

THE TERM SYSTEM OF LEGAL DISCOURSE AND FEATURES OF ITS USE IN THE MEDIA

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Abstract:

The article examines the features of the functioning of the terms of criminal law in the framework of legal discourse. The author analyzes the concept of legal discourse, the peculiarities of the English-language terminology system and its functioning. The text shows how dynamic the English-language legal discourse is, identifies essential features and development prospects.

The relevance of this article is due to the need for further study of legal terminology in the light of the cognitive-discursive paradigm of knowledge, as well as the interest in identifying the patterns of organization of terminology in this area of knowledge, which may be useful for studying other terminology systems included in the English-language legal terminology. Further research of the functioning of terms in legal discourse, as well as clarification of the very concept of "legal discourse" is still relevant. In connection with the establishment of the cognitive-communicative paradigm of knowledge in linguistics (term by E.S.Kubryakova), many concepts and categories of language have undergone significant changes. However, the terms and terminological systems of various branches of knowledge have not been sufficiently studied from a cognitive point of view, therefore, the consideration and analysis of these linguistic phenomena seems relevant.

The legal terminology is based on a legal term. A legal term (from Lat. Terminus - limit, border) is a word or phrase that expresses a concept from the legal sphere of public life and has a definition (definition) in legal literature (legislative acts, legal dictionaries, scientific and legal works). [1.38]

The legal term correlates with the legal concept, as with the primary element of legal knowledge and serves as its sign (linguistic) model, presented in sound and letter forms. The concept, its internal content, volume and structure is a logical and semantic basis for constructing terminological meaning in the form of a definition that summarizes the essential features and relationships of a legal phenomenon. The conceptual essence gives the place and status of a legal term in the terminological system, its categorical and classification features.

The term law can be characterized as:

1. general legal (common in all branches of law);
act, violation, law
2. industry-specific (present only in a certain area of law);
sovereignty, administrative responsibility, absenteeism
3. intersectoral (known in two or more branches of law);
insanity, prosecute, bank guarantee
4. adjacent to other industries.
military commission, emancipation

If there is a definition in regulatory legal acts, the term is considered codified. It is the norm, a reference for use in subsequent legislative and secondary legislation, business documentation and the field of oral legal communication.

The term that is created and functions in legal science may not be fixed in laws, but have a strictly scientific character (anomie, rule-making, legal consciousness, legal system, disposition of a legal norm). In the scientific literature, which reflects the process of formation of legal knowledge, such a legal term can have several scientific definitions that represent different scientific approaches and schools, different aspects of the study of the same legal concept.

A legal term is a unit of the terminological system of law, for which it is included in the general terminological fund of the national language. Belonging to the literary part of the dictionary obliges it to comply with the rules and norms of a particular language.

Legal terminology is a historically formed set of terms that expresses a system of legal concepts and is designed to meet the specific needs of communication in the field of legislation, legal science and practice.

This set is a special object of study both in jurisprudence (in particular in the theory of state and law) and in linguistics (primarily in its new branches - terminological knowledge (theoretical foundations of the doctrine of the term and the terminological system of law) and lexicography (the science of theory and the practice of compiling dictionaries).

Legal terms can be classified according to the origin of their grounds:

- actual language words (deed, sale, settlor, share, strike). Only 4% of such terms were recorded;

- having a Latin base (asseleration, alienation, sntract, lisense, premium). This is the largest among the groups, it includes 82% of terms;

- having a French basis (abandon, abatement, allotment, sabotage) - 14% of terms;

Along with the legal term itself, which is a generalized designation of a legal concept (arbitration, vindication, insanity, lawsuit, eligibility, legal relations, legislative power), the nomenclature is widely used in legal texts - a system of specific names of specific legal entities: state and international bodies, institutions and organizations, positions, documents, state awards (Sourt of Appeal, European Human Rights Sourt, UN High Commissioner for Human Rights).

Each legal term is characterized by its origin, semantics, system connections, grammatical structure, terminology method and functional parameters.

By origin, it can be specific (defendant, law, bequest, crime, punishment, justice, sourt) or borrowed (abandon (French), euthanasia (Greek), ombudsman (Swedish), jurisdidition (lat.). combinations of national and borrowed terms and terminological elements created a significant number of terminological units (rulemaking, criminal and penal enforcement law, expert judgment, immunity of witness, latent crime).

A special type of borrowing is international terms of Latin and Greek origin (advosate, att, alibi, delict, extradition, inauguration, constitution, politics, fact, justice), which have been adopted by many languages. The most common terms and stable phrases are not translated and are transmitted using transliteration: de facto, de jure, ex aequo et bono.

Speaking about the legal terminological system, one cannot but mention the legal terminology. Legal terminology develops general theoretical issues of the term, terminology, terminology of law, defines key concepts and categorical apparatus of its industry, in particular studies:

- the nature of the legal term; the ratio of a legal phenomenon (denotation), a legal concept (signification) and a terminological unit (speech sign);
- ways of nomination of special legal concepts;
- the place of legal terminology in the system of general literary and specialized language;
- stratification of terminological vocabulary of law from different positions (semantic, stylistic, normative / non-normative, usability, codification / non-codification, information richness, etc.);
- consistency of legal terminology and its dichotomous nature;

- general parameters of the classification of legal terminological units (by structure, genetic, semantic, derivational and functional characteristics, etc.);
- genesis, historical path and prospects for the development of legal terminology in the Russian language;
- the ratio of national and international elements in the terminology of law;
- productivity / non-productivity of models and methods of legal terminology;
- patterns and specifics of the development of the terminological system of law;

It is necessary to distinguish between a legal term as a completely official, legalized name of a legal concept and professionalism - a semi-official word, the scope of which is, as a rule, the oral trade and professional speech of lawyers. Individual-author's neologisms, figurative expressions, colloquial words, terminoids ("term-like"), semi-terms (have not yet formed and have not received a clear terminological definition), which are used by lawyers in their scientific and publicistic works of oral speech, are also not terms.

The peculiarities of the legal terminological system are due to the specificity of the designated legal phenomena and concepts, their unique history of development in the system of national law and national language.

The level of development of the legal terminological system depends on the experience accumulated by the state (nation) in legal regulation of public relations, lawmaking and law enforcement, the depth of scientific study of legal phenomena and categories, measures to streamline, systematize and lexicographic description of the terminological system of law.

As in any historically established terminological system, legal terminology is inherent in both common human language patterns and nationally specific ones. After all, each national language has its own terminological system for nominating legal concepts, the expression plan of which is inseparable from the expression plan of the given language.

Despite the attempts of representatives of the legal profession in different countries to simplify and modernize the presentation of regulations, researchers are inclined to think that maintaining a special legal language can be justified. Western researchers use the concept of "representation" in relation to the relationship between legal and everyday language. The Scottish scholar A. Phillips in his book "Legal Language" justifies the transformation of ordinary language into a special discourse for the purposes of the legal system. "When the legislator uses the language intended to create a coherent and internally consistent body of laws, which will be in the relationship of representation to the everyday language, the legislator can be considered a representative of the people" [2,35].

But it is not entirely correct to perceive legal language exclusively as a language for special purposes, because the sphere of influence of legal discourse goes beyond just professional communication. That is, the legal language somehow penetrates into everyday life, and the totality of communicative action, which E.V. Kozhemyakin speaks of, includes non-professional recipients in the sphere of functioning of the legal language. Understanding, awareness of the law, and then the reaction to it occurs outside the framework of the legislative text. Passing through different levels of interpretation, legal discourse enters the public space and undergoes mediatization. By mediatization we mean "the spread of the influence of media on the most important areas of social life and the reverse process of involving various aspects of public activity in the information sphere, that is, the creation of zones of intersection of media and social phenomena" [1, 38]. Social integration of the text of the law occurs through communication. The media, in turn, verbalize and fix this communication on their carriers and make the act of communication public. That is, legal media discourse forms areas of intersection - personal law, politics and economics.

E.V. Kozhemyakin calls one of the significant characteristics of legal discourse "totality" of the communicative effect. Noting the monologue and directivity of the communicative act in

legal discourse, E.V. Kozhemyakin concludes: "In our opinion, it would be fair to assert that legal discourse is so total that it denies feedback in communication" [3,132].

Communication is based on the striving for mutual understanding, and the mediatization of legal discourse is a person's attempt to decipher the complex code of legal discourse, understand his place in this discourse, and, if possible, establish communication. Legal discourse, like most institutional discourses, is a closed system. The institutional environment is a sphere of communication "for insiders", with special rules and specific speech. The mediatization of legal discourse creates a special area of social life in which legal categories are disseminated through the media among non-professional participants in the discourse.

It is also worth noting that legal discourse can interact with other discourses. For example, texts created at the intersection of legal and scientific discourses are reflected in textbooks on social studies, scientific research in the field of jurisprudence and jurisprudence. When we see the interaction of legal discourse and the discourse of fiction, we observe works of fiction with the use of legal terms, cliches, etc. It is also an example of the process of mediatization of legal discourse. In other words, media discourse is formed based on the interaction of media with other discourses - "this is the manifestation of the phenomenon of mediatization of modern social life in the modern era." The media ponders and analyzes legal terms and creates their own lexical units drawn from legal discourse.

Thus, legal media discourse is a specific area of intersection of law and media, which is aimed at interpreting and integrating the letter of the law into everyday reality. On the one hand, mediatization of legal discourse can distort the meaning of terms, change their meaning, but, on the other hand, mediatization increases the popularity of legal discourse and increases the level of literacy of citizens in the field of jurisprudence [4,87]. And the most important role of mediatization is the transformation, change and development of legal discourse.

Our concept is to understand legal media discourse as a specific area of intersection of law and media, as a result of mediatization and interpretation of legal discourse. Thus, the discursive legal media space will be composed of texts born at the junction of legal discourse and discourse of another type (scientific, journalistic, political, everyday, medical and even artistic). At the same time, texts attributed specifically to the legal media discourse must meet the criteria of thematic and conceptual community and be mediated by the media.

Taking the synthesizing nature of legal media discourse as a basis, we will understand that the degree of involvement of the legal component itself and the components of other discourses in certain texts will be heterogeneous. Understanding, awareness of the law, and then the reaction to it occurs outside the framework of the legislative text. Passing through different levels of interpretation, legal discourse enters the public space and undergoes mediatization. The result of the process of mediatization is despecialization and determinologization. By despecialization, we mean the exit of a special lexical unit beyond the boundaries of the professional sphere of use, and determinologization characterizes changes in the structure and semantics of a narrowly specialized lexical unit, which are due to its rethinking on the basis of associative links, in the process of despecialization.

We can conclude that the legal terminology system, over time, merged into the media, and to some extent became an integral part of it, this was the reason for the formation of legal media discourse. Analyzing the terminological system of legal discourse and the peculiarities of its use in the media, we observe the process of mediatization.

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