



XORIJY TILLARNI O'QITISHDA INNOVATSION YONDASHUVLAR NAZARIYANING AMALIYOTGA TATBIQI

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LEXICAL CHARACTERISTICS OF LEGAL DOCUMENTS

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DOI: <https://doi.org/10.5281/zenodo.15179487>

Annotation. The article is devoted to the use of words, archaisms, word combinations and phrases. The article discusses the role of lexicology in legal documents and the significance of it in clarity and precision of legal communication. The article also explores the classification of legal vocabulary into four main categories, the influence of Latin, French, and other languages in legal English, as well as the use of doublets and triplets.

Keywords: legal language, lexicology, legal terminology, legal homonyms, archaisms, word combinations and phrases, doublets and triplets, legal discourse.

Legal language is the specialized form of language used in legal discourse. It can be written or spoken, and used not only by legal professionals but also by the general public. Although the perception of legal language requires an awareness of different linguistic levels such as morphology and syntax, lexicology plays an important role in preparing legal documents as words are basic linguistic means for expressing and conveying the meaning.

Lexicology is one of the branches of linguistics which is the study of words and their meaning and use. Lexis refers to the vocabulary of a language which is important in legal documents that words should be precise, professional and free of ambiguity.

In legal language different types of words are used, but legal vocabulary can be grouped into 4 main categories: [3, 75-76].

- Specialized Legal Terms (Terms of Art):

Undoubtedly, all professions have specialised terms of art as law has its own ones. Most of these words are technical words and phrases originated from French and Latin making legal English distinct from standard English. However, the words *law* (1. The enforceable body of rules that govern any society. 2. One of the rules making up the body of law, such as an "Act of Parliament") and *bylaw* ('a regulation of a company, society, etc.') are Scandinavian loans. [2, 21].

In addition to more use of Latin words in legal documents, common occurrence of them can also be seen. For example, in this paragraph from the Californian Criminal Law, the words in bold have either Latin or French origins:

An *assault* is *punishable* by *fine* not exceeding one thousand dollars or by *imprisonment* in the *county jail* not *exceeding* six months, or by both. When the *assault* is *committed* against the *person* of a *peace officer* engaged in the *performance*



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of his or her *duties* as a *member* of a *police department* of a *school district* pursuant to *Section 38000* of the *Education Code*, and the *person committing the offense* knows or *reasonably* should know that the *victim* is a *peace officer engaged* in the *performance* of his or her *duties*, the *offense* shall be *punished* by *imprisonment* in the *county jail* not *exceeding* one year or by *imprisonment* in the *state prison*. [2, 22].

Moreover, there are some pure Latin words: *obiter dictum, corpus delicti, caveat emptor, ejusdem generis, per stirpes, quasi, ex post facto, ad idem, res gestae, retraxit, sui juris, lex loci actus, vis major, ceteris paribus, nolle prosequi*. Examples of words of French root are *property, estate, lease, chattel, tenant, executor, judge, attorney, demurrer, plaintiff, sue, verdict, plea, fee simple, court martial, attorney general, letter, testamentary*. [1, 32].

The words ended with the suffixes '-er', '-or', and '-ee' are also foreign words. For example, *lessor and lessee, appointer and appointee, donor, donee, mortgagor mortgagee, assignor assignee*.

Words from these languages are often paired to avoid ambiguity, such as *lands and tenements (English and French) or wills and testaments (English and Latin)*. In some cases, these pairs, which are used by lawyers in order to persuade, and to appear formal and prestigious at times (Crystal, 1997), are used to emphasize instead of resolving ambiguity. [1, 27].

- Legal Homonyms

Words with both legal and general meanings (*consideration, convenient, extortion, emolument, objectionable, provenance, promise, summary, trust, relief, instrument and etc.*) are called legal homonyms. This is mainly because their meanings in legal contexts depends on how they are used and the situation.

Tiersma (1999) calls such words legal homonyms (in a sense of homonyms that does not require separate etymology, but is based on distinct meanings associated with two or more domains of use.

- Defined Terms

Numerous words are used technically in legal English as they are not legal homonyms because they do not have any distinct legal meaning. Their definitions are given in special dictionaries that descriptive dictionaries do not include their meanings.

- Ordinary words

In legal documents, there can be seen everyday words, for example, *building, street, dress, foreign and etc*.



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Certain expressions in legal language can sometimes be ambiguous. For example, phrases like *beyond reasonable doubt* is considered as an ordinary English words rather than technical terms despite their legal use. Moreover, some phrases first used by a single judge, for instance *innocent bystander* in contract law or *a shield not a sword* for promissory estoppel can be used widely in legal English. These phrases are treated differently when courts interpret them. They are sometimes clearly defined while their meanings change over time to fit complex legal situations in other times (Hutton, 2014).

Tiersma (1999) also claims that although the meanings of some words are not opposite in standard English, they can be used as antonyms in legal English. For example, generally *speech* is a type of *conduct*, and its opposite might be *writing*. However, *speech* and *conduct* are treated as opposites in American courts: if something is considered speech, it is protected by the First Amendment; if it is conduct, it is not.

On the other hand, the vocabulary of legal English involves the use of doublets (two words are paired) and triplets (three words are paired). These words blended from French, Latin and English in early legal language are used to express a single legal concept. This practice has become a key feature of legal English, characterized by the frequent use and pairing of synonyms, near-synonyms, and contrasting terms in legal contexts. Examples of doublets: *null and void*, *fit and proper*, *annul and set aside*, *legal and valid*, *aid and abate*, *acknowledge and confess*, *furnish and supply*, *care and attention*, *terms and conditions*, *perform and discharge* etc. Examples of triplets: *Arbitrary*, *capricious and unreasonable*; *give*, *devise and bequeath*; *grant*, *bargain and sell*; *name*, *constitute and appoint*; *acts*, *defaults and gross negligence*; *convey*, *transfer and set over*; *order*, *adjudge and decree*; *remise*, *release and forever quit claim*; *right*, *title and interest*; *rest*, *residue and remainder*; *signed*, *sealed and delivered* among others. [1, 29].

In conclusion, legal language is a specialized form of communication using precise vocabulary originated from Latin, French and Old English. Lexicalogy plays an important role in shaping legal documents, ensuring clarity and avoiding ambiguity. The legal lexicon can be classified as specialized legal terms, legal homonyms, defined terms and ordinary words. Moreover, legal English frequently employs doublets and triplets that all of these linguistic features contribute to the distinctiveness of legal language, making it both complex and essential for effective legal discourse.



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