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LINGUISTIC AND LINGUOPRAGMATIC FEATURES OF TEACHING LEGAL WRITING IN ENGLISH

Annotation

The growing internationalization of legal education has increased the importance of legal writing competence among future lawyers. This article examines the linguistic and linguopragmatic features of English legal writing and their implications for Legal English instruction. Particular attention is given to legal terminology, syntactic complexity, speech acts, modal verbs, and ambiguity avoidance. The study concludes that effective legal writing instruction should integrate linguistic competence, pragmatic awareness, and professional legal reasoning.

Keywords: Legal English, legal discourse, linguopragmatics, terminology, genre analysis, professional communication, ESP, legal writing competence.

ЛИНГВИСТИЧЕСКИЕ И ЛИНГВОПРАГМАТИЧЕСКИЕ ОСОБЕННОСТИ ОБУЧЕНИЯ ЮРИДИЧЕСКОМУ ПИСЬМУ НА АНГЛИЙСКОМ ЯЗЫКЕ

Аннотация

Интернационализация юридического образования повысила значимость компетенции юридического письма в профессиональной подготовке будущих юристов. В статье анализируются лингвистические и лингвопрагматические особенности англоязычного юридического письма и их роль в преподавании Английский язык для юристов. Особое внимание уделяется юридической терминологии, синтаксической сложности, речевым актам, модальным глаголам и стратегиям устранения двусмысленности. Результаты исследования показывают, что эффективное обучение юридическому письму должно основываться на интеграции лингвистической компетенции, прагматической осведомленности и профессионального юридического мышления.

Ключевые слова: юридический английский язык, юридический дискурс, лингвопрагматика, терминология, жанровый анализ, профессиональная коммуникация, английский язык для специальных целей (ESP), компетенция юридического письма.

INGLIZ TILIDA HUQUQIY YOZUVNI O'QITISHNING LINGVISTIK VA LINGVOPRAGMATIK XUSUSIYATLARI

Annotatsiya

Yuridik ta'limning internatsionallashuvi bo'lajak yuristlarni kasbiy tayyorlashda huquqiy yozuv kompetensiyasining ahamiyatini yanada oshirmoqda. Mazkur maqolada ingliz tilidagi huquqiy yozuvning lingvistik va lingvopragmatik xususiyatlari hamda ularning Legal English fanini o'qitishdagi o'rni tahlil qilinadi. Tadqiqotda huquqiy terminologiya, sintaktik murakkablik, nutq aktlari, modal fe'llar va noaniqlikni bartaraf etish strategiyalariga alohida e'tibor qaratilgan. Tadqiqot natijalari huquqiy yozuvni samarali o'qitish til kompetensiyasi, pragmatik bilim va kasbiy huquqiy tafakkurning integratsiyasiga asoslanishi zarurligini ko'rsatadi.

Kalit so'zlar: huquqiy ingliz tili, huquqiy diskurs, lingvopragmatika, terminologiya, janr tahlili, kasbiy muloqot, maxsus maqsadlar uchun ingliz tili (ESP), huquqiy yozuv kompetensiyasi.

Introduction. Globalization and the expansion of international legal cooperation have significantly increased the role of English in legal education. As a result, legal writing competence has become an essential component of professional legal training. Legal documents such as contracts, memoranda, legal opinions, and court decisions perform not only informative but also regulatory functions by establishing rights, imposing obligations, and creating legal consequences.

According to O.A. Khazova, the primary objective of legal writing is to present legal information clearly and accurately so that it can be effectively understood and applied in practice [1]. However, many law students continue to experience difficulties related to legal terminology, formal style, syntactic complexity, and legal discourse conventions.

The relevance of this study is determined by the growing demand for legal professionals capable of drafting legal documents in English according to international

standards. Therefore, the purpose of this article is to identify the linguistic and linguopragmatic features of English legal writing and determine their methodological significance for teaching Legal English to future lawyers.

Literature Review. The language of law has attracted the attention of linguists and legal scholars for decades. Mellinkoff examined the historical development of legal language and argued that legal English evolved under the influence of Latin, French, and traditional legal drafting practices, which contributed to its complexity and specificity [2].

Tiersma defines legal language as a specialized professional variety characterized by technical terminology, conventionalized expressions, and institutional authority [3; 26-b.]. Similarly, Haigh notes that legal English is distinguished by precision, formal vocabulary, and standardized structures designed to ensure legal certainty and minimize ambiguity [4].

From a discourse perspective, Bhatia emphasizes that legal documents represent highly conventionalized genres whose linguistic form is determined by their communicative purpose [5]. This suggests that contracts, legal memoranda, statutes, and judicial decisions require mastery of specific rhetorical and structural conventions.

A significant contribution to legal writing theory was made by Khazova, who argues that legal writing should be clear, logical, and free from ambiguity [1]. Likewise, Walter highlights the pedagogical importance of integrating theoretical knowledge, practical skills, feedback, and peer-review activities in legal writing instruction [6].

Research on professional legal communication also stresses the importance of written discourse. Shestakova identifies precision, logical coherence, completeness, and compositional integrity as essential qualities of professional legal writing [7]. Furthermore, Cabré emphasizes that specialized terminology functions as a mechanism for representing and transferring professional knowledge, ensuring precision and consistency in legal communication [8].

The reviewed studies demonstrate that legal writing has been examined from linguistic, discourse, and pedagogical perspectives. However, the methodological implications of its linguistic and linguo-pragmatic features for Legal English instruction still require further investigation.

Research Methodology. The present study employs a qualitative research design aimed at identifying the linguistic and linguo-pragmatic features of English legal writing and determining their methodological significance for Legal English instruction. The research is based on the analysis of legal discourse, legal writing manuals, and official legal documents commonly used in legal education.

The methodological framework combines several complementary research methods:

Linguistic analysis was employed to identify lexical, terminological, morphological, and syntactic characteristics of legal texts.

Linguo-pragmatic analysis was used to investigate the communicative functions of legal language and the pragmatic realization of legal intentions.

Discourse analysis enabled the examination of legal documents as institutional genres functioning within professional legal communication.

Comparative analysis was applied to compare legal English with general English and to identify the distinctive features of legal discourse.

The research material consisted of contracts, legal memoranda, complaint letters, judicial decisions, and professional legal correspondence. These documents were selected because they represent the most common genres encountered by law students during Legal English instruction.

The study also relies on the theoretical foundations of legal discourse proposed by Mellinkoff, Tiersma, Haigh, and Bhatia, as well as the linguo-pragmatic theories developed by Austin and Searle. Their works provide a comprehensive framework for understanding how legal language functions within professional communication.

1. Linguistic Features of English Legal Writing

The analysis demonstrates that legal writing possesses distinctive linguistic characteristics that differentiate it from general English.

Legal Terminology

Legal terminology constitutes the core component of legal discourse. According to Cabré, specialized terminology functions as a system for representing and transferring professional knowledge [8]. Terms such as plaintiff, defendant, consideration, negligence, and liability carry precise legal meanings that cannot be replaced by ordinary vocabulary.

This highlights the importance of terminological competence in legal communication. In our view, legal terminology should be taught as an integral part of professional legal discourse

rather than as isolated vocabulary items. Haigh also notes that legal English is characterized by a highly specialized vocabulary reflecting the conceptual framework of legal systems [4].

Archaic and Conventional Expressions

Legal English frequently employs archaic expressions such as hereby, herein, thereto, whereas, and aforementioned. Although many of these forms are gradually being replaced by Plain English alternatives, they remain common in contracts and legislative texts.

According to Tiersma, such expressions reflect the historical development of legal language and contribute to its institutional identity [3]. Likewise, Mellinkoff attributes the complexity of legal language to its historical evolution and the influence of Latin and Law French traditions [2]. Understanding these expressions helps students interpret legal texts more effectively, although their limited use in contemporary English often creates learning difficulties.

Syntactic Complexity

Another characteristic feature of legal writing is syntactic complexity. Legal documents frequently contain lengthy sentences, subordinate clauses, passive constructions, and nominalizations.

For example:

"The Buyer shall be entitled to terminate this Agreement in the event that the Seller fails to comply with the obligations stipulated herein."

Such constructions are intended to ensure precision and legal certainty but may reduce readability. Haigh notes that complex sentence structures are traditionally used to minimize ambiguity [4]. However, Garner argues that effective legal writing should prioritize clarity and conciseness while preserving legal accuracy [12].

Therefore, legal writing instruction should help students produce legally precise texts while maintaining clarity, coherence, and communicative effectiveness.

2. Linguo-pragmatic Features of Legal Writing

The findings indicate that legal discourse cannot be fully understood without considering its pragmatic dimension.

Legal Speech Acts

Austin's and Searle's Speech Act Theory provides an effective framework for understanding legal texts. Legal documents do not merely convey information but also perform actions by imposing obligations, establishing legal norms, and creating legal consequences.

According to Searle, speech acts can be classified as directives, commissives, representatives, expressives, and declarations, while legal documents predominantly employ directives, commissives, and declarations [10]. Understanding the speech-act nature of legal discourse enables law students to recognize the communicative purpose of legal provisions and draft legal texts more effectively.

Furthermore, Candlin views legal discourse as a form of institutional communication shaped by professional practices and social interaction [11]. Therefore, Legal English instruction should focus on both linguistic form and communicative function.

Expression of Obligation and Authority

The modal verbs shall, must, and may perform important pragmatic functions in legal discourse by expressing obligation, requirement, and permission. Haigh emphasizes that incorrect use of modal verbs may alter the legal interpretation of a document [4].

This highlights the importance of modal competence in legal writing. Therefore, the teaching of modal verbs should occupy a central position in Legal English courses.

Ambiguity Avoidance

One of the principal objectives of legal writing is the elimination of ambiguity. Khazova notes that legal documents should be drafted in a manner that minimizes multiple interpretations and ensures legal certainty [1].

The analysis shows that legal texts employ repetition, detailed definitions, and standardized formulations to reduce interpretative uncertainty. At the same time, Garner argues that excessive complexity does not always guarantee precision and may create additional interpretative difficulties [12]. Consequently,

modern legal writing seeks to balance legal accuracy with linguistic clarity.

Overall, the linguopragmatic analysis demonstrates that legal writing functions as a communicative mechanism through which legal rights, obligations, and institutional authority are expressed and enforced. This finding underscores the importance of integrating pragmatic competence into legal writing instruction.

Pedagogical Implications for Legal Writing Instruction

The identified linguistic and linguopragmatic features have important implications for Legal English pedagogy.

First, legal writing instruction should be based on authentic legal documents rather than adapted materials. Dudley-Evans and St John emphasize that ESP instruction should reflect learners' professional needs and authentic communicative situations [13]. Therefore, authentic legal texts help students develop professionally relevant language skills.

Second, genre-based instruction should be incorporated into Legal English curricula, enabling students to master the structural and linguistic characteristics of contracts, legal memoranda, complaint letters, and case briefs, each of which serves

a distinct communicative purpose. Swales argues that genres are communicative events characterized by shared purposes within a discourse community [14]. Consequently, students should learn the structural and linguistic features of different legal documents separately.

Hyland further notes that writing is a socially situated activity shaped by discourse communities and communicative expectations [15]. Thus, legal writing competence involves not only linguistic accuracy but also effective professional communication.

Third, legal writing should be taught through practical drafting activities. According to Walter, legal writing competence develops through writing practice, feedback, and peer-review activities [6]. Such tasks enable students to apply legal knowledge in realistic contexts and improve their drafting skills.

Overall, effective legal writing instruction should combine linguistic competence, genre awareness, pragmatic understanding, and professional legal reasoning to prepare future lawyers for authentic legal communication.

Table 1. Major Linguistic and Linguopragmatic Features of Legal Writing

| Feature | Function in Legal Discourse | Pedagogical Implication |
|---------------------|---|---------------------------------|
| Legal terminology | Precision and professional meaning | Terminology-focused instruction |
| Modal verbs | Expression of obligation and permission | Contextual practice |
| Archaic expressions | Institutional tradition | Recognition and interpretation |
| Complex syntax | Legal precision | Drafting exercises |
| Speech acts | Performance of legal actions | Pragmatic analysis |
| Ambiguity avoidance | Legal certainty | Revision and editing tasks |

Conclusion and Recommendations

The study demonstrates that English legal writing possesses distinctive linguistic and linguopragmatic features that significantly influence Legal English instruction. Legal terminology, syntactic complexity, modal verbs, speech acts, and ambiguity avoidance constitute the core elements of legal discourse.

The findings indicate that effective legal writing instruction should integrate linguistic competence, pragmatic awareness, and professional legal reasoning. To enhance legal writing competence, Legal English courses should incorporate authentic legal materials, genre-based instruction, and practical drafting activities.

Based on the findings, the following recommendations are proposed:

Integrate authentic legal documents into Legal English curricula.

Emphasize legal terminology and collocations in writing instruction.

Apply genre-based approaches when teaching legal documents.

Develop students' awareness of the pragmatic functions of legal language.

Employ peer-review and process-writing techniques.

Introduce Plain English principles alongside traditional legal drafting conventions.

Utilize digital technologies and AI-assisted writing tools as supplementary educational resources.

The implementation of these recommendations may contribute to the development of legal writing competence and improve professional legal communication among future lawyers.

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