen not as a phenomenon, but as an instrument for legal regulation of social relations.

The impact of language on law is expressed through the exercise of the latter in a number of functions, the most important of which are the ontological and epistemological ones.

Ontological language function implemented in law practice is the ability of linguistic signs to denote the law. The language not only allows legal norms to exist objectively, it also provides the possibility of knowing the reality of the legal entities and through it further interpretation of law and law-making activities. Another important function of language in relation to the rule of law is its epistemological function.

The epistemological function of language, accomplished in relation to law, is the ability to express the meaning of linguistic signs in order to define normative judgments of the state - the rule of law.

Researchers of legal language describe two structural levels in relation between language and law. First there is an objective law in language, which plays dominant role at this level in language and semiotic processes mediated by it. We can call this level objective, since such interaction between the two phenomena is predetermined by the very essence of language, its ability to denote and express common categories, making them accessible in knowledge and application fields. The second level is characterized by the fact that the language, the language situation, public relations arising in connection with the use of this language already appears to be object of legal regulation. This is the subjective aspect of the characteristics of the relation between law and language, because it is impossible to influence the internal structure of natural language by legal means.

Regardless of the particular approach, it is possible to single out a few specific features that characterize the relationship between language and law. They are:

1). consistency. Both law and language are a specific system, that is ordered set of individual elements; 2). hierarchical. Since both law and language are systems, they have mandatory in-system inherent hierarchy that is the presence of certain patterns in the relationship between some elements and the others; 3). normative. Both law and language are normative systems, establishing certain patterns of social behavior.

The analysis dealing with levels of language law reveals their similarities, which probably can be explained by extra linguistic factors: the scope of application, conditions of communication, common installation speech, and its main task.

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