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### **STYLISTIC PECULIARITIES OF ENGLISH LEGAL DISCOURSE (BASED ON “NATURAL LAW AND NATURAL RIGHTS” BY JOHN FINNIS)**

One of the main trends of legal linguistics as a branch of language studies is investigation of legal discourse [1]. The given research is dedicated to the study of stylistic peculiarities of English legal discourse based on the book “*Natural law and natural rights*” by John Finnis, an Australian legal philosopher, jurist and scholar specializing in jurisprudence and the philosophy of law. He was Professor of Law & Legal Philosophy at the University of Oxford from 1989 to 2010, where he is now professor emeritus. He acted as a constitutional adviser to successive Australian Commonwealth governments in constitutional matters and bilateral relations with the United Kingdom [3].

First published in 1980, “*Natural Law and Natural Rights*” is widely heralded as a seminal contribution to the philosophy of law, and an authoritative restatement of natural law doctrine. It has offered generations of students and other readers a thorough grounding in the central issues of legal, moral, and political philosophy from Finnis’s distinctive perspective. The book closely integrates the philosophy of law with ethics, social theory and political philosophy [3].

The given text belongs to the scientific prose style which is employed in professional communication, in academic publications in particular. The main aim of the given functional style is to give the reader certain information, to prove a hypothesis, to create new concepts, to disclose the internal laws of existence, relations between different phenomena [2, p. 61].

One of the most specific features of the given style is presented in the analyzed book. It is strict logical organization. The monograph is logically subdivided into three parts which are dedicated to a certain aspect of the problem under discussion.

Logical argumentation is also achieved with the help of a wide system of connectives, (*therefore, thus, for instance, however, but*) emphasizing the logical connection and interdependence of consecutive parts of the discourse, for example:

“**Before** we consider that question, **however**, it will be **as well** to identify the philosophical device which enables an increasingly differentiated description of law to be offered as still a general theory of law” [4, p. 9].

The syntactic structure of the sentences is also characteristic of the given functional style – they are mostly long with a wide usage of passive structures and the Present Simple Tense, for example:

*“But the development of modern jurisprudence **suggests**, and reflection on the methodology of any social science **confirms**, that no theorist can give a theoretical description and analysis of social facts without also participating in the work of evaluation, of understanding what is really good for human persons, and what **is** really **required** by practical reasonableness”* [4, p. 3].

The wide usage of passive constructions can be explained by another peculiar feature of the academic writing – it tends to be impersonal and objective, logically persuasive, concentrating upon the object of investigation, for instance:

*“This object **is constituted** by human actions, practices, habits, dispositions, and by human discourse. The actions, practices, etc., **are** certainly **influenced** by the natural causes properly investigated by the methods of the natural sciences, including a part of the science of psychology”* [4, p. 4].

Another peculiar feature of scientific style is found on the lexical level, namely the wide usage of terms, such as *legal, statutory law, sue, general justice, distributive justice, customary rules*, etc.

Quotation as a necessary part of any scientific work is also present in the given book. In the following example the author quotes the words of other scholars, presents them in inverted commas followed by a corresponding bibliographical reference:

*“Kelsen correctly points out that according to natural law theories there is no specific notion of legal validity. In his own terms, Raz later defines Natural law theorists as “those philosophers who think it is a criterion of adequacy for theories of law that they show”*” [4, p. 26].

As for the polycode character of the text which is realized in using verbal and non-verbal means of presenting information, here it is achieved by means of italics as well as capitalization which single out graphically and logically the most important of the discussed notions.

Thus, the analyzed book manifests the main peculiar features of academic writing, namely, abundance of terms denoting objects, phenomena and processes characteristic of some particular field of science, in our case, law; precision, clarity and logical cohesion which is responsible for the repeated use of different clichés and other lexico-syntactical forms emphasizing the logical connection and interdependence of consecutive parts of the discourse; wide usage of non-verbal graphical means.

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**Ключові слова:** англомовний юридичний дискурс, науковий функціональний стиль, стилістичні особливості, термін, невербальний, полікодовий характер, логічна єдність.

**Ключевые слова:** англоязычный юридический дискурс, научный функциональный стиль, стилистические особенности, термин, невербальный, поликодовый характер, логическое единство.

**Key words:** Legal English discourse, scientific functional style, stylistic peculiarities, term, non-verbal, polycode character, logical cohesion.

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### **MEDIENSPRACHE ALS VARIETATEN-MIX**

Wenn von der deutschen Sprache der Gegenwart, von ihren Formen und Normen, dem Sprachgebrauch und dem Sprachwandel die Rede ist, so darf ein Blick auf die Medien nicht fehlen. In den Medien spiegeln sich Normen, Tendenzen und Entwicklungen ganz besonders. Man kann allerdings auch die landläufige Meinung hören: Wenn irgendwo gegen Normen verstoßen wird und Sprachgebrauch von der schlechteren Sorte zu beobachten ist, dann in den Medien.

Fest steht, dass der Sprachgebrauch mit seinen Formen und Entwicklungen, seinen Arten und Unarten nirgends so gut und vollständig reflektiert wird wie in den Medien [4, 95].

Vielleicht zielt die Kritik auch nur deswegen auf die Medien, weil sie uns nicht mehr wie in früheren Zeiten die Sprache als Bildungssprache wie vorbildliche Literatur vorsetzen, sondern als „Verbrauchersprache“ [1, 103] oder gar als Gebraucht-Sprache Obermitteln mit Benutzerspuren, Flecken und Fransen. Man sagt auch, dass die Medienschaffenden eigentlich nur „Schleusenwärterfunktion“ inmitten der Sprachflut hatten [1, 96].

Zunächst ist zu klären, was denn genau unter Medien verstanden wird. Noch vor nicht allzu länger Zeit hat man nicht von Medien gesprochen, man sagte Zeitung oder Presse und *Radio* bzw. in Deutschland *Rundfunk* und Fernsehen. Der Ausdruck *Medien* ist in den 50er Jahren von der amerikanischen Soziologie geprägt worden. Man bezeichnete damit hauptsächlich Boulevardzeitungen und publikumsnahe Radio- und Fernsehprogramme. Zuerst sprach man von *Massenmedien* (*Mass Media*) und erst danach von Medien überhaupt und meinte damit allgemein die ein größeres Publikum gerichteten Zeitungen, Programme und Radiostationen. Später zählte man auch den Kinofilm zu den Massenmedien, weil dieser sich auch an ein großes disperses Publikum wendet [6, 820; 2].