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SPECIFIC FEATURES OF LEGALESE IN MODERN LEGAL DISCOURSE

Historically, the three widely used languages – Latin, French and English – fought for dominance in the sphere of law. Although English seems to have won the battle, the other two languages left a significant input in the development of modern legal discourse. However, at times it appears to be perplexing and almost willfully perverse. This work will focus on *legalese* (also known as lawyer's language and legal parlance) – an informal term for the specialized language (or social dialect) of lawyers and of legal documents.

Based on Otto Walter's classification, legal discourse can be divided into four categories according to the functional areas of law, namely:

1) language of laws (legal texts intended by the legislator for both specialists and non-specialists (laws, etc.));

2) the language of legal science and expertise (professional comments and discussion questions that occur within professional communication);

3) written language of departmental communication (forms, summons, etc.);

4) administrative jargon (informal discussion of specific issues experts) [3, p. 44-57].

The integral feature of legal discourse is the situation of communication in the legal sphere, which together with extralinguistic factors determines its specific linguistic characteristics. The main component of the legal discourse is the text of the legal document which eventually is the impetus for social and legal development of any society. [5, p. 2]. Eventually, legalese can be found in any type of a legal documentation starting from formal letters and Judge's decisions, as well as in conversation of non-lawyers who are trying to "sound like a lawyer".

Specific characteristics of legalese include: extensive use of words and phrases derived from French and Latin (*force majeure, prima facie)*; doublets and triplets (*in my name*); alliteration (*rest, residue, and remainder*); using pairs of words with a reciprocal relationship (*lessor/lessee*); use of Old English and Middle English words (*hereto*); unusual word order (*will at the cost of the borrower forthwith comply with the same*); argot (*clean hands*). Among other characteristics of legalese are semantic and syntactic ambiguity, avoiding personal pronouns, high abstraction, general and vague terms, solemnity of form, inflated verbiage, the specific use of the modal verb «shall», over-specificity, almost complete absence of punctuation.

To illustrate the point, two letters with the same information and meaning may be analyzed.

Business letter	Business Letter using exaggerated legalese
Dear Bob, We act for Kate. We have a copy of your letter dated 20 May 2020 and will respond shortly. Yours faithfully, ABC English Lawyers	Attn: Robert Johnson esq, c/- Johnson Brothers Associates, This firm and, in particular, the writer (who has carriage of this matter), have recently received instructions to act on behalf of Ms Kate Adams in relation to the matters set out in the subject line above. During our initial conference with her, Ms Adams has provided to us a copy of your correspondence issued on 20 May 2020 and hereafter received by her on

	22 May 2020, which we are presently reviewing. Following the completion of our review and consideration, and the taking of further instructions from Ms Adams, we will revert to you by way of further correspondence. We remain, dear sir, your faithful servants, ABC English Lawyers

It is evident that the first letter is an example of a common neutral business letter, whereas the second one is highly exaggerated with standard legalese. As usage of legalese is the topic of interest in this work, it is reasonable to focus on the second type of a letter. The phrase *the writer (who has carriage of this matter)* is over-specific without any necessity, while the phrase *which we are presently reviewing* is semantically ambiguous as it may refer to the conference or the copy of correspondence. At the same time, the word *hereafter* (Old English) may be easily omitted and the phrase *your faithful servants* is a clear inflated verbiage. The whole text under analyses is abstract and written in vague terms. Overall, when closely examined, complexity of legal texts seems to arise far less than its linguistic part.

However, using legalese appropriately may be of advantage when drafting contracts with the virtue of eliminating ambiguity. It should be read "more as a mathematical equation than as prose, anything herein to the contrary notwithstanding." [4].

In conclusion, in the context of globalization, to a great extent conditioned by technologies, when English as a second language is spoken by more people than native speakers, the need for generalization and mutual understanding is ultimately implied.

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ВИКОРИСТАННЯ ПОТЕНЦІАЛУ, ЗАКЛАДЕНОГО В МІЖПРЕДМЕТНИХ ЗВ'ЯЗКАХ ЛАТИНСЬКОЇ МОВИ З ІНШИМИ ДИСЦИПЛІНАМИ, У ПРОЦЕСІ НАВЧАННЯ СТУДЕНТІВ ЮРИСТІВ

Сьогодні поряд з іншими стародавніми мовами світової культури латинську мову вважають мовою «мертвою». У той час як «живі мови» розвиваються, змінюються, трансформуються, латинська мова існує в історично визначених, застиглих формах. Латина – це, насамперед, мова науки і культури, письмових джерел і документів та, безумовно, юриспруденції.

Відомо, що в сучасному світі латинь відіграє набагато меншу роль, ніж у попередні століття. Із філософії науки вона пішла в XIX ст. Однак можна повторити риторичне запитання, поставлене Ю. Тувімом: «Яка же це мертва мова, якщо не в'янучи пережила тисячоліття?». За свою тривалу і бездоганну історію латинська мова набула незаперечні переваги і завоювала непохитний авторитет.