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## **THE LINGUISTIC DIMENSION OF JURISPRUDENCE AND LEGAL PRACTICE**

Language and law are inextricably linked, more so than perhaps any other two disciplines. If linguistics is the science of language, then jurisprudence is the discipline where language becomes a binding force of social regulation. Law exists primarily in linguistic form: statutes, contracts, judicial decisions, and international treaties are all textual constructs. Therefore, the role of language in the legal sphere is absolute; it is not merely a means of communication but the very substance from which justice is crafted. Consequently, the intersection of linguistics and law – often termed legal linguistics or forensic linguistics – is of paramount importance for the functioning of a fair and effective legal system.

The fundamental challenge of legal language lies in the balance between precision and flexibility. Legislative drafting requires a specific type of linguistic competence. Lawmakers must construct statutes that are clear enough to guide behavior and avoid ambiguity, yet general enough to cover future, unforeseen situations. This necessitates a specialized lexicon and complex syntactic structures often referred to as “legalese”. Linguistics helps explain why legal language differs from ordinary speech: it employs archaisms, performative verbs, and specific terminologies to ensure stability and authority. Without a deep understanding of semantics and syntax, it is impossible to draft laws that are immune to loopholes and misinterpretation.

Legal hermeneutics, or the interpretation of legal texts, is another area where linguistic theory is indispensable. Judges and lawyers are essentially professional interpreters of text. When a dispute arises over the meaning of a contract or a statute, the core issue is often linguistic: Does the word “vehicle” in a “no vehicles in the park” rule apply to a bicycle? Does “may” imply permission or obligation in a specific context? Linguistic theories regarding pragmatics, context, and intent (Grice’s maxims, speech act theory) provide the tools necessary to resolve these ambiguities. Thus, the administration of justice frequently depends on linguistic analysis to determine the “letter” versus the “spirit” of the law.

Forensic linguistics represents the applied scientific aspect of this relationship. In criminal and civil proceedings, language often serves as material evidence. Linguistic experts are called upon to analyze suicide notes, ransom demands, threatening emails, and plagiarized texts. Through the analysis of idiolects (individual speech habits), dialectal markers, and stylistic choices, linguists can determine authorship or profile an anonymous speaker. This subfield plays a crucial role in modern investigations, turning language into a forensic tool comparable to DNA analysis or fingerprinting, thereby ensuring that the judicial process relies on objective scientific data.

Furthermore, the dynamics of courtroom discourse reveal the power inherent in language. The courtroom is a theater of verbal combat where rhetoric and persuasion dictate outcomes. Linguistic analysis of cross-examinations reveals how lawyers use leading questions, interruptions, and complex vocabulary to control witnesses or influence the jury. Understanding these discursive strategies is vital for legal practitioners to ensure fair trials. It allows lawyers to be more effective advocates and helps judges maintain a neutral and balanced communicative environment. It also highlights issues of inequality, where individuals with lower linguistic competence may be disadvantaged in the legal process.

In an increasingly globalized world, the issue of multilingualism in the legal system is becoming critical. International law, EU law, and human rights courts operate across language barriers. The translation of legal documents is not a simple substitution of words but a complex transposition of legal concepts between different legal systems. A mistranslation in a treaty or a contract can lead to diplomatic conflicts or financial losses. Moreover, the right to an interpreter for defendants who do not speak the official language is a fundamental human right. Linguistics ensures that justice is accessible to all, regardless of their native tongue, by studying the standards and ethics of legal translation and interpreting.

The study of legal language also has a sociological dimension. Legal terminology can act as a barrier that excludes ordinary citizens from understanding their rights and obligations. There is a growing global movement for “Plain Language” in law, which advocates for simplifying legal texts to make them accessible to the public. Linguists play a key role in this process, rewriting complex bureaucratic documents into clear, understandable language without losing legal accuracy. This democratizes the law, increasing transparency and trust in legal institutions.

Thus, the interaction between linguistics and jurisprudence is not just an academic overlap but a foundational element of the rule of law. Language creates the law, interprets the law, and enforces the law. From the precise drafting of a constitution to the forensic analysis of a piece of evidence, linguistic knowledge is essential at every stage of the legal process. A deep understanding of how language functions allows legal professionals to uphold justice with greater accuracy, fairness, and humanity. In this sense, the mastery of language is the ultimate skill of the jurist, and linguistics serves as the key to unlocking the full potential of the legal system

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## **АКТУАЛЬНІ ПИТАННЯ ДЕРЖАВОТВОРЕННЯ В СВІТЛІ СУЧАСНИХ ТРАНСФОРМАЦІЙ**

Сучасний етап розвитку України характеризується глибокими політико-правовими та інституційними трансформаціями, що зумовлені воєнним станом, євроінтеграційним курсом та необхідністю посилення стійкості держави. У цих умовах державотворення виступає ключовим процесом забезпечення функціонування держави як правової, демократичної та соціальної системи [1].

Конституційна модель України визначає базові засади державного устрою, зокрема принцип верховенства права, поділ влади та обов'язок держави гарантувати права і свободи людини. Реалізація цих положень на практиці є центральним завданням сучасного державотворення [1].