

## ГЕРМАНСЬКІ МОВИ ТА ЛІТЕРАТУРИ

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## **DEVELOPMENT OF LEGAL TERMINOLOGY AS A TOOL OF INSTITUTIONAL COMMUNICATION: PAN-EUROPEAN STANDARDS**

In connection with the development of integration, increase and international cooperation in sectoral law, the formation of English legal European terminology is a task of linguistics. The article clarifies the definition of “terminology” and defines its functions. It is emphasized that in the legal sphere, terminology acquires special importance. Incorrectly used terms can cause errors and misunderstandings in legal practice, which can have negative consequences for the legal relations. The phenomena of monosemy, polysemy, synonymy in legal terminology are considered, the reasons for the emergence of new lexical and semantic variants are determined. In this regard, to ensure the accuracy and unification of terms, there are several elements of the formation of legal terminology, which requires the development of standards and recommendations for the use of English in the legal sphere.

The article notes the functions of legal terms, in particular the cumulative and the unification (standardization) functions.

The accumulative function of legal terminology arises from the fact that the use of special vocabulary allows to preserve the stability and unity of the legal system, to avoid misunderstandings, to promote the development of science and practice.

The function of unification is realized due to the fact that terminology in law ensures the accuracy and unity of legal language. The use of standardized terms allows to avoid ambiguity and ambiguity of legal concepts and terms, to complicate the clarity and comprehensibility for all participants in legal relations. The choice of terminology preserves legal culture and stability of the legal system

The relevance of the study is due to the fact that the language of law is a universal tool of institutional communication in the legal system. However, it is included in the correspondence of the national language and must clearly correspond to it, not allowing its use only in a specific environment for the proper regulation of certain aspects of social relations. The current problem is the development of pan-European standards and recommendations for the use of English in the legal sphere. This helps to ensure a unified approach to the formulation of terms and components of legal documents, which is important for maintaining legal accuracy and unification of documents of countries participating in European integration processes.

**Key words:** language of law, English language, legal concept, legal term, legal terminology, European interaction.

**Introduction.** Foreign policy activities of the European Union and Ukraine is aimed to ensure the national interests and security of countries by maintaining peaceful and mutually beneficial cooperation with members of the international community in accordance with generally recognized principles and norms of international

law. One of the main foreign policy vectors is European integration.

European integration is the further political and institutional rapprochement of countries with the EU and the evolutionary progress towards the ultimate goal of integration into the European Union, which involves the adaptation of legislation

to the norms of the EU and the Council of Europe as a key integration element; deepening the relations of European states with NATO as one of the main components of the comprehensive system of European stability and security.

The legal basis of relations between EU member states is partnership and cooperation agreements on a wide range of political, trade, economic and humanitarian issues. In addition, a number of sectoral agreements and documents of an international legal nature have been concluded, according to which cooperation is carried out between EU member states on the one hand and other countries, in particular Ukraine, on the other.

The relevance of the research topic is due to a number of factors.

Firstly, the activity of European integration processes has been significantly accelerated recently, which requires compliance with European standards and norms in various spheres of society. One of the main tasks of European integration is to ensure legal harmonization and interaction between the legal systems of different countries. This poses a requirement for the legal systems of countries involved in European integration processes to introduce relevant legal terminology into sectoral circulation.

Secondly, English is the language of international communication and is the language used by most international organizations, such as the UN, EU, UNESCO, etc. Therefore, knowledge of English legal terminology is important for practicing lawyers, scholars and students who intend to work in the field of law. Thirdly, in the context of globalization and expanding international cooperation, the use of English, and therefore international, legal terminology is a necessity for successful business, conclusion of international agreements and cooperation with foreign partners. In the process of nominating certain new concepts or phenomena, terminologists often use English, which finally became the only global language code, the language of leadership in the twentieth century. That is why the study of the problem of the formation of English-language legal terminology in the context of European integration processes is of great importance for the training of specialists in the field of law and their further professional activity in the context of European integration of various countries,

in particular Ukraine [Chernovatyi 2017], as well as to increase the efficiency of interaction between partners in the legal sphere [Gardner 2015]. Modern terminology is based on the long tradition of studying industry vocabulary. Theoretical issues such as the definition of the concept of “term” have been studied deeply and comprehensively [Kazak 2018; Chaika 2020; Mazurina 2022; Dolynskiy 2019], types of terms, their formation and functioning. Numerous studies by foreign and domestic scientists are devoted to a multi-faceted analysis of terminological systems in various spheres of society: economics, agriculture, culture, art, politics, medicine, linguistics, etc. Linguists also pay attention to issues of legal terminology [Dolynskiy 2019]. However, the influence of social changes on the formation of terminological systems requires deeper study. The important question of the influence of European integration processes on the formation of English-language legal terminology remains unresolved [Lazariev 2021].

**Presentation of the main material.** Terminology is a system of lexical units (words and phrases) used in a certain field of knowledge, technology, science, business, art, etc. Terms are created to denote various concepts, phenomena, realities or actions related to activities in a specific field [Kazak 2018; Dolynskiy 2019; Chaika 2020; Mazurina 2022].

In this way, terms appear to be concise definitions of special concepts. Complex relationships are established between the term as a designation of a concept and the designated concept. Their complexity lies in ambiguity. Often two or more terms are used to designate the same concept, and, therefore, in the lexical system, the denotatives enter into a relationship of semantic identity, that is, synonymy. In literary language, synonymy helps to avoid repetition of words and diversifies speech. Regarding synonymy in terminology, there are different views on whether this phenomenon is positive or negative. Some linguists [Lazariev 2021] believe that synonymy in terms is a general process, and it should not be completely separated from the synonymy of the general language. There are no unambiguous grounds to consider the synonymy of terms a negative or unnecessary phenomenon, since the terminological vocabulary is also subject to the rules of the literary language.

The author considers the similarity of semantic composition and the possibility of interchangeability in a certain context to be the main criteria for distinguishing synonyms in terminology. The variety of approaches to the study of synonymy of terms is evidenced by the use of different designations for this phenomenon, in particular synonymy, doublet, variant, equivalence; synonymous terms, terminological synonyms, etc. The main criteria for distinguishing synonyms are the identity or proximity of the semantic composition, as well as the ability or inability to interchangeability in a certain context.

Another problematic aspect of terminology is the differentiation of the meanings of terminological units. Terms in different fields, and in particular in the field of law, can be ambiguous, and their different meanings are actualized depending on the specific context. Therefore, it is important to apply them correctly and accurately in accordance with legal requirements. Incorrectly used terms can cause errors and misunderstandings in legal practice, which can have negative consequences for the parties to legal relations. It is important to note that despite the requirements of monosemanticity for ideal terms as signs of terminological systems, ambiguous terms are a phenomenon that often occurs in scientific language. As I. Burlakova insists [Burlakova 2019], there is intersystem and intrasystem polysemy. Polysemy of terms is a typical phenomenon, its cause is the evolution of the logical sphere, which causes the appearance of new lexical and semantic variants in terminological units [Burlakova, Dyachuk 2019 : 10].

In the legal sphere, terminology plays an important role: “While legal concepts frame legal knowledge and take center stage in law, the discipline of terminology has traditionally been about concept description” [Bajcic 2017 : 5].

The scope of functions is quite wide. Let us briefly consider the functions of legal terms. These include the following: accumulative, unification (standardization) function.

The accumulative function of legal terminology is that the use of special vocabulary allows maintaining the stability and unity of the legal system, avoiding misunderstandings, and contributing to the development of science and practice.

The unification function is realized due to the fact that terminology in law ensures the accu-

racy and unity of legal language. The use of standardized terms avoids ambiguity of legal concepts and terms, promotes clarity and comprehensibility for all participants in legal relations. In addition, terminology helps to maintain legal culture and stability of the legal system [Avila 2016]. The use of standard terms allows you to store legal information in a clear and systematic form, which contributes to the preservation and transfer of knowledge from generation to generation.

In the context of European integration processes, the use and creation of a single European legal space, terminology is of particular importance. The requirements of European legislation, in particular directives and regulations, provide for the use of single terms and concepts, which is a necessary condition for mutual understanding and effective implementation of legal acts at the level of the European Union.

However, the emergence of European legal terminology does not mean the abandonment of national terms and concepts. National legal systems remain independent and have the right to use their own terms and concepts, but they must be mutually compatible with European terminology standards.

It is also important to note that the formation of legal terminology in the context of European integration processes requires the study and analysis of the legal systems of different countries, in particular the countries of the European Union, as well as unified legal terms used in European legal acts.

Therefore, terminology is an important element of the legal system, ensuring the unity and stability of legal language, contributing to the accuracy and clarity of legal concepts and terms. The conditions of European integration require unification of terminology and the creation of a single European legal space, which requires the study and analysis of the legal systems of different countries and unified legal terms used in European legal acts. Ensuring mutual understanding and effective implementation of legal acts at the level of the European Union is an extremely important task, which can be achieved through the standardization of terminology and the unification of legal concepts and terms.

The creation of a single European legal space and the unification of legal terminology also con-

tribute to ensuring equal conditions for all citizens and enterprises in the European Union. Since different countries have different legal systems and terminology, unified terminology is a necessary condition for ensuring equal opportunities for all participants in the European market. In addition, the creation of a single European legal area and the unification of legal terminology contribute to ensuring more effective protection of the rights and interests of citizens and businesses within the European Union.

The implementation of a single European legal area involves the use of common legal instruments, which requires a unified terminology and a standardized approach to the definition of legal concepts and terms. This poses a challenge for national legal systems, which must adapt the new requirements and ensure the compatibility of their legal norms with European terminology standards.

To achieve this goal, there is a need to develop a common European terminology that would reflect common concepts and terms used in different legal systems. This will ensure mutual intelligibility, the unity and stability of legal language in the European Union.

Today, within the European Union, there is a program on a single legal language, which is aimed at improving the quality of legal language in the European Union and ensuring the creation of a common European terminology. The program provides for conducting scientific research, developing recommendations and creating a database of common legal terminology. Thus, the achievement of a single European legal area depends on the effective implementation of this program and cooperation between national legal systems and European bodies.

The unification of terms is one of the important aspects of European legal terminology, its role in ensuring the protection of the rights and freedoms of citizens living in different countries of the European Union. The protection of citizens' rights is one of the main goals of European law, and the standard-

ization of terminology and the unification of legal concepts and terms helps to achieve this goal. For example, in the field of human rights, the concepts of "equality", "access to justice", "freedom of expression", "right to privacy" and others have a precise European definition, which is important for ensuring the protection of these rights at the level of the European Union. Also, the use of uniform terms and concepts helps to avoid misunderstandings and discrepancies in the interpretation of legal acts, which can occur when using different national terms and concepts.

**Conclusions.** Therefore, the standardization of terminology and the unification of legal concepts and terms in the European legal space are extremely important conditions for ensuring the unity and stability of legal language, the accuracy and clarity of legal concepts and terms, as well as the protection of citizens' rights and freedoms at the level of the European Union. An urgent problem of terminology is the development of standards and recommendations for the use of English in the legal sphere. This will help to ensure a unified approach to the formulation of terms and components of legal documents, which is important for maintaining legal accuracy and unification of documents.

It is also necessary to use the resources and experience of foreign legal systems actively to enrich our own national terminology. In this case, the peculiarities of the national legislative framework should be taken into account and only those terms that find an appropriate equivalent in the national legal terminology should be used. An important task is to create a database and dictionaries of the English language. This will allow you to find the necessary terms and determine their appropriate translation quickly, which is important for increasing the efficiency of lawyers.

Providing English-language education for lawyers and law students will help them master terminology and improve communication skills in the legal field.

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### РОЗВИТОК ПРАВНИЧОЇ ТЕРМІНОЛОГІЇ ЯК ІНСТРУМЕНТ ІНСТИТУЦІЙНОГО СПІЛКУВАННЯ: ЗАГАЛЬНОЄВРОПЕЙСЬКІ СТАНДАРТИ

У зв'язку з розвитком європейської інтеграції та підвищенням міжнародної співпраці в галузі права формування англомовної правничої термінології є важливим завданням лінгвістики. У статті уточнено дефініцію «термі-

нологія» та визначено її функції. Наголошено, що у правничій сфері термінологія набуває особливого значення. Некоректно використані терміни можуть спричинити помилки та непорозуміння в правовій практиці, що може мати негативні наслідки для сторін правових відносин. Розглянуто явища моносемії, полісемії, синонімії у правничій термінології, визначено причини виникнення нових лексико-семантичних варіантів. У зв'язку з цим забезпечення точності та уніфікації термінів є важливим елементом формування правничої термінології, що потребує розроблення стандартів та рекомендацій щодо використання англійської мови в юридичній сфері.

У статті розглянуто функції юридичних термінів, зокрема акумулятивну та функцію уніфікації (стандартизації).

Акумулятивна функція правничої термінології полягає в тому, що застосування спеціальної лексики дозволяє зберігати стабільність та єдність правової системи, уникати непорозуміння, сприяє розвитку науки та практики.

Функція уніфікації реалізується через те, що термінологія в праві забезпечує точність та єдність юридичної мови. Використання стандартизованих термінів дозволяє уникнути двозначності та неоднозначності юридичних понять та термінів, сприяє однозначності та зрозумілості для всіх учасників правових відносин. Окрім того, термінологія допомагає зберігати правову культуру та стабільність правової системи.

Актуальність дослідження обумовлена тим, що мова права є всезагальним інструментом інституційного спілкування в правничій системі. Однак вона входить до складу національної мови і повинна чітко відповідати їй, оскільки використовується лише в конкретному оточенні для належного регулювання певних аспектів соціальних відносин. Актуальною проблемою є розробка загальноєвропейських стандартів і рекомендацій щодо використання англійської мови в правовій сфері. Це сприятиме забезпеченню єдиного підходу до формулювання термінів та складових правових документів, що важливо для дотримання юридичної точності та уніфікації документів країн, що беруть участь у євроінтеграційних процесах.

**Ключові слова:** мова права, англійська мова, юридичне поняття, юридичний термін, правнича термінологія, євроінтеграція.