

A. Maiseenko

А. А. Маисеенко

МИ МВД (Могилев)

Научный руководитель Е. Е. Иванов

THE CORRELATION BETWEEN «LEGAL LANGUAGE» AND «LEGAL DISCOURSE»

О соотносённости понятий «юридический язык» и «юридический дискурс»

Legal terminology is a significant foundation of legal language and represents a system of established, orderly, uniform, properly formulated, and standardized legal terms that are effectively used in lawmaking. Since terms form the basis of both legal language and legal discourse, it is necessary to first examine the definition of this concept before addressing the main objective of our study: to identify the correlation between legal language and legal discourse. A term (from the Latin terminus, meaning «limit») is a special word or phrase used in specific contexts to express unambiguous and precise definitions of concepts from professional activities, fields of science, technology, or art, in our case, jurisprudence [1].

In the broadest sense, «legal terms are an element of legal technique, verbal designations of state-legal concepts, with the help of which the content of the state's normative-legal prescriptions is expressed and fixed» [2]. Depending on the sphere of use, a distinction is made between legal terminology (law) and jurisprudential terminology (jurisprudence). Legal terminology is the terminology of law enforcement practice, while jurisprudential terminology is the terminology of legal doctrine (the science of law).

On the other hand, all legal terms are divided into two groups: general and special. The division into general and special terms appeared only in the 20th century, but legal terminology was formed much earlier. The collection of all legal norms of Kievan Rus, *Russkaya Pravda*, is one of the main written sources of Russian law, serves as an object for the study of legal, social, and economic relations, and contains norms of criminal, contract, inheritance, family, and procedural law. *Russkaya Pravda* contains 121 articles, although it lacks a large number of legal terms that exist today. For example, in Rus (in the 9th–12th centuries), thieves were not those who fall under this definition according to current legislation, but all state criminals. Robbers, in the broadest sense of the word, were considered to be those who encroached on someone else's property. Thus, the term «thief» was commonly used, but later it was established in jurisprudence with the help of legal techniques and became a special term.

The study of the verbalization of knowledge in specific areas of human activity is one of the priority areas of modern linguistics. In the case of jurisprudence, a significant number of articles have been written by lawyers who ignore linguistic approaches to the language of jurisprudence. Thus, when discussing the specifics of the language of legal

documents, some scholars define it as the «language of law», others as the «language of legislation», and still others refer to the existence of a «legal language». If we consider existing legal approaches from a linguistic perspective, we should start with the concept of discourse. Accordingly, the issues of distinguishing between the concepts of «legal language», «language of law», and «language of legislation» exist exclusively in the field of jurisprudence and are completely absent in linguistics, since the above concepts are hyponymic in relation to the concept of «legal discourse».

Thus, based on the analysis of the concepts of «term» and «legal terminology», it is possible to conclude that there is a connection between the phenomena of «legal language», «language of law», «language of legislation», and «legal discourse». In our opinion, the concept of «legal discourse» as a set of statements about legal reality is a hyperonym in relation to the concepts of «legal language», «language of law», and «language of legislation».

References

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A. Mankevich

А. А. Манкевич

ПолесГУ (Пинск)

Научный руководитель А. Н. Гордей

COMBINATORY SEMANTICS AS A MEANS OF CONDUCTING TYPOLOGICAL RESEARCH

Комбинаторная семантика как средство проведения типологических исследований

Currently, the Chinese language is the object of close attention of many linguists. But this was not always the case: for many years, the main source of data for linguistics were European languages, which are fundamentally different from Chinese, Vietnamese, Tibetan, Bantu and other Paleo-Eurasian, Amerindian and Niger-Congo languages [1]. All this led to the emergence of «blind spots» in the study of language – that is, a set of languages that differed from the European ones studied. Instead of searching for universals in antithetical languages, many European linguists began attempting to «fit» Asian languages into European linguistic categories. The aim of the research is to find a paradigm which is suitable for analyzing both Russian and Chinese languages.