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**STUDY MATERIAL DEVELOPMENT IN ENGLISH
FOR LAW: LEXICAL APPROACH
MĀCĪBU MATERIĀLA IZSTRĀDE JURISPRUDENCĒ
ANĢĻU VALODĀ: LEKSISKĀ PIEEJA**

MASTER THESIS

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Anotācija

Juridiskā valodas mērķis ir pārraidīt juridiskas ziņas un citu juridisku saturu, lai sazinātos starp jurisprudences speciālistiem. Juridiskais konteksts maina dažu vārdu nozīmi, kas tiek lieto ikdienā un rada jaunu nozīmi leksikai, kas tiek īpaši izmantota juridiskajā kontekstā.

Darba mērķis ir izpētīt, teorētiski definēt un pamatot noteicošos leksikas rakstiskās saziņas principus tiesību jomā un izstrādāt mācību materiālu, ar mērķi apgūt leksisko nozīmi. Izpētes metode ir diskursa analīze. Tika izvēlētas divas grāmatas nodaļas ar mērķi noteikt juridiskās valodas leksiskie komponentus un pētījuma rezultāti liecina, ka juridiskie teksti ietver vairākus leksiskos komponentus un leksiskā nozīme ir iegūta ar dažādām leksiskās nozīmes izveides stratēģijām. Ir izveidots mācību materiāls ar uzsvāru uz leksiskās nozīmes apguvi jurisprudencē. Tāpēc šī zinātniskā darba mērķis ir sasniegts.

Atslēgvārdi: leksika, Leksiskā Analīze, Pragmatiskā nozīme, leksiskās nozīmes apguve

Abstract

Legal language is aimed at transmitting legal messages and other legal content in order to communicate with law professionals. Legal context changes the meaning of some words used in everyday language and creates a new meaning of a lexical item particularly used in the legal context.

The goal of the paper is to investigate, define theoretically and justify lexical principles of written communication governing the area of law and develop a study material for the purpose of lexical meaning acquisition. The research method is discourse analysis. Two book chapters were under investigation of legal language lexical constituents and the research findings showed that legal texts contain several cases of lexical items and lexical meaning is achieved in several lexical meaning creation strategies. Study material has been developed with a focus of lexical meaning acquisition in law. Therefore, the aim of the present research was reached.

Key words: lexis, Lexical Approach, Pragmatic meaning, lexical meaning acquisition

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LIST OF ABBREVIATIONS AND ACRONYMS

ESP- English for Specific Purposes

LSP- Language for Specific Purposes

EAP- English for Academic Purposes

EOP- English for Occupational Purposes

ELP- English for Legal Purposes

LLP- Language for Legal Purposes

LSP- Language for Specific Purposes

INTRODUCTION

Language serves as an essential instrument used by legal authorities for communication purposes. Legal professionals have created their own peculiar language, which has been used for centuries and is being used nowadays. Communication between legal environments internally and externally occurs on a daily basis and it requires legal professionals to be ready to maintain language skills at a reasonably high level. It is expected that legal language users have a high level of language proficiency and that meaning of the texts is well understood as well as created accordingly.

Moreover, lexical meaning in the area of law is very crucial knowledge to obtain in order to work in this area and the language competence of specialist knowledge is an essential factor for career growth. Precise use of lexical items ensures successful communication and thus, increase chances of presumed career growth.

Studies dedicated to the theories on semantic meaning (Bachmann and Palmer, 1996), Language school of functional linguistics (Halliday, Hasan, 1989), Lexical Approach (Lewis, 1993, 1997), Pragmatic meaning creation (Thomas, 1982; Grice, 1991) and meaning analysis (Cicourel, 1980). Theories regarding professional language and legal language (Crystal, 1995; Galdia, 2009; Matilla, 2013) have not been addressed from lexical Analysis perspective. For that reason, the author of the present paper examines how lexical meaning understanding is presented in work with authentic texts and how the competence of this can be increased by the use of development of study material.

The author of the present paper carries out a lexical meaning analysis of chapters of the book by Middleton, presented in form of authentic texts, where the role of lexical meaning is crucial. The analysis of lexical application theories by Lewis (1993) and Cicourel (1980) are analysed. Moreover, the lexical meaning approaches are analysed from the perspective of theories of Crystal (1995) Galdia (2009), Matilla (2013) and others.

The **goal** of the paper is to investigate, define theoretically and justify lexical principles of written communication governing the area of law and develop a study material for the purpose of lexical meaning acquisition.

The following **research questions** are posed:

1. What are the main lexical principles used in English for law authentic texts?
2. To what extent the authentic texts used in language for law learning correspond to the requirements of law community?
3. What are the underlying features of written lexical aspects in English for law that contribute to the language proficiency?

The research paper puts forward the following **enabling objectives**:

- to analyse linguistic theories on professional language and written communication in legal context;
- to analyse the theories of lexical principles observed in English for law;
- to design and administer the research methodology in order to analyse research data;
- to develop a study material aimed to increase English for law competence from the perspective of Lexical Approach;
- to draw relevant conclusions.

Research methodology was developed, such as:

Theoretical basis of the research:

- 1) Theoretical Semantic and Pragmatic principles governing written legal communication in legal context;
- 2) Examination of language for law from the Lexical Approach perspective as well as written text lexical features.
- 3) General legal language peculiarities in terms of legal language constituents and functions features, such as lexical meaning.

Empirical part of the research contains

- 1) The analysis of written authentic texts for law in terms of text linguistic and pragmatic principles from Lexical Approach analysis.
- 2) The study material development where the results of analysis are considered while creating the tasks for lexical meaning acquisition.

The study is **significant and topical** as it examines the latest authentic legal texts and contributes to the linguistic research and lexical meaning acquisition for law professionals and students working in the area of law.

The **research method** is discourse analysis. The author of the paper considers theoretical contributions of Lewis, Cicourel, Matilla and Halliday presented in the first three chapters of the paper as the basis for the analysis. The author of the MA paper intends to analyse legal authentic texts according to the theoretical framework in order to identify the lexical items present in the selected text.

The thesis consists of **five chapters**. The first three chapters deal with the literary review and construct the theoretical background for the analysis in the empirical part of the thesis. The **first chapter** is concerned with Sentence meaning creation from semantic perspective of language; Language School of Functional Linguistics has been addressed as

well as the lexical item analysis and lexical meaning levels. The **second chapter** deals with contextual meaning creation from pragmatic perspective in terms of contextual levels of meaning framework for meaning analysis. The **third chapter** deals with professional language as such, general legal language peculiarities and legal language functions and linguistic features of legal language. Fourth chapter offers the information regarding the used methodology for the empirical part of the thesis. The **last** chapter presents the empirical part of the thesis which concerns meaning analysis and study material development. The meaning analysis involved the pragmatic principle analysis in terms of co-textual analysis of cohesion and referencing. The study material is performed in chapter structure where the present lexical items are the basis for the task creation.

1. SENTENCE MEANING CREATION: PERSPECTIVE OF SEMANTICS

Today, language is considered as a system of rules that are used and considered by all users of the language. Communicative language competence is significant skill to acquire in business setting as it is closely related to language user's competence of written language performance. Consequently, the theoretical significance of the several linguistic theories have to consider functional language in use.

The focus of the paper is language in use and Malinowski (1923) has defined that generally language 'functions as a link in concentrated human activity, as a piece of human behaviour, It is a mode of action and not an instrument of reflection' Malinowski, 1923: 312). In the middle of 20th century, European Structuralism has contributed to the theoretical understanding of linguistic research. Structuralism as a theoretical view in language studies has contributed to linguistics with a focus in language use. Sense relation is a term used in lexical semantics studies and is considered as a specifically an approach examined by F. Saussure. Moreover, the most crucial contribution is the dichotomy of synchronic and diachronic on which many theories in modern linguistics has been established and still used today.

There are two viewpoints - diachronic and synchronic in regards to the language as the synchronic viewpoint 'focuses on the relations that bind the coexisting terms into a system, as they are collectively available to its speakers' and diachronic viewpoint 'picks out an evolutionary phase in the life of language, and studies relations between successive terms that evade collective grasp and do not form a system' (Stawarska, 2015: 85-86). This chapter presents a perspective of both diachronic and synchronic perspectives on language competence in use.

Language is connected with social processes and in a various situations, peculiar language norms should be used (Aronoff, 2008: 572). Sociolinguistic competence as a term was first introduced by Chomsky and then Hymes continued to improve this perspective in diverse social contexts (Holmes, 2012: 440). Hymes argues that appropriate use of language should also include the knowledge of social norms that are known within the whole speech community (ibid.).

Savignon (1972) defines *communicative competence* as 'the ability to function in a truly communicative setting – that is, in a dynamic ex- change in which linguistic competence must adapt itself to the total informational input, both linguistic and paralinguistic, of one or

more interlocutors' (Savignon, 1972:8). In the eighties of the last century Canale and Swain (1980) proposed and later improved (1983-1984) a model of communicative competence, which included grammatical, sociolinguistic, strategic and later discourse competences (Bagaric, 2007: 97). These competences have the following constituents:

1. Grammatical competence: concerned with verbal and non-verbal linguistic codes, which also included rules of morphology, syntax, semantics, phonetics and orthographics
2. Discourse competence: related to the understanding and interpretation of the text as well as the connection between the utterances
3. Sociolinguistic competence: expresses the awareness of social and cultural context and its influence on language and language use
4. Strategic competence: describes the knowledge of 'verbal and non-verbal communication strategies that are recalled to compensate for breakdowns in communication due to insufficient competence in one or more components of communicative competence (Bagaric, 2007: 97-98).

Language competence is an important component in language use as it is involved in communication process (Bachman,1990: 103). Furthermore, Bachman and Palmer (1996) has proposed a more distinct and comprehensive communicative language competence:

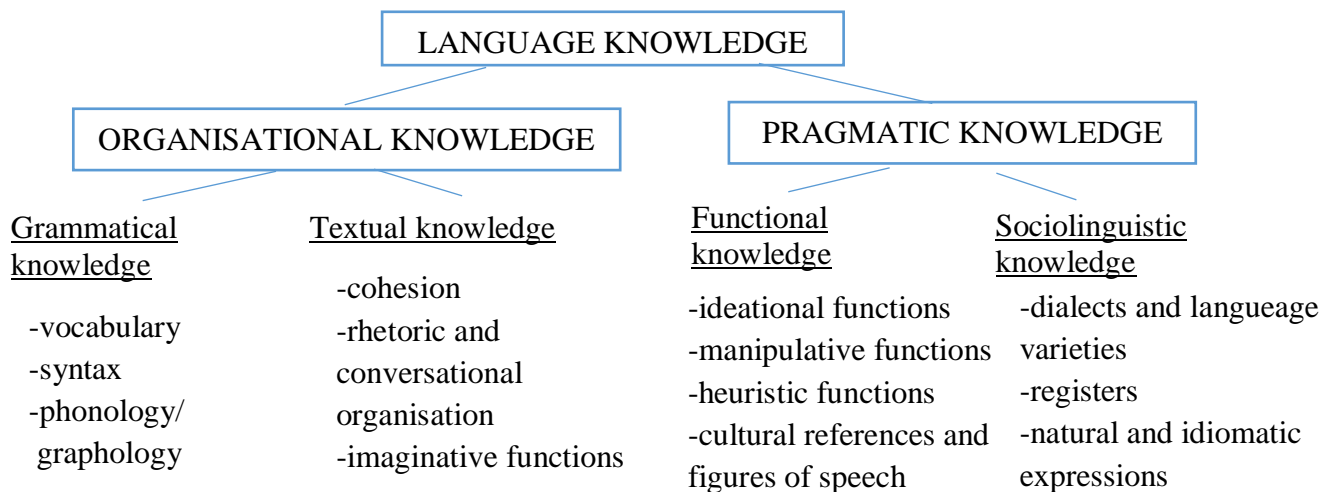


Figure 1. *Areas of language knowledge* (Bachman and Palmer, 1996: 68)

Figure 1. shows the schematic structure of the language knowledge and its categories that all together create an understanding that knowledge of only one area of language does not represent a full knowledge of language. According to Bachman (1990) language competence includes two types of competences – *organisational competence* and *pragmatic competence* (Bachman,1990: 98). *Organisational competence* is concerned with 'the knowledge employed in creating or recognizing grammatically correct utterances, in

comprehending their propositional content, and in organizing them to form oral or written texts'; whereas *pragmatic competence* includes 'the contextualized performance and interpretation of socially appropriate illocutionary acts in discourse' (ibid.). The combination of both of these competences ensure an effective language use.

Furthermore, Bachman and Palmer continue the Canale and Swain notion of strategic competence where they argue about all of the language factor effective use (Bachman and Palmer, 1996: 70). Bachman and Palmer identify three areas of strategic competence: goal-setting, assessment and planning (ibid.).

The language knowledge in the sentence creation in terms of semantic meaning has been considered while analysing the lexical items as well as in the study material development.

1.1 Language School of Functional Linguistics

Language School of Functional Linguistics has contributed to the notion of language in a meaningful context. Classical structuralism had many linguistic centres from which Contextualism (in other words Firthian linguistics) was located in Britain. London School of Functional Linguistics was the place, where J. R. Firth and many other linguistics have contributed to the view that language is a system of communication. The language is generally used in order to be used in social communicative action and it relates to the situational context and linguistic context (Langendoen, 1968: 16).

Lyons (1977) mentioned in Lipka (1992) has pointed out that meaning as such has various definitions and he correlates meaning with several kinds of language functions, such as *descriptive function*, *social function* and *expressive function* (Lipka, 1992:46). Lyons explains that *social function* serves as a mean to 'establish and maintain social relationships', *expressive function* conveys the information about the speaker and *descriptive function* conveys factual information (Lyons, 1977: 51-52).

Linguists often refer to concept of meaning as utterance meaning where Cruse (2004) defines it as 'roughly everything the speaker intends to convey by standard linguistic means' (Cruse, 2004: 263). Malinowski in Hatim and Mason (2014) has developed his theory of context while dealing with translation issues. Malinowski implied that the best option to understand a text would include the 'context of situation' where a particular accent is on cultural context (Hatim, Mason 2014: 36-37). Moreover, Firth in Hatim and Mason (2014) states that function is more crucial than context in study of meaning, where 'the meaning of

an utterance has to do with what the utterance is intended to achieve rather than merely sense of the individual words' (Hatim, Mason 2014: 37). In other, words, context has become a part of the study, which is aimed at the utterance and its function to the context.

There are founded two approaches how to study language in context by two British and two American scholars. Malinowski and Firth proposed that 'the *situation* as the context for language as *text*' language is seen as an action, a representation of social processes and relationships; it can be also noted that Sapir and Whorf interpreted '*culture* as the context for language as *system*' can show language as a reflection of theoretical model implementation in reality (Ghadessy, 1999: 6).

As there are various description of influence of context and culture on text, there have been set general division of situations, such as *field*, *tenor* and *mode*:

Field- the domain of experience this activity relates to (the 'subject matter' or 'topic')

Tenor- the roles played by those taking part in the socio- semiotic activity: institutional, status roles (equal or unequal roles), contact roles (strangers to intimates), sociometric roles (positive, negative or neutral affect)

Mode- medium: written or spoken (Matthiessen, 2014: 33-34).

M.A.K. Halliday is the follower of Firth, has continued and expanded the theory of meaning and situational context in applied linguistics. Halliday suggests that in different situations need particular language techniques, such as peculiar language registers (Haslett, 2013: 75). Moreover, Halliday states that language is closely related to social processes as language is a mean of encoding meaning and creating social reality (ibid.). Thus, language in particular social and cultural context can 'be viewed as *meaning potential*, which is actualized in particular settings through communication' (Haslett, 2013: 76).

In the work *Language, Context and Text* Halliday and Hasan (1989) gather previously used theories on language functions by such scholars as Malinowski, Buhler, Britton and Morris (Halliday, Hasan: 1989: 16-17). Halliday suggests that language derives from social functions:

- 1 *Experiential meaning*- representing the real world as it is apprehended in our experience
- 2 *Interpersonal meaning*- not only a representation of reality; it is also a piece of interaction between speaker and listener
- 3 *Logical meaning*- small network of fundamental logical relations...from which the relationships of formal logic are ultimately derived

- 4 *Textual meaning*- semantic and grammatical balance between the lines, the thematic structure, the rhythm and information focus, and the metric structure (Halliday, Hasan, 1989: 18-22).
- 5 Furthermore, Halliday concludes that the mentioned functions later merge into three functions- *ideational*, *interpersonal* and *textual*. Haslett explains that ideational function shows ‘the content or idea contains in an utterance’, interpersonal function reflects ‘the relationships among the participants’ and the textual function expresses ‘the assumed old information (theme) and the new information presented (rheme)’ (Haslett, 2013: 77-78).

Halliday has contributed to the theory of meaning creation, where he has made observations to children language learning processes:

Learning to mean is a process of creation, whereby a child constructs, in interaction with those around, a semiotic potential that gives access to the edifice of meanings that constitute social reality... In these intersubjective processes lie the foundations of the construction of reality. Reality is created through the exchange of meanings - in other words, through conversation (Halliday, 2004: 90).

Considering theories of the London School of Functional Linguistics, a basis for further theoretical study has been gathered. To sum up, the school has investigated such notions as language from the perspective of situational context and linguistic context. Moreover, the school has provided an understanding of meaning as a challenging aspect and several meaning types and relations. The selected theories have influenced the language acquisition theories as they are concentrated to language in use in meaningful context.

1.2. Lexical approach: lexical items

The present paper deals with professional language and lexis is one of the parts of legal language, the present sub-chapter deals with Lexical Approach by Lewis (1993, 1997). In the last century, Lewis (1993) has developed drawn attention to lexical knowledge as well as developed an approach to teach language. Moreover, Lewis draws attention to the distinction between the vocabulary and lexis and defines various categories of lexical items as well as how to analyse lexical items.

Lewis explains that an approach is created taking into consideration theoretical and practical notions from which a syllabus is created; moreover, the syllabus can be understood as the *what* is being learned, method is *how* the language is learned and the approach is *why* the particular language has to be acquired (Lewis, 1993: 2). Lewis states that Lexical

Approach ‘emphasizes probable language, based on observation of ‘used’ language, it recognizes clearly that lexis is not enough’ in sense that knowledge of vocabulary is not sufficient for language competence. (Lewis ,1997: 41). Lewis states that an ‘approach provides principles to decide what kind of content and what sorts of procedures are appropriate’ (Lewis, 1993: 2). The choices of the principles should take into consideration particular theoretical notions, such as:

1. Philosophical principles, to do with the nature of language;
2. Psychological principles, to do with the nature of learning;
3. Socio-political educational principles, to do with the purpose of education (ibid).

As the focus of the particular paper is in lexis and lexical meaning acquisition, Lewis has introduced Lexical Approach, which is not mainly focused on sentence grammar, but ‘it involves an increased role for word grammar (collocation and cognates) and text grammar (supra-sentential features)’ (Lewis, 1993: 3). The approach does not deny the importance of grammar, but draws attentions to the other language constituents in acquisition process, that is focused on lexis and lexical items.

Lewis defines lexical items as ‘socially sanctioned independent units. Many are words, but many consist of multi-word units’ (Lewis, 1993: 90). In addition, a knowledge of a number of vocabulary items and grammar items has been accented in teaching; however, in the real-life situations a knowledge of language consists basically from lexis, which has played a secondary role in teaching language (Lewis, 1993: 89). Lewis (1997) adds that language understanding is mainly derived from ‘our mental lexicon is stored as prefabricated multi-word ‘chunks’’ (Lewis, 1997: 20).

Lewis has named different categories of lexical items, such as words and multi-word items (Lewis, 1993: 91-95). As regards to words, Lewis distinguishes between ‘zero or low information content (e.g. with, of)’ and ‘high information content’ (e.g. book, advert, oscillate) (Lewis, 1993: 91). As stated by Lewis, *words* are the most familiar and basic kind of lexical items, but in order to select the most appropriate words for learning lexis is they have to be in high frequency of occurrence, ‘range of text-type in which the item occurs, availability, familiarity and coverage’ (ibid.).

Lewis identifies types of multi-word items – polywords, institutional expressions and collocations (Lewis, 1993: 92). Polywords are common in dictionaries, they are often not lengthy, two or three word lexical items (ibid.). Furthermore, their meaning can range from ‘immediately apparent or totally different from the component words’ (ibid.)

As regards institutional expressions, they are focused on pragmatic language aspects, such as the content and how speaker and listener understand the meaning (Lewis, 1993: 94). The

scholar categorizes institutional expressions in three categories: short, hardly grammatical utterances (e.g. not yet); sentence heads or frames – most typically the first words of utterances (e.g. That’s all very well, but...); Full sentences, with a readily identifiable pragmatic meaning, which are recognised as fully institutionalised (ibid.).

Lewis states that *collocations* or word partnerships are ‘those combinations of words which occur naturally with greater than random frequency’ (Lewis, 1997: 25). For instance, collocation ‘prices fell’ (Lewis, 1993: 93). Collocations can be perceived both from syntagmatic and pragmatic view where the two word combination can be either fixed, semi-fixed and also completely novel (ibid.). However, there may arise situations when in a collocation pair items are non-reciprocal, in other words, not all word combinations collocate and there is a number of lexical items that collocate (ibid.).

The second multi-word lexical item is fixed and semi-fixed expressions and as proposed by Lewis (1997) *fixed expressions* have several types, such as:

- 1 Social greetings (e.g. Good morning; Happy New Year)
- 2 Politeness Phrases (e.g. No, thank you, I’m fine)
- 3 ‘Phrase Book’ language (e.g. Can you tell me the way to ..., please?)
- 4 Idioms (e.g. Hang on, you’re putting the cart before the horse there.) (Lewis, 1997: 9-10).

Furthermore, Lewis (1997) elaborated on the notion of expressions and distinguished two types of expressions: fixed and semi-fixed expressions (Lewis, 1997: 11). Expressions can vary by their length and form; moreover, expressions can vary ‘from very short to very long and from almost fixed to very free’ (ibid.). Semi-fixed expressions can be distinguished as: almost fixed expressions, which permit minimal variation (e.g. It’s / That’s not my fault); spoken sentences with a simple slot (e.g. Could you pass..., please?); expressions with a slot which must be filled with a particular kind of slot-filler (e.g. Hello. Nice to see you); sentence heads, which can be completed in many ways (e.g. What was really interesting/ surprising/ annoying was.); more extended frames such as those for a formal letter or the opening paragraph of an academic paper (e.g. In this paper I wish to suggest a third position) etc. (ibid.).

Bhatia (2013) identifies also another crucial linguistic expression are binomials, which Bhatia defines as ‘a sequence of two or more words or phrases belonging to the same grammatical category having some semantic relationship and joined by some syntactic device such as *and* or *or*’ (Bhatia, 2013: 108). In legal setting such examples can be observed – terms and conditions, signed and delivered etc.

To sum up, lexis consists of various types of multi-word expressions, called lexical chunks, that create lexical meaning and several meaning levels that are explained in the following subchapter.

1.3 Lexical approach: meaning levels

Lewis (1993) in book *Lexical Approach* draws attention to the concept of meaning as the choice of particular lexical items can create several levels of meaning. For that reason Lewis also identifies several types of meaning that can be created: referential; differential; connotational; contextual; collocational, pragmatic, discourse meaning, factual meaning and modal meaning, negotiated meaning, top-down and bottom-up meaning (Lewis, 1993: 78-88). The following sub-chapter will explain the types in more detail.

Lewis defines *referential meaning* as a ‘meaning of an utterance is confined to what philosophers call its propositional content’ (Lewis, 1993: 78). This meaning refers to the factual information and basic facts created by a lexical item.

Differential meaning is ‘is created by contrast’ (Lewis, 1993: 79). In other words, the meaning is created not by an explanation, but rather by a discussion of the contrasting notions (e.g. it is easier to explain how a cup differs from a glass by ‘not being others’ (ibid.).

As regards to *connotational meaning*, it provides additional meaning to the already existing one. (ibid.). For instance, a sentence *He walked down the street* implies that the person *walked*; however, additional information could refer to the way how he walked - *staggered, strolled* or *marched* (Lewis, 1993:79-80).

Furthermore, *contextual meaning* is focused on the meaning created within a particular situation (Lewis, 1993: 81). The main idea is to analyse the meaning should consider the context under which the particular language means are used.

Collocational meaning characterizes the meaning created with regards of a reference to another word (Lewis, 1993: 82). For example, the word *bark* cannot be perceived without a reference to *dog* (ibid.).

Lewis (1993) characterizes *pragmatic meaning* with regards to the intended and interpreted meaning and not always the said meaning is the same as the perceived meaning (Lewis, 1993: 82).

The scholar argues that *discourse meaning* ‘we make our meaning only as clear as is necessary for effective communication’ (Lewis, 1993: 84). Moreover, the discourse meaning

mean that in order to understanding the meaning, it is not obligatory to know the meaning of a particular word (ibid.).

Factual meaning and modal meaning is focused on grammatical issues. For instance, the two sentences ‘*She speaks French*’ and ‘*She can speak French*’ where both sentences do not differ much, but in reality the use of the modal verb in the second case note to the ‘the degree of validity attributed to the statement by the speaker’ which creates a more subjective manner. In this case the first sentence creates a factual meaning and the second sentence notes to the modal meaning (Lewis, 1993: 84-85).

Negotiated meaning refers to the many meanings created, particularly, the different interpretation by various readers (Lewis, 1993: 85). Based on the different experiences and perceptions, both author and the reader negotiate on a particular meaning creation (ibid.).

Lewis also defines two contrasting meanings as top-down and bottom-up meaning (Lewis, 1993: 87-88). *Top-down meaning* describes the meaning created from ‘detail into an overall view’; in other words, it focuses on the previous experiences and based on them, the author creates a meaning that the reader can later decode (Lewis, 1993: 87). *Bottom-up* meaning can be created via ‘synthetic process of adding bits to each other’; furthermore, not always the assumable bits do not create the whole picture, but with the already gathered items, the whole meaning is understood (Lewis, 1993: 88). Both of the meaning types will be analysed in the paper.

To sum up, Lewis (1993, 1997) Lexical Approach will structure one of the empirical part analysis study for the present paper. The approach focuses on language, particularly lexis and several kinds of lexical items that can be present in language; thus, legal language lexis will be analysed with application of Lexical Approach.

2. CONTEXTUAL MEANING CREATION: PERSPECTIVE OF PRAGMATICS

The present paper is concerned with the study of language in a particular context; for that reason, pragmatic principles of language in use have to be considered. Moreover, the concept of pragmatics, as well as the pragmatic competence of language, is studied by many scholars.

According to Leech (1983) defines pragmatics as ‘the study of how utterances have meanings in situations’, which accents the importance of context in language study (Leech, 1983: 177). In addition, Yule (1996) states that pragmatics in linguistics is the study of speaker meaning, contextual meaning, the amount of communicated and perceived, and expression of relative distance (Yule, 1996: 3). It is argued that successful communication derives from knowledge of semantics, which includes grammar rules; however, in order to achieve the pragmatic competence, semantic knowledge has to be considered as well.

Van Dijk (1977) introduces the importance of speech acts in relation to pragmatic and semantic relation, as pragmatics ‘must be assigned an empirical domain consisting of conventional rules of language and manifestations of these in the production and interpretation of utterances’ (Van Dijk, 1977: 189). In other words, the process of utterance production (act) can be considered successful if the utterance is acceptable and thus it describes pragmatic competence (Van Dijk, 1977: 190).

Thomas (1983) defined pragmatic competence as ‘the ability to use language effectively in order to achieve a specific purpose and to understand language in context’ (Thomas, 1983: 92). As mentioned previously in the paper, Bachman and Palmer (1996) mention that communicative language competence included pragmatic knowledge as one of the constituents. It has been pointed out that Pragmatic knowledge consists of Functional knowledge, which includes ideational, manipulative, heuristic functions, as well as cultural references and figures of speech (Bachman and Palmer, 1996: 68). Pragmatic knowledge includes also Sociolinguistic knowledge that consists of dialects and language varieties, registers, natural and idiomatic expressions (ibid.). The pragmatic competence consists not only of the previously mentioned knowledge, but also the production of language in action.

Van Dijk draws attention to the dynamic nature of language and characterizes the notion of a *speech act* or *illocutionary act* as a process of creation of an utterance, such as a promise, a request advice and many others (Van Dijk, 1977: 195). Moreover, Lewis (1993) adds that ‘cohesion is about grammatical linking; coherence about pragmatic linking, the

connection between two communicative acts' (Lewis, 1993:15). The competence to produce speech acts ensure communicative purpose achievement.

Grice (1991) has created certain principles of pragmatics in terms of various conversational maxims, which are relevant to the legal language, such as *Quantity maxim*, *Quality maxim*, *Relation maxim* and *Manner maxim* (Grice, 1991: 26). *Quantity maxim* concerns the amount of the provided information where the provided information would contribute to the required information, but not exceed the needed quantity of information (ibid.). *Quality maxim* is the superior maxim as it could be complemented with more specific maxims, which state that the one should not express something is false and should not mention something that lacks adequate evidence (Grice, 1991: 27). *Relation maxim* is concerned with the relevance of the information stated, which in some cases it creates problems to the actual concept of relevance (ibid.). *Manner maxim* includes all aspects, which concern the means how the information is expressed, functioning as avoidance of obscurity and ambiguity, and being clear and concise (ibid.). The relevance of these maxims is closely related to the understanding of legal language and pragmatic interpretation of the information stated in legal texts.

2.1 Levels of meaning

Meaning is a complex matter to define as it involves many factors that affect it. Furthermore, the study and analysis of pragmatics has concerned various aspects of meaning interaction and it has to be defined which level of meaning is being analysed.

Malinowski (1923) argues that meaning does not involves reflection of occurrences, but 'in practical and active acquaintance with relevant situations. The real knowledge of a word comes through the practice of appropriately using it within a certain situation' (Malinowski, 1923: 325). Meaning creation is a dynamic process and Thomas (1995) states that it involves 'the negotiation of meaning between speaker and hearer, the context of utterance (physical, social and linguistic) and the meaning potential of an utterance' (Thomas 1995: 22).

Many linguists have defined their interpretation of meaning and Thomas (1995) has argued that meaning has several levels of meaning: sentence meaning (abstract meaning), utterance meaning (contextual meaning) and force of utterance (Thomas, 1995: 2). Cruse (2006) defines sentence meaning as the 'meaning a sentence has by virtue of the words it contains and their grammatical arrangement, and which is not dependent on context' (Cruse,

2006: 164). Furthermore, Cruse also defines utterance meaning as the meaning ‘a sentence carries when it is used in a particular context, with referents assigned to all referring expressions, taking into account conversational implicatures’ (ibid.). Furthermore, Thomas mentions that in pragmatic terms force refers to ‘speakers’s communicative intention’ (Thomas,1995: 18). Thomas has mentioned that pragmatic failure is defined as ‘inability to recognize the force of the speaker’s utterance when the speaker intended that this particular hearer should recognize it’ (Thomas, 1983: 94).

Jonassen (2004) mentions that there are two types of data that can be elicited from to study meaning: sentences that are created by a language user and already created text (discourse) in language use (Jonassen, 2004: 1077). According to McCarthy (2002) the term discourse can be defined as ‘the process of meaning -creation and interaction, whether in writing or speech’ (McCarthy, 2002: 49). For that reason, discourse analysis, which is concerned with text internal features overlap with study of speaker’s meaning that pragmatics is interested in (Jonassen, 2004: 1077).

As a result, the model of the meaning analysis for the paper is discussed in the following chapter.

2.2 Meaning analysis: Cicourel’s Framework of Language in Use Analysis

It has been discussed that meaning is a complex and challenging matter to be defined and Cicourel (1980) has developed a unique framework to analyse meaning presented in linguistic form. Duranti and Goodwin (1992) comment that the Cicourel’s meaning analysis concerns several levels, such as ‘local organization of turn—taking and their internal syntactic structure, lexical choices and semantic networks,as well as the proader context of the institutional settings’ (Duranti and Goodwin, 1992: 292). Cicourel provides Cicourel, referred to in Haslett (2013), defines three levels of linguo-pragmatic analysis that have to be considered:

- 1 The micro-level contextual model (speech act features) is concerned with the low level examination of discourse;
- 2 The macro-level contextual model (expansion features) focuses on ‘utterance in context and its relationship to culture’;
- 3 The meta-level contextual model (information processing features) characterizes ‘cognitive schemata in interpreting utterances’ (Haslett, 2013: 19).

Besides, Cicourel (1980) introduces the approach to the co-text analysis, which characterizes the text by the study of *grammatical* and *lexical cohesion*. Cicourel argues that *grammatical cohesion* is achieved via reference in context, particularly exophoric and endophoric reference (Cicourel, 1980). Exophoric reference, as defined by Halliday and Hasan (1976), refers to the linguistic elements in text that are known outside the text and it is necessary to know it to understand the text (Halliday, Hasan, 1976: 33). On the contrary, endophoric reference characterizes the reference within the text. Moreover, endophoric reference has two forms anaphoric and cataphoric references where anaphoric reference refers to the linguistic element mentioned previously in the text and cataphoric reference refers to the linguistic element, which will be mentioned further in the text (ibid.).

Lexical cohesion is 'cohesive effect achieved by the selection of vocabulary' (Halliday, Hasan, 1976: 274). As marked by Cicourel, lexical cohesion is expressed via repetition, synonymy, subordinate level categorization in basic and conceptual categories (Cicourel, 1980). Halliday and Hasan characterize synonymy as a situation when two utterances are substituted with each other and have no effect on the propositional meaning (Halliday, Hasan, 1976: 278). Subordinate level categorization is focused on the basic level categories (e.g. *dog* as a basic level category and *bulldog*, *spaniel*, *terrier* etc, as subdivision level category) (2006: 257). In addition, subordinate level categorization can be described in terms of subordinate categories (e.g. animal as the subordinate category and cat, dog, bird etc. as the basic level category) (ibid.).

Besides, Cicourel also focuses on the notion of contextual aspects of the text that have to be considered in pragmatics; the scholar distinguishes situational context and background knowledge context (Cicourel, 1980). Situational context refers to the situation in which the utterance is embedded (Halliday, Hasan, 1976: 353). Background knowledge context describes the presumed or generally shared knowledge in regards to cultural and interpersonal knowledge (Halliday, Hasan, 1976: 375).

Cicourel's model of meaning analysis will base the structure of the empirical part of the paper in terms of meaning creation strategy use in legal texts.

3 LANGUAGE FOR LAW

The present paper deals with the analysis of language for the area of law and its peculiarities in language. A particular focus in legal language is drawn to lexical constituents, legal professional language functions and word meaning as it distinguishes legal language from other languages used by professional speech community; for that reason, the legal language and lexical meaning in language for the law is discussed. The particular chapter analyses general notions of the legal language in terms of legal language functions and linguistic features of law

3.1 Professional language: English for law

People working in field, which requires certain activities within a particular setting, requires the communication knowledge, which would ensure the needed language performance. Language used by legal professionals is used in professional setting; for that reason, language for law can be considered as professional language.

Koester (2010) states that the language used in professional setting is business discourse that is created by ‘professionals carrying their duties and responsibilities’ (Koster, 2010: 6). In addition professional discourse serves as an instrument and manner of belonging as the certain type of language is used only between professionals and if the person used that language, other professionals perceive the person as professional as well and thus, includes him in the inner circle of professionals (Ibid.). Professional space has its professional discourse and it is used in professional practice and it can be performed with peculiar features of discourse, lexical, grammatical and textual patterns (Koester, 2010: 12).

As mentioned in the previous chapters, general language knowledge is necessary for successful communication; however, everyday language cannot be used in every situation. There is a distinction between language for general and language for specific purposes (LSP) and it is connected to the difference of general knowledge and specific knowledge (Sager, Dungworth, McDonald 1980: 64).

Furthermore, as the English language importance in professional setting has to be considered, English for Specific Purposes (ESP) has to be used as the number of countries speaking in English is growing. However, the term ESP is challenging to define and several scholars have attempted to explain the ESP in absolute and variable characteristics, which are explained by Dudley-Evans and St John (1998):

Absolute Characteristics:

1. ESP is defined to meet specific needs of the learners
2. ESP makes use of underlying methodology and activities of the discipline it serves
3. ESP is centered on the language appropriate to these activities in terms of grammar, lexis, register, study skills, discourse and genre. (Dudley-Evans and St John, 1998: 4).

Variable Characteristics:

1. ESP may be related to or designed for specific disciplines
2. ESP may use, in specific teaching situations, a different methodology from that of General English
3. ESP is likely to be designed for adult learners, either at a tertiary level institution or in a professional work situation. It could, however, be for learners at secondary school level
4. ESP is generally designed for intermediate or advanced students.
5. Most ESP courses assume some basic knowledge of the language systems (Dudley-Evans and St John, 1998: 5).

As defined by Hutchinson (1987) need for English for Specific Purposes developed when new generation of language learners appeared with different needs, such as Technical English, Scientific English and medical and legal professionals (Hutchinson, 1987: 7). Dudley-Evans and St John have later developed a classification of ESP by professional area where English for Specific Purposes has two subdivisions: English for Academic Purposes (EAP) and English for Occupational Purposes (EOP) (Dudley-Evans and St John, 1998: 6). English for Academic Purposes (EAP) has several classifications: English for Science and Technology, English for Medical Purposes, English for Management, Finance and Economics and English for Legal Purposes (ibid.). On the other hand, English for occupational Purposes (EOP) includes English for Professional Purposes and English for Vocational purposes (ibid.). Dudley-Evans and St John add that EOP ‘includes professional purposes in administration, medicine, law and business, and vocational purposes for non-professionals in work or pre-work situations’ (Dudley-Evans and St John, 1998: 7).

Swales and Bhatia (1983) marked that English for Legal Purposes (ELP) is crucial, but ‘relatively uncultivated corner of the ESP field’ (Swales, Bhatia, 1983:2). Swales and Bhatia, cited in Dudley-Evans and St John (1998), distinguished three main areas of legal writing:

1. *Academic legal writing*: which consists of legal textbooks and research journals
2. *Juridical writing*: consisting of court judgements, case-books and law reports
3. *Legislative writing*: which consists of Acts of Parliament, statutory instruments, contracts, agreements, treaties (Dudley-Evans and St John, 1998: 50).

Chroma (2013) has focused on the term Language for Legal purposes (LLP) and mentions specialized terminology as the main feature of this Language for Specific Purpose (LSP) (Chroma, 2013: 13).

As suggested by Freeman and Smith (2013) legal texts have some distinct features from other kinds of texts, because these texts ‘have a prescriptive or normative content rather than a descriptive content, and that content has to carry over to times, places, and conditions distant from the time/place/conditions of origin’ (Freeman and Smith, 2013: 19).

3.2 English for law: general peculiarities

The area of law has been a crucial and complex constituent for legal authorities. The area of law has been analysed by many linguists, such as Crystal (1995) Galdia (2009), Matilla (2013) and others. Language used in law setting has to consider many aspects including general language knowledge as well as distinctive peculiarities related only for this language.

All constituents of everyday languages, such as general vocabulary and grammar, are present also in language for law. Moreover, legal language is used by a law specialist; thus, Legal language is considered as technical language (Mattila, 2013: 1). Phillips (2002) introduces a term *ordinary vocabulary* where he refers to the language used outside the legal situation where he adds that ‘all of those flexible words causing problems of interpretation for legal language are part of an ordinary vocabulary’ (Phillips, 2002: 44). However, Mellinkoff (2004) argues that despite the fact that the main language used by lawyers is *ordinary English*, it is still considered that ‘law language is not English’ (Mellinkoff, 2004: 9-10). The statement could be approached by the fact that in comparison to the law language, which is used in a particular context, ordinary language is not used in a particular context, but in everyday life. Moreover, ordinary words ‘when embodied in the context of a statute, cause trouble in the course of their application’ and with the incorrect use these ordinary words in legal situation the precision will be lost (Phillips, 2002: 50).

One of USA statutes states that ‘words and phrases shall be construed according to the commonly approved usage of the language; and technical words and phrases, and such as have acquired a peculiar and appropriate meaning in the law, shall be construed and understood accordingly’ (Stat, 2014).

Language for law can also be distinguished by the peculiar use in context. Dickstein (1998) states that law and language for law depend on situation ‘law is contextual: it is

rooted in practice and custom, and takes its substance from existing patterns of human conduct and interaction' (Dickstein, 1998: 12). As previously discussed by Dickstein (1998) language for law differs in terms of context and Matilla (2013) adds that these differences may appear in terminology used in the particular context where the terminology used in the language for criminal law will differ from the terminology used in tax law or constitutional law (Mattila, 2013: 3).

Crystal (1995) states that legal language is complex in terms of situation and responsibility, where,

Legal language is always being pulled in different directions. Its statements have to be so phrased that we can see their general applicability, yet be specific enough to apply to individual circumstances. They have to be stable enough to stand the test of time so that cases will be treated consistently and fairly, yet flexible enough to adapt to new social situations. Above all, they have to be expressed in such a way that people can be certain about the intention of the law respecting their rights and duties. No other variety of language has to carry such a responsibility. (Crystal, 1995: 374)

Language use differs in various situations and language for the law is particular, especially in terms of the used lexis. Moreover, Galdia (2009) states that language for law Mellinkoff (2004) states that there are nine characteristics of the language of the law:

- 1) Frequent use of common words with uncommon meanings;
- 2) Frequent use of Old English and Middle English words once in common use, but now rare;
- 3) Frequent use of Latin words and phrases;
- 4) Use of Old French and Anglo-Norman words which have not been taken into general vocabulary;
- 5) Use of terms of art;
- 6) Use of argot;
- 7) Frequent use of formal words;
- 8) The deliberate use of words and expressions with flexible meanings;
- 9) Attempts at an extreme precision of expression. (Mellinkoff, 2004: 11)

Each professional use distinctive language, which is understood only by the people working in a particular profession and so does lawyers. They use legal language, which is understood only by lawyers and other legal professionals. Moreover, some explanations of articles are being replaced by articles; thus, the article replacement can also be referred to the abbreviation used in legal language (ibid.). The use of the professional language creates an inner circle referring toward legal language users as law professionals.

3.3 Legal language functions

Mattila (2013) distinguishes that language used in law has six functions, most essential function of legal language is *achieving justice* as it emphasizes the authority of the Law (Mattila, 2013: 41). Importance of justice function has been stressed by the use of speech acts, pattern is very formal and accepted by the use of written forms and signatures of legal authorities. Moreover, the legal communication can be influenced by legal documents and ‘the language of the law is thus an instrument of speech acts: it has performative function’ (ibid.). Meaning of a speech act can be provided by a legal order as in this manner speech act links a particular word or document to obligations and rights (ibid.).

The second function of legal language is *transmission of legal messages*, which include such legal content as ‘laws and regulations, judgements and administrative decisions, briefs and pleadings of advocates, indictments of prosecutors’ (ibid.: 44). Legal professionals can experience communication problems and they can be defined as ‘interference’, which includes all kinds of obstacles as information loss, ambiguity, failure to understand the information, delay of the message and many other (ibid.). For that reason, the legal language user’s aim is to overcome these obstacles and communicate successfully.

The third legal language function is *strengthening the authority of the Law*, which manages and controls society (ibid.: 50). The most crucial part of this function is to ensure that citizens understand the law and are committed to the legal rules and are aware of sanctions (ibid.). Furthermore, the task of legal language is to ‘consolidate social structures, the legal order, and the taking of decisions on the basis of laws’ (ibid.). The textual style used can be vital as there should not be used such means as comedy and irony as well as the text should not be complex and archaic (ibid.: 54). A clear and understandable text will ensure that citizens will comprehend the legal texts and be aware of its authority as well as the avoid uncertainty as minor language mistake can change the course of life.

The fourth function is *strengthening lawyer’s team spirit*, which includes legal group cohesion, Latin as a cohesive factor and legal jargon (ibid.: 65). In legal circles legal language expresses the professional identity and traditions and creates solidarity among legal professionals; however, this inner professional language cannot be understood by those who are not working in the area of law (ibid.). Latin and legal jargon serve as two main factors of group cohesion creation of legal professionals. Latin has been used by legal professionals since medieval times; thus, some of legal maxims are used nowadays. As legal

texts have to be understood by the general public, the use of Latin is limited; however, it is still used among legal professionals and even in some texts as a way for lawyers to socialize (ibid.: 66). Legal jargon creates a certain level of solidarity at a group level, which could differ in several countries or even sub-division of legal authorities (ibid.). Moreover, legal jargon can vary in terms of origin, where the legal jargon in Norway and America can vary (Mattila, 2013: 3). Mattila also adds that legal jargon is often characterized by abbreviations where they are most common in internal court documents (ibid.: 4).

On the contrary, the fifth legal language function is *linguistic policy*, which focuses on the minority protection of the language and its unification (ibid.). Mattila explains that ‘linguistic policy aims to preserve or to change either the relationship between two or more languages, or the properties of a single language’ (ibid.). Unification of legal language can create a contradiction where the strengthening of administrative or judicial language, can oppress another, possibly dominant language in a country (ibid.: 67).

The sixth legal language function is the *cultural task of Legal language* as it focuses on legal linguistic culture as many laws remain in force for a long-time period, and the language used in these laws create a linguistic heritage and helps to create a new legal language (ibid.: 72). Legal language develops the vocabulary of language. For instance, neologisms are introduced into ordinary language (ibid.).

Forensic language peculiarities can be described by the linguistic components, which are described in the following chapters.

3.4 Linguistic features of language for law

The language used for the law has such peculiarities in many features of the language, such as *phonology, phonetics, morphology, syntax, and semantics* (Galdia, 2009: 96). Garner (2006) states that ‘a lawyer should keep in mind that the purpose of communication is to communicate, and this can’t be done if the reader doesn’t understand the words used’ (Garner, 2006: 183). Struggle to comprehend the message is the vital reason why the message should be understandable, not only in terminology used but also in terms of grammar, syntax, semantics etc. All of the linguistic components of legal language describe and establish the language used in the legal texts. However, the linguistic description of a particular language is reached only in the combination of various linguistic means; however, there may appear a situation when one level of linguistic components is stressed.

Phonology in legal linguistics is strongly connected with Latin and how the pronunciation of Latin, and especially the legal Latin words has been influenced by the English language (Galdia, 2009: 97). The phonological and phonetic issues are particularly interesting due to the pronunciation and tone rules in some courts (ibid). In the majority of the cases the phonological aspects are observed in the daily use of the legal language.

Morphology in legal language concerns complex word explanation, derivation as well as terminology regarding the notion of these words (ibid). Furthermore, there can be situations that words can be complex not by the meanings of the parts of the word. Galdia outlines that ‘our pragmatic approach facilitates also the understanding of morphological implications in the legal terminology’ (ibid.). Furthermore, Matilla adds that morphological aspects of forensic language ‘concerns the construction of compound words, from the standpoint of their clarity and modifications then taking place in the original words forming part of the construction’ (Mattila, 2013: 66). Knowledge of formation and anatomy of words in the legal language can help to understand the meaning of the complex words.

In the legal writing, the *syntax* is concerned with the specific sentence structure in law, which in most cases is complicated (Galdia, 2009: 98). Simple sentences are not so common in legal texts; however, the use of long sentences does not intervene in the understanding of the ide of the sentence (ibid.). Mattila adds that legal documents word order are often dictated by a formula, especially in the opening, closing phrases and certain expressions (Mattila, 2013: 67).

Semantics in language for law outlines the definitions and meaning of particular words (Galdia, 2009: 99). Semantical notions in law usually add and expand the meaning of general English words and often are regulated and defined by legal use. On the contrary, exclusively semantic analysis of terms can invalidate the peculiarities in definitions (ibid.). Distinction in legal terms and especially their meaning in legal context helps in comprehension of the intended meaning.

Lexicology, as the most crucial characteristic of legal language, includes the same notions as in the daily English language, such as borrowings, synonyms, phraseology, etymology, choice of lexical units (ibid.). Galdia explains that ‘overall, the lexicological research shows that lexical units undergo a process of selection and change in which they acquire a more precise meaning within a special register’ (ibid).

Linguistic features of law include many characteristics and these characteristics should be viewed as a combination of these aspects. Generally, the lexical meaning in legal

texts is the most distinctive feature of legal language and it will be discussed more deeply in the following chapter.

3.4.1. Lexical approach analysis: lexical items

As discussed in the previous chapters, Lewis (1993, 1997) and Bhatia (2013) described the lexical items that can be present in the texts in order to analyse the text. As the focus of the study is legal lexical items, lexical items used in general language or political, economic discourse were not included.

The results of the analysis from the legal lexical item perspective showed that there were present 160 cases of legal lexical items, such as:

- Words- 109 (57 %)
- Collocations-35 (22%)
- Binomials -26 (16 %)
- Expressions-8 (5 %)

Furthermore, it was determined that the legal texts did not contain any polywords, as one of the mentioned lexical item category mentioned by Lewis (1993).

Which regards to the present lexical items, the mostly used lexical item in *The Law of Public Communication* is words, which constitute 68% of the present lexical particularly the legal terminology. The used terminology is often highlighted in bold to draw attention. There were 91 legal terms evident in the legal text and they can be divided by parts of speech. As seen in the Figure 2. There are three categories of terminology present: nouns (80 cases), verbs (25 cases) and adjectives (4 cases). There were present such nouns as *allegation*, *defendant*, *party*, *litigant* etc.; such verbs as *charge*, *abridge*, *convict*, *forfeit*, *etc* and adjectives as *lawful*, *unlawful* and *overbreadth* (Appendix 2). Particular English words as *party*, *sentence* and *fine* have particular meaning in everyday language, but their meaning changes in the specific legal circumstances. Moreover, there are also Latin terms such as *certiorari* and *en banc* (ibid.)

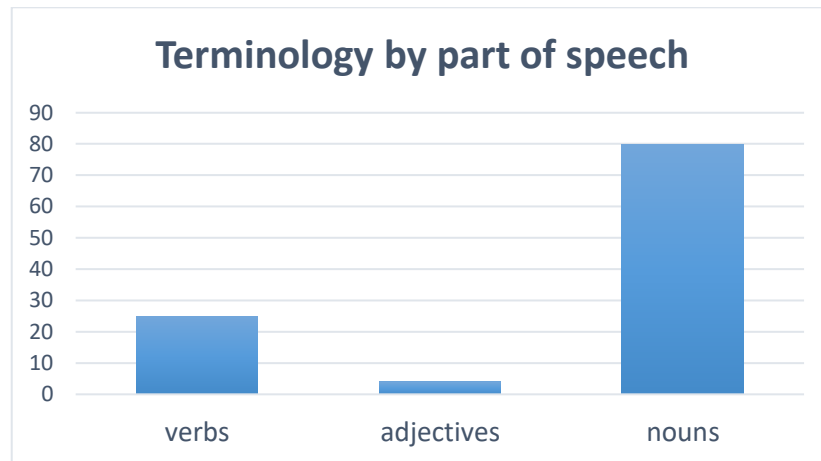


Figure 2. Terminology present by parts of speech

Based on the results of the lexical item search of the paper it was identified that 35 cases of collocations were present in the legal texts. Furthermore, the collocations can be divided by their type: noun+ adjective, noun+verb, noun+noun and noun+preposition as seen in Figure 3. Collocations, which are created with nouns and verbs constitute majority of the cases with 15 collocations; collocations in form of noun and adjective constitute 12 cases; noun and noun combination collocations constitute 6 cases and there are two noun and preposition cases (Appendix 3). Such noun and adjective cases are present: *fair trial, losing party, guilty party* etc.; noun and verb collocation examples are the following: *file complaint, pass law, carry issue, hold hearing* etc.; noun and noun combination collocations have such examples as *court hearing, plea bargain, prison term* etc. and there were two cases as *under oath* and *on the ground* (ibid.).

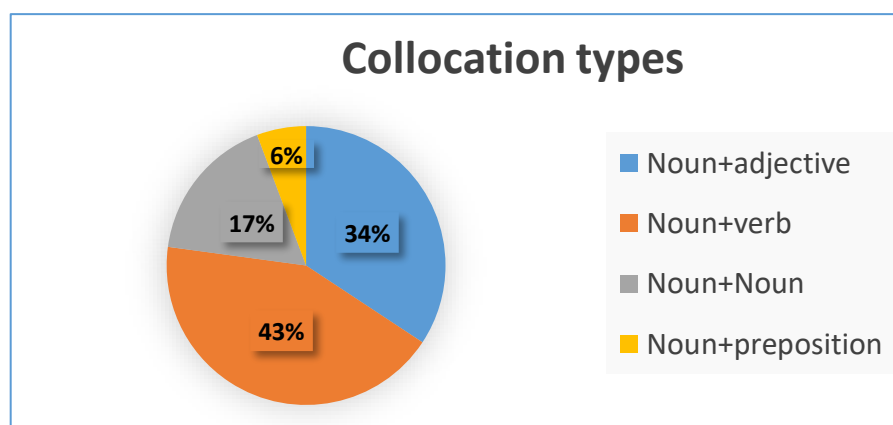


Figure 3. Collocation types present in material

There were found several cases of binomials that were present in Chapter 1 and 2. There were 26 cases of binominals, which were related to legal issues (Appendix 1). The binomial cases were created by the use of conjunctions *and* and *or*. Furthermore the binomials could be divided into several categories. First the binomials with *and*, which

connect rather oppositional notions, such as *prosecution and defence*, *speak and publish*, and binomials with similar meanings connected with and: *rules and regulations*, *liberty and equality* etc. (ibid.). Furthermore, the binomials connected with the conjunction *or* also connect similar notions as *fair or just* and also opposite notions, such as *libel or privacy*, *civil or criminal*, *stigmatize or victimize* (ibid.). There were found many other binomials, which are used in everyday speech, but they are not related to legal issues, such as *liberal or conservative* were not mentioned in the list. To sum up, the conjunction *and* is the mostly used conjunction to create and connect binomials.

Which regards the expressions as legal lexical items, they constitute only 5% of the total lexical items. Eight expression cases were present; moreover, all of the expressions were fixed, as no semi-fixed expressions were found. For instance:

- ‘Litigants in civil cases can win by proving their cases by a preponderance of the evidence’ (Middleton, 2017: 18).

Moreover, some of the expressions can be perceived as idioms or idiomatic expressions. For example:

- ‘If the magistrate decided that there is probable cause, he or she will set the bail, that is, announce the amount of money that must be posted before the accused can be released from jail’ (Middleton, 2017: 21).

To conclude, the *The Law of Public Communication* contains many lexical items, which are present in various forms., such as words, collocations, binomials and expressions. The lexical meaning is created by the use of particular legal lexical items, and as the research findings conclude, the legal terminology in comparison to other lexical items, constitute the most part of the lexical items.

3.5 Language for law: lexical meaning

Legal language in terms of meaning has been studied for many centuries as the connotation of certain words or ideas have always been a topic of interest as it contributes to the comprehension and interpretation of the message conveyed by legal texts.

Language use in the area of law is strongly connected with the pragmatics as meaning in legal context plays a vital part. Cao (2007) adds that used lexicon in legal language differentiates it from any other professional language as there can be many legal languages with their own distinctive terminology (Cao, 2007: 20).

Freeman and Smith (2014) have gathered canons of construction or interpretation in language for law from which the most relevant to the lexical meaning is Plain Meaning rule, which states that ‘the meaning of a statute is to be understood as the ordinary (plain) meaning of the language of the statute’ and ‘when the meaning of the text is plain and unambiguous, that is the end of the matter and the plain meaning must be given effect’ (Freeman, Smith, 2013: 19). In some case, the plain meaning does not always correspond to the literal meaning and for that reason the precision of the word used in order to perceive the lexical meaning and unambiguous interpretation of the intended idea.

Connotation in legal language is crucial and as argued by Goodrich (1987), peculiar status of legal language interdeterminacy is ‘characterized by determinacy rather than polisemy’ (Goodrich, 1987: 72). Furthermore, Chroma (2013) gathers the three types of lexical units of language used in law: ‘pure’ law terminology, law terminology used in everyday speech and ‘everyday words which are assigned a special connotation in a given legal context’(Chroma, 2013: 15).

Definitions in legal language often have several meanings and are connected to their use in context. Mattila distinguishes two types of definitions- real definitions and terminological definitions, where real definitions concern the ‘entities that that exist in reality in the physical world’ and terminological definitions are ‘entities that only exist in legal reality’ (Mattila, 2013: 89). However, the vagueness and uncertainty between both of these terms exist.

Mattila also introduces dichotomy of extension, which is ‘the class of entities to which a term refers’ and intension, which concerns ‘common characteristics of all meanings of the term’(ibid.). Extensional definitions are related to the concept of classes and subclasses, where their forms are recognized and can be clearly defined (ibid.). On the other hand, intensional definitions refer to the definition of a class or subclass and then perception of the differences of the class or subclass (Mattila, 2013: 90). This can be supported by the fact that the whole legal system and terms are based on classification.

Language for law is connected with performative essence of language (Cao, 2007:20). Moreover, Maley (2009) states that ‘performativity and modality are the linguistic means which express the institutional ideology of the role relationships involved in legislative rule-making’ (Maley, 1994: 21). For that reason, the understanding the meaning of the terminology in law is crucial.

Legal terminology can be understood by nouns or phrases, but they can be expressed by verbs and adjectives. Moreover, Cornu (2004) states that legal terminology can be used

also with expressions, which are not terms, but express legal facts with features ‘to which the Law attaches effects answer to the conditions that the Law imposes and thus to a legal notion that confers on them a meaning with regard to the Law’ (Cornu, 2004: 4).

3.5.1 Lexical approach analysis: levels of meaning

The previous chapter dealt with the lexical items present in the legal texts. Another theoretical approach provided by Lewis (1993) distinguished several types of meaning that can construct the meaning. The present chapter deals with the

Some terms can be understood only in a particular context, for that reason, many terms and expressions can only be understood in the specific legal context.

A phrase *pronounce a sentence* in ordinary language can be understood directly, but within a particular context it changes meaning; thus, The *contextual meaning* is present:

- ‘After the jury announces the verdict of guilty or not guilty, a judge pronounces the sentence’ (Middleton, 2017: 22).

The results of the meaning analysis show that top-down and bottom-up meaning is present. As these types of meaning concern meaning developed from accumulation of the definitions and descriptions of the notions.

The top-down meaning is created via the awareness of the notions obtain from the previous experiences. This can be applied via the knowledge of legal terms, especially Latin terms that are present in the legal texts. For instance, the term justice in general English is considered as ‘the quality of being just’; however, legal professional, based on his previous experiences can comprehend that justice can also be a ‘a judge of the Supreme Court of Judicature’ (Online 1). The term can be viewed in this case:

- ‘After a justice drafts an opinion for the Court, the draft is circulated to the other justices for editing and comment’ (Middleton, 2017: 22).

Bottom-up meaning regards the accumulation of gradually evident information to create an overall meaning. For instance, the term definitional balancing is explained via its intention and procedures:

- ‘To put more uniformity and predictability into balancing, courts engage in what is sometimes called definitional balancing. In definitional balancing, courts define the outer limit of free speech before the balancing test is applied in individual cases’ (Middleton, 2017: 46).

Collocational meaning, as mentioned in the sub-chapter 5.1.1. demonstrates the meaning, which is created via the help of collocations, such as *prison term, fair trial, carry issue, jail sentence* and many other. (Appendix 3).

With regards to *connotational meaning* type, this is expressed via a legal notion law and how it is accompanied with other words that it is referred to. For instance:

- ‘Law in United States comes from constitutions, statutes, administrative agencies, executive orders, common law, and the law of equity’ (Middleton, 2017: 3).

Referring to *differential meaning*, it is expressed via contrast of two aspects. The following example shows the court procedure of reviewing restrictions with a perspective of the frequent reviewing procedure:

- ‘When courts review restrictions on a fundamental right, they abandon their usual defence to the legislature... Instead, the courts adopt a sceptical attitude of ‘prove to me there is nothing unconstitutional about this regulation’’ (Middleton, 2017: 38).

To conclude, the Lexical Approach (1993) method application to study meaning from meaning level perspective showed that meaning is created with the use of various levels of meaning, such as collocational, differential, contextual, referential and bottom-up and top-down meaning. It is important to note that the levels of meaning are created with regards to the lexical items evident in the legal texts.

3.6 Interim Conclusions

The aim of the theoretical part of the paper has considered various theories, which structure the analysis and will be considered in the empirical part of the paper. It has considered the theories on sentence and contextual meaning perspectives in meaning creation have been discussed.

Furthermore, sentence meaning creation has been considered from semantic perspective considering theories on Language School of Functional Linguistics and Lexical Approach from perspective

4 RESEARCH METHODOLOGY

In order to understand the peculiarities of written English for law applied in everyday use in authentic texts, the purpose was to examine already existing texts and their features as well to meet the requirements of law community for written legal communication standards. This chapter outlines the applied methods and procedures during the empirical study of the present paper.

4.1 Type of Research

The empirical part of the research is focused on legal language, particularly the lexis used in legal texts. The research is drawn considering the theoretical approaches mentioned in the theoretical review in the Chapters 1, 2 and 3 of the present paper. In order to determine the needed approach to perform the empirical study the research methodology is discussed in the following chapter.

First, analysis of the legal texts is presented from qualitative research perspective as the prior and quantitative research perspective as supplementary perspective. Dörnyei (2007) characterizes qualitative research perspective, which ‘involves data collection procedures that result primarily in open-ended, non-numerical data which is then analysed primarily by non-statistical methods’ (Dörnyei, 2007: 24). On the contrary, quantitative research perspective deals with data ‘that result primarily in numerical data which is then analysed primarily by statistical methods’ (ibid.). The main difference between the perspectives is whether numeric data is used. In order to gain valid data and avoid the author’s subjective opinion in the qualitative research perspective; on the other hand, provide numerical support for the qualitative research perspective, both research perspectives will be applied.

Second, as the empirical part of the paper is focused on the lexical meaning creation means used in one source, the chosen research type for the paper is case study. As discussed by Gerring (2007) case study can be perceived from various perspectives; however, the most suitable for the present paper defines case study as one ‘that its method of evidence gathering is naturalistic (a real-life context)’ and ‘that the research investigates the properties of a single observation’ (Gerring, 2007: 17). Gerring adds that it is generally perceived as a qualitative perspective; however, it can include numerical data to support the argument (Gerring, 2007: 10).

Therefore, the study presents case study as the type of the research, which is implemented from qualitative perspective as the prior and quantitative perspective as

secondary perspective. Moreover, as the analysis is concerned with lexical items present in legal discourse, discourse analysis is chosen as the research method.

4.2 Corpus description and research procedure

As it was mentioned in the previous sub-chapter, the aim of the study is to analyse legal language, precisely, lexical items that are present in the legal writing and the meaning creation strategies in these texts.

Coursebook and dictionaries are specifically created for learning purposes. In many cases the specifically created texts are modified and altered for specific learning purpose. For that reason, real and authentic material with naturally occurring language in legal setting has been selected. The selected materials were selected with a purpose to create a study material from a Lexical Approach in which naturally occurring lexis is considered.

The content of the study material has been chosen taking into consideration the latest legal writing in legal setting. The selected texts were chosen from the Middleton (2017) book *The Law of Public Communication*, particularly, the first two chapters were selected. The selected chapters consist of 56 pages. Based on the calculation of 560 words per page, the total corpus consists approximately of 31 400 words.

The purpose of the book is not aimed on the terminology, but it is present in the book; the focus is on the general notions of law and public communication. For that reason, the particular book will be useful to analyse the lexical and pragmatic features of the legal texts present in the book.

Which regards the research procedure, it was conducting in the following stages:

- First, the book by Middleton (2017) *The Law of Public Communication* was selected as the corpus of the study. Moreover, the first two chapters were selected to be analysed.
- Second, the meaning analysis was carried out, based on the Cicourel's model (1980)
- Third, lexis analysis was conducted, based on Lewis (1993, 1997) Lexical approach in terms of lexical items in the legal texts
- Fourth, the obtained results were analysed.
- Fifth, the findings were gathered and relevant examples were provided to support the argumentation
- Sixth, the study material based was created from the previously mentioned *The Law of Public Communication* by Middleton (2017)
- Seventh, based on the results, relevant conclusions were drawn.

The Lexical Approach was implemented in three ways: it was used to analyse lexical items, to analyse lexical meaning and to create the study material. The study material has been developed considering the organised lexis and lexical meaning which was analysed previously in Chapter 3.4.1 and Chapter 3.5.1. The study material is structured in thematic as well as lexical item structure.

The following chapters discuss the obtained results of the empirical study in terms of discussion, examples and conclusions

5 LEXICAL APPROACH IN STUDY MATERIAL DEVELOPMENT

The present chapter presents the findings on lexical analysis and meaning analysis in first chapters of Middleton (2017) book *The Law of Public Communication*. As described in the methodology, two frameworks were applied Lexical Approach by Lewis (1993, 1997) and analysis of meaning by Cicourel (1980) in the following chapters of the book under discussion.

5.1 Lexical approach analysis

From the theoretical perspective offered by Lewis (1993, 1997) Lexical Approach was applied when analysing the legal texts. As a result, *The Law of Public Communication* Chapter 1 and 2 was investigated in terms of lexical items evident in the text. The Lexical Approach was applied in two levels: lexical item analysis and level of meaning analysis.

The Lexical Approach is implemented in three levels that analyse the present lexical items in the text, the analysis of the lexical meaning created with the use of these lexical items and the study material development in which the previously mentioned lexical items and meaning is taken into consideration while creating the study material.

5.2. Meaning analysis: Cicourel's model

The previous subchapter presents results of the components that constitute lexical meaning in texts with the use of Lexical Approach by Lewis (1993) method. The particular subchapter presents the finding of the meaning analysis method provided by another scholar- Cicourel (1980). The meaning analysis framework was applied from two perspectives: meaning co-textual feature analysis and three level meaning analysis.

5.2.1. Meaning analysis: co-textual analysis

Cicourel provides a framework for meaning contextual analysis from various reference perspectives. As mentioned in the theoretical part of the paper, co-textual analysis is expressed via grammatical cohesion and lexical cohesion analysis. The results of the co-textual analysis are presented in the following sub-chapter.

As discussed in the theoretical part of the paper, co-textual features of discourse are analysed from the perspective of cohesion: grammatical cohesion and lexical cohesion.

Grammatical cohesion is related to the reference analysis in context and the research findings show that grammatical cohesion features are present in the particular texts.

First, *exophoric* or outside text reference is expressed via Latin terms, which are often explained in the text and some of the terms are not. For instance:

- ‘During discovery, lawyers may request that the judge issue a subpoena requiring a journalist or someone else to testify or bring documents or other evidence to court.’ (Middleton, 2017: 20).

In order to understand the meaning of the Latin term, the reader has to know the term, which is not explained within the text, for that reason, the meaning of the term has to be known before. In addition, the idiomatic expressions are also not explained within the text, the reader has to know the meaning of the expression based on his previous knowledge. For, instance:

- ‘Similarly, the government bears the burden of proving why a publication might be so dangerous to the national security that publication should be halted’ (Middleton, 2017: 20).

Second, the references within the text or *endophoric references* are also present. *Anaphoric* reference, as a reference that notes on the expression mentioned earlier, is often expressed via explanation of the terms:

- ‘Appellate court judges decide cases primarily on the basis on lower court records and lawyers’ written arguments, called briefs’ (Middleton, 2017: 11).

Anaphoric reference can be expressed with a shorter form of the reference. For example, the full name of the *policy* is later referred as the policy:

- ‘The University of Michigan policy designed to halt racist and sexist speech as also overbroad. The federal court said the policy was too broad because it not only prohibited...’ (Middleton, 2017: 41).

Anaphoric reference can also be expressed with personal pronouns, referring to the previously mentioned notions, as in the following example:

- ‘Under the bad tendency test, expression may be halted or punished if it presents the slightest ‘tendency’ to cause a substantial evil’ (Middleton, 2017: 42).

Cataphoric reference refers to expressions that are referred to further in the text and there are several cases of this reference. First, cataphoric reference is used to explain legal terms, in this case Latin term:

- ‘Courts engage what is called ad hoc balancing when judges treat each case separately, placing speech considerations on one side of the scales...’ (Middleton, 2017: 42).

Cataphoric reference is also expressed with a shorter form of the notion and a determiner as in this case *these courts* refer to country courts:

- ‘These courts, often called country courts, are the ordinarily the first state courts to consider libel or privacy cases...’ (Middleton, 2017: 17).

Furthermore, there is also one case of a reference, which refers to the previous and further text:

- ‘The process of submitting a case to the Supreme Court for review begins when an attorney files a written argument called a petition for certiorari, asking the Court to review a decision by a federal court or state supreme court’ (Middleton, 2017: 15).

Lexical cohesion is concerned with repetition, synonymy and subordinate level categorization in basic and subordinate level categories. Research results show that all of the lexical cohesion features are present in the legal texts.

Lexical cohesion can be expressed via *repetition*, which brings to attention to the crucial aspects to the text.

Moreover, the repetition of a term can be used as there is possibility to use another term; for that reason, the only term is repeated. For instance:

- ‘A subpoena must be served to the person named in it. Failure to comply with a subpoena can result in contempt of court ruling. Journalists frequently fight subpoenas on grounds that revealing sources or evidence will limit their ability to gather news’ (Middleton, 2017: 20).

Subordinate level categorization concerns the hierarchy of the terms and notions, and it is expressed as an explanation. For instance, the basic level category *illegal action* is later explained with its constituents as subordinate level categories as *arson*, *terroristic threats* etc:

- ‘The cross burning might have been punished under laws that do not curb speech but prohibit illegal actions such as arson, terroristic threats, or criminal damage to property’ (Middleton, 2017: 51).

Moreover, *subordinate level categorization* is expressed in all three levels in explanation of the court hierarchy, where:

- ‘Each state has trial courts... which handle nearly every kind of civil or criminal case. These courts, often called country courts, are the ordinarily the first state courts to consider libel or privacy cases... in some states, appeals go directly from the country courts to what is usually called the state supreme court’ (Middleton, 2017: 17).

In this case state supreme court is superordinate level, which includes basic level category country courts and then the subdivision category trial country court.

Synonyms are expressed closely within a text as similarly used term. For instance:

- ‘The common law, often called judge-made law, was the most important source of law during the early development of this country’ (Middleton, 2017: 7).

Moreover, synonyms are used in the text to avoid repetition of the same notions if there is a possibility to use words with similar meaning:

- ‘The Supreme Court overturned Brandenburg’s conviction because the statute permitted convictions for ‘mere advocacy’ of illegal action at some distinct time. To be constitutional, the Court said, an advocacy statute can punish only speech that is ‘directed to inciting or producing imminent lawless action and is likely to produce such actions’ (Middleton, 2017: 44).

To conclude, contextual features in particular legal writing are expressed with various kinds of references within and outside the text. Moreover, co-textual meaning is created via hierarchical division of the terms, synonymy, lexical term constituents and repetition of particular lexical items.

5.2.2. Three level meaning analysis

Three level meaning analysis framework describes the contextual features within the different levels of the meaning: micro-level, macro-level and meta-level. The present subchapter focuses on the argumentation of the level meaning analysis results.

Which regards the *meta-level* meaning of the legal language present in the text, it can be mentioned that the legal text, particularly the book *The Law of Public Communication* by Middleton (2017), it is expected that the book will be used in university, particularly by students of faculty of law who are familiar with the context and basic notions of law. For that reason the meta-level meaning has already been known for the readers of the particular book and it has been acquired in previously experience.

Macro-level features of meaning in legal texts can be considered in the form of sentence structures and how they are considered in the particular context. For instance, the meaning level types present in the text. An example can be considered the meaning level analysis in the Chapter 3.4.1. As mentioned in the particular chapter lexical items create meaning and the meaning on sentence level was created via words and multi words, such as

Micro-level features of meaning in legal texts consider the such features as the lexis used in the legal texts. The lexical items and their types are analysed in the previous chapter 3.5.1 where Lexical Approach by Lewis was implemented.

5.3. Study material development

Legal English as a branch of professional language features and peculiarities. The study material was created to adopt the professional communication skills that are required in everyday language used in legal setting. Particular accent is drawn to the English language used in law and several aspects of law to acquire both of the skills.

The previous chapters considered the evident lexical items, levels of meaning as well as co-textual and meaning analysis in the legal texts. After the analysis, the study material has been developed in order to raise awareness to the lexical chunks of legal language. The emphasis is based on the lexical item and meaning comprehension in the legal context. The content of the study material has been created with a purpose to show how the language is used in professional legal setting and the process of the study material creation involves several stages.

As the focus of the study is legal lexical notion understanding, real life situation has to be considered and, in this case, authentic texts have been used. The book *The Law of Public Communication* by Middleton (2017) was the basis of which the texts for the tasks were provided.. The study material is developed considering the Lewis (1997) theoretical method and analysis of how to implement Lexical Approach into practical tasks for lexical meaning awareness. Moreover, the Cicourel's (1980) analysis of meaning has also to be considered

while creating the tasks as the referencing techniques, hierarchical and constituent, repetition techniques are used to create lexical meaning; thus, cannot be excluded while learning about lexis.

Lewis (1997) has provided organisational principles for tasks, which lexis had to be organised by certain principles in order to create the study material, such as by topic, by lexical terms, by collocations, binomials, and expressions hierarchical and constituent relationships of the terms. The educational resource is developed to show the acquisition of language for professional purposes in law considering lexical items and lexical meaning creation constituents.

5.3.1 Tasks structured by topic

The study material has been created by a particular structure where the tasks are considered to be linked to a particular theme as the study material cannot be considered to be learnt under one title. For that reason, the study material has been divided into several smaller sections of the legal notions as well as in lexical concepts.

The book *The Law of Public Communication* by Middleton (2017) has already been divided in topics and subchapters, such as *The sources of Law*, *The courts*, *Theory of Freedom of Expression* and many other. The themes for the tasks have been divided similarly as the themes for the book where in some cases, the topics have been combined together.

The Study material has been divided in two sections, such as *Sources of law* and *Freedom of expression*. Moreover, the study material has also a summary part as the third subchapter due to the lack of number of collocations and binomials in subchapters to create sufficient tasks.

The study material chapter *Sources of law* has the following structure in regards to the subchapters for the tasks:

1. 1 Constitutional and Statutory law
- 1.2 Administrative law
- 1.3 Common law
- 1.4 federal system
- 1.5 Supreme court
- 1.6 Litigation process
- 1.7 Civil suit

The study material *Freedom of expression* chapter has the following subchapters in regards to the subchapters of the tasks:

2.1 Theory of freedom of expression

2.2 Regulating expression

2.3 Content regulations

2.4 danger and balancing test

Topic can be considered as one of the task structure principle in Lexical Approach. The content of the selected corpus of the paper is divided in topics, such as court procedures, court systems etc. Thus, the student can associate the lexical terms according to a particular theme or topic of the legal matters. On the contrary, the subchapters that do not have collocation or binomial tasks does not mean that they are not present concerning a particular theme. In some case, the insufficient number of lexical items, such as two verbs present under a particular category were not taken into account while creating tasks. The Summary part of the study material include tasks regarding lexical items, which are crucial for legal professionals and could not be gathered under one particular subchapter or excluded from the tasks.

Furthermore, the tasks have aimed attention at on subchapters that present tasks draw attention lexical item types, referencing types and lexical meaning types. For instance, the chapter devoted to Litigation process will include several subchapters regarding the noun terms, binomials and several other tasks about litigation process.

The following subchapters will explain the aim and process of each task type as structures in the subchapters in the study material.

5.3.2 Tasks created by lexical items

In the study material the lexical items have been divided according to their thematic meaning. The lexical items have been divided by their type in the task creation. Tasks, which are focused on the legal term acquisition have several types of the tasks in order to provide the understanding of various kinds and types of terminology used in the legal writing.

The created tasks are developed with a purpose to raise awareness of English language in legal context creates meaning via legal terms. Furthermore, the diversity of the terms from the perspective of part of speech has been considered. A focus on the lexical terms that are used in everyday language and change the meaning in legal context have been taken into account while developing the study material. Legal terms can be divided by the parts of speech and the tasks have been developed to raise awareness of the part of the term in a

particular part of the text. Such lexical items as nouns, noun phrases and verbs have been considered to draw attention to the study material as such.

Chapter 3.4.1 has provided the results of analysis of lexical items and the results of the analysis served as a focus on which items the tasks should be created. As it was found out, lexical items, such as words, verbs and adjectives constituted the majority part of the lexical items. Namely, nouns are the most frequent type of word lexical items. Thus, the majority of tasks considered legal noun acquisition.

Tasks concerning noun had several types and diversity of task types. The most represented part of speech in legal terms are nouns and the awareness of the nouns can be created via gap filling exercises. One of the tasks regarding noun term acquisition concerns the choice of all term put in appropriate sentences within the particular gap in the sentence. In the example mentioned below, all terms are used in the sentences; thus, there is a possibility to guess the place of the noun in the sentence. The nouns are given in random order and it is known that each term has to be used in separate sentence. It is expected that the student has to choose the first term for the second sentence and the second third noun for the second sentence with gap:

Task 1.5.1 Put the given legal nouns in the appropriate empty space in the sentence

Prior restraint justice tenure draft

1. While the number of cases accepted for oral argument and disposed of with a full opinion increased during his tenure.
2. The justices could not agree on the reason a prior restraint was unjustified.

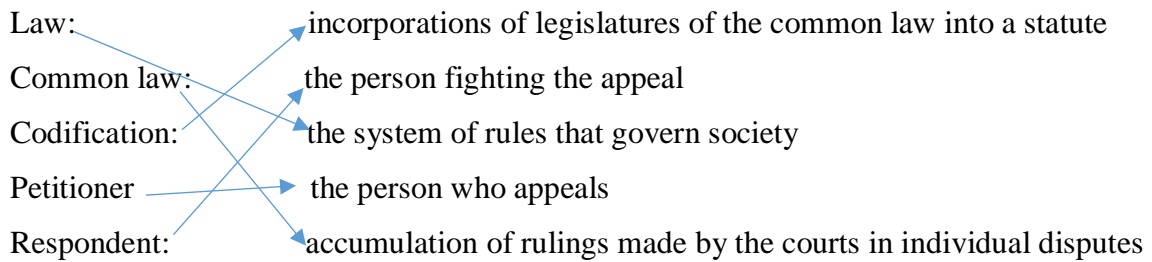
(Appendix 5).

As there are many choices of the terms, which could be put in the empty gap, there is only one correct place for the particular noun. The student can guess the appropriate noun, which could fit in the sentence according to the legal context. For example, the general nouns *draft and justice* convey a completely different meaning in legal context and for that reason, cannot be guessed from the understanding of its primary meaning in legal meaning. Furthermore, the use of words used in everyday language in legal context enhance the noun meaning in different contexts.

Understanding of the actual terms as well as the meanings of the terms used in legal texts can be improved by matching form of tasks. The task structure, which requires the student to find the appropriate explanation or according definition of the text directly target the ability to understand the lexical and grammatical features of the text. For that reason,

another task regarding legal noun acquisition has been chosen in task form where the student has to match the legal term with its according definition:

Task 1.1.5 Match the noun with the appropriate explanation



(Appendix 5).

In some cases, the student can guess that the *petitioner* and *respondent* are persons, but in the process of finding the right answers from the text, an association to the person or and its function in legal context can be accepted.

Similar task regarding explanations of terms aims at the understanding of the term from the viewpoint of the student as the task is to write the explanation for a particular legal term as it is not given:

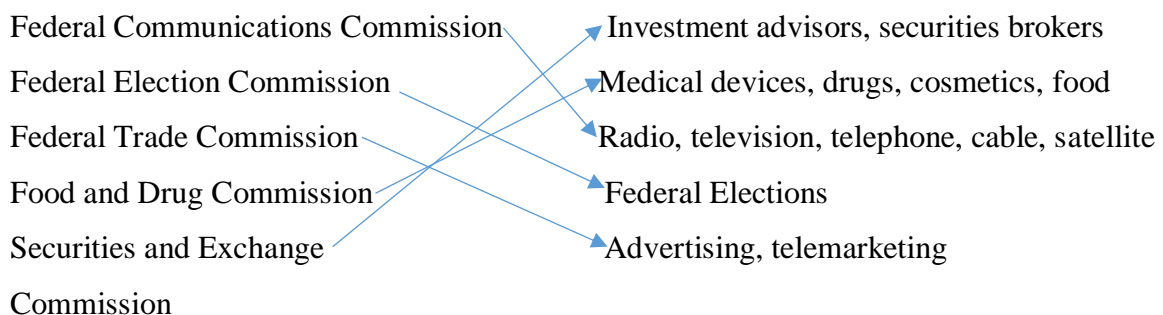
Task 1.7.1 Find the definition of the legal term and explain the given legal notion.

Summary judgement: defense tactic in communication cases

Pleadings: documents stating the nature of the case (Appendix 5).

Furthermore, the legal notions have to be considered in terms of association. The knowledge of particular commissions and their area of regulation is crucial while creating associations with a particular legal notion. For instance, it is straightforward that Federal Election Commission deals with elections, but it is hard or not so clear to associate Federal Trade Commission with advertising and telemarketing. The task to improve the knowledge of legal notions in areas of regulation has matching form where the student has to match the commission with its according responsibility:

Task 1.2.1 Match the Federal Regulatory Agency with its area of regulation



(Appendix 5).

Legal language is concerned with legal Latin terms as some Latin terms are known before and are more convenient to use in Latin form as they are shorter and explanations of the terms would take much space. For that reason, Latin term acquisition has been implemented in gap filling task where it is known that each provided Latin term has to be used in the empty space of the sentence:

Task1.5.2 Please put in the given Latin term in the appropriate gap in the sentences.

Certiorari En banc Ad hoc Per Curiam

1. Particularly important cases will be heard en banc that is, by all judges of the court.
2. The process of submitting a case to the Supreme Court for review begins when an attorney files a written argument, called a petition for certiorari, asking the Court to review a decision by a federal court or state supreme court. (Appendix 5).

To complete the task, the student is expected to know the Latin term from previous experience or search the explanation within the text as it is often provided. The Latin term use is challenging to understand without previous knowledge of the term, but while searching for the appropriate explanation, referencing associations are drawn to the Latin terms and the surrounding lexical items.

In order to improve the lexical referencing meaning acquisition, one noun legal term exercise aims at the searching of the actual term in the text. In this case there is no opportunity to choose from already provided terms and the student is required to search the texts and provide the correct term for the empty space in the sentence:

Task 1.6.3 Put appropriate noun from the text in the empty space in the sentence.

1. Lawyers representing civil plaintiffs do not have to prove wrong beyond a reasonable doubt. (Appendix 5).

Verb as another lexical item type in legal terms is also used as a basis for exercise creation. The subchapters of the study material considering legal verb knowledge is created via the various task types where the understanding of a verb in a particular sentence to create a particular meaning has been aimed at.

Gap filling is chosen as one of the exercise types for the legal verb acquisition. The task is to choose the most appropriate verb from all of the provided choices for the sentence to make a meaningful sentence, but in this case, only one option is correct. There are many verb options for each sentence and the possibility to choose inappropriate term in a sentence is more plausible:

Task 1.2.3 Choose the appropriate verb for the empty space in the sentence.

1. Administrative agencies make law as they adopt rules and disputes, as authorized by statute.
a. Accept b. adjudicate c. implement d. enforce (Appendix 5).

Exercises for verbs include also gap filling task where the correct verb option from the provided verbs has to be chosen. It is clear that all verbs have to be used and each verb is correct only in a particular empty space. However, in this task type, the verb has to be put in a correct form as well:

Task 1.1.1 Put the appropriate verb in correct form in the empty space in the text.

Restrain pre-empt sentence prevent restrict testify

1. The order sharply restricted what prosecution and defense lawyers could say about the case outside of court.
2. The judge did not restrain the press from publishing information about the case as well-established precedent prevents such judicial action. (Appendix 5).

Gap filling exercises raise awareness of the verbs in a sentence and in legal context. Moreover, the option to put in the provided verbs and their forms in sentence improve the knowledge of the verb associations in regards to other legal items in the sentence.

The knowledge of verbs can be improved by their association with legal terms. For that reason, one exercise aims at the relationships of particular verbs and nouns to create correspondence with the verb and noun as a whole unit in this sample task:

Task 1.1.4 Link the verbs to the appropriate noun where combination would create a legal verb phrase.

Enact vacate amend seal issue repeal

Order: vacate, issue, seal

Rule: enact, amend, repeal (Appendix 5).

The task regarding the noun phrases can be created in opposite manner, where the noncompatible word has to be excluded. The lexical meaning is created in terms in legal word phrases, where there is one legal term, which is associated with several other parts of speech. For instance, noun law can be associated with such adjectives as local, common, administrative, state, federal etc. The task is created to create an association of the terms, but also draw attention to the words that are not associated with certain terms. In other words, it has to be understood that not all word combinations create legal phrases.

Task 1.2.2. Please see the word and the word partnerships that create word phrases. Cross out one of the words, which does not create a legal word phrase.

Law: administrative, federal, common, trial, case.

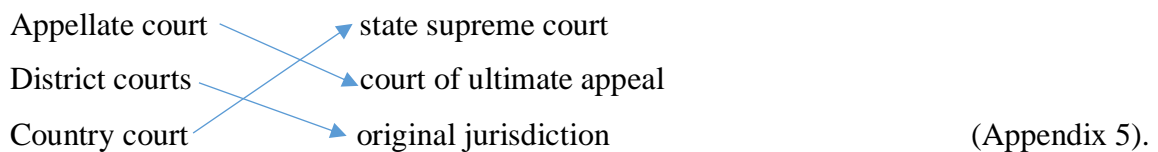
Rights: individual, voting, federal, constitutional, civil

Rule: amend, enact, appeal, repeal, issue

Action: illegal, state, incorrect, lawless, criminal (Appendix 5)

The terms are often mentioned and referred to other term with similar meaning, and the understanding of the similar lexical meaning of the terms has been considered from the lexical cohesion and these relationships also contribute to lexical meaning acquisition. For that reason, tasks regarding synonym meaning have been created as well. For example, the task is to match the term according to the similar term, which is used in the text with similar and closest meaning in the sample task:

Task 1.4.1 Match the terms used in a similar meaning in text according to the closest meaning.



As the text itself contains all of the possible word phrases, in this case noun law and the appropriate adjectives, it can be concluded that the word trial does not create a word phrase trial law; thus, it has to be excluded from the list. Moreover, the word combinations which do create word phrases will be perceived as lexical chunks and will be stored in the lexis as the combination of two words.

Furthermore, the terms cannot be perceived with their reference within the text as an explanation and the main target is to raise understanding of the terms explained further or before within the text; thus, focusing on the meaning via referencing. This has been targeted in tasks regarding search for explanations and gap filling tasks, where the legal term is often explained within the text itself. While the student searches for the explanation or association of the term in the text, cataphoric and anaphoric reference, as well as exophoric knowledge is improved. The following chapters deal with the tasks regarding more complicated and multi-word lexical items, such as collocations, expressions, binomials and others.

5.3.3 Tasks created by collocations

Collocations constitute a certain part of lexis in legal English and they can be used as a principle of task structure creation. Furthermore, several types of collocations as well as the collocation constituents have been included in the study material and are aimed to develop the understanding of these collocations.

Chapter 3.4.1 shows the results of the collocation analysis, where several types of the collocation have been observed and the tasks were created to raise awareness of the types of collocations present in legal texts. Thus, several types of tasks have been used while creating tasks for legal collocation acquisition.

First, matching task type has been used and the tasks aims at the understanding of collocations created with nouns, verbs and adjectives as one unit, that creates particular meaning, but is understood differently while considering each part of the collocation separately. The task has numbered one column of nouns and the student has to number the other adjective column words according to the noun columns to create noun + adjective collocation. For instance, the sample task aims at the understanding of matching the separate parts to create a collocation of noun and adjective. Moreover, the collocations are created when adjective is the first part of the collocation e.g. *fair trial* and injured party, which in the task columns are switched as noun columns is given as a first choice to choose from:

3.3 Task Match the collocations created by noun and adjectives

Noun	adjective
1 case	3 jail
2 Trial	1 court
3 Sentence	2 fair
4 Wrong	6 swing
5 Law	4 legal
6 Vote	5 enforcement
7 Statement	8 injured
8 Party	7 false

(Appendix 5)

The matching exercises raise awareness of the collocation types as well as their consisting parts. In the example task above, the order of the collocation parts, where the adjective comes first and the noun comes second, aims at the order in which the collocations are present in the legal texts.

Another task type regarding collocations is gap filling where the collocations are already given in the task in mixed order and the student is asked to fill in the empty spaces in the sentences with the appropriate collocation. Some of the collocations can be considered as nouns as *law enforcement* and other as verbs (e.g. *issued an order*). Consequently, there

are two empty spaces where the either collocations could fit in by their function. In the example task there are four collocation have to be put in the according empty space:

Task 1.1.2 Put the collocations in the according empty space in the sentence.

Fair trial Take into custody issue order Law enforcement

1. Law enforcement officials were also prevented from making statements likely to prejudice Holmes's right to a fair trial.
2. Judge issued an order limiting pretrial publicity.
3. Police took into custody a package sent by Holmes to his psychiatrist. (Appendix 5).

Gap filling tasks regarding collocations have been created also in another format. There are given sentences with empty spaces and in the brackets one part of the collocation has already been provided. The task is to search in the text the missing part of the collocation in the empty space in the sentence to make a meaningful text:

Task 2.3.3. Find in the text appropriate collocation part in the text to match the other part of the collocation mentioned in the sentences.

- 1 The Supreme court also (struck down) a law punishing desecration of the American flag because the law was aimed at the content of political messages.
- 2 Convictions could result in fines up to \$10,000 and (prison terms) of up to 20 years.

(Appendix 5)

Gap filling exercises improve the understanding of the collocation meaning within the text and their constituents as well as the connection with other lexical items in the legal context.

Deleting as a type of the exercise has been chosen as a type of exercise to raise awareness also regarding the words that are not likely to be considered as collocations. One of the sample tasks aim at the possible collocate word pairs as well as detect the word combinations that do not create collocations, for example:

Task 1.6.5 Cross out the terms that do not create collocations

Party: injured, guilty, striking, losing

Order: issue, deny, vacate, seal

Hearing: court, magistrate, hold, postpone

(Appendix 5)

In the exercise example above, the student is required to cross out the word, which does not create a collocation. While making the choice, the student associates the *party* with

adjectives *injured*, *guilty*, *losing*, which were used in the text, but the word *striking* does not create a collocation and thus, has to be crossed out.

In conclusion, the tasks regarding collocations aim at the manner how collocations are created as well as their relationships with other lexical items in the text. The tasks objectives are to create an understanding of collocations as one lexical chunk with particular meaning.

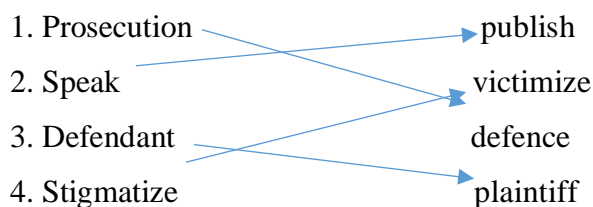
5.3.4 Tasks created by binomials

The study material includes binomials as one of the focus in lexical meaning acquisition. The tasks with binomial knowledge comprehension are structured taking into consideration the division of the binomial types and constituents as they are created as a two-word combination.

In the chapter 3.4.1 it has been determined that the binomials can be divided in several categories as by their components where binomials are connected with conjunction *and* and *or* as the part of the speech that connects the two-word combination. Moreover, it has been also observed that the binomial word pairs connect oppositional as well as similar connotation words (Appendix 1).

There have been used several task types for binomials in terms of their meaning and constituents. The example of the exercise below aims at the binomials with opposite connotations, which are still considered as word pairs connected with conjunction *and*. The exercise below shows how the words can be connected in terms of their lexical meaning in the text where the students has to match the already provided parts of binomials into one meaningful binomial combination:

Task 2.3.4. Connect the binomials with opposite connotation, which are connected with conjunction *and*



(Appendix 5).

Another task regarding the binomials in overall setting contains all of the binomials present in the particular corpus of the paper. Matching exercise type has been chosen to create the final task for the binomials as the binomials are created by two separate parts and the task is to match the two parts (Appendix 5). Moreover, an example of the binomial task is

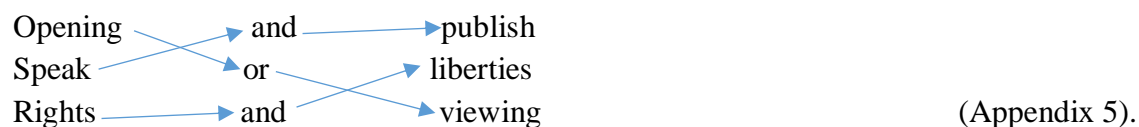
mentioned below, when the task is to connect the binomial word pairs that are created with conjunction *or*. The opposite and similar meaning binomials have been considered as binomial *civil* binomial pair is *criminal*, which hold an oppositional connotation, but are still considered as one lexical chunk as *civil or criminal*. In addition, similar connotation meaning binomial pairs as *fair* and *just* are connected with conjunction *or*, which primarily connects words with opposite meaning. The example below shows the task where the student has to match the binomial pairs connected with conjunction *or*:

Task 3.2 Match the according binomials to the other pair which are created with the conjunction *or*

1	Civil		5	punished	
2	Halted		1	criminal	
3	Fair	or	4	vague	
4	Overbroad		2	punished	
5	Prohibited		3	just	(Appendix 5)

Another task regarding binomial acquisition considering matching considers knowledge of various types and conjunction use in legal texts. The task example below aims at the understanding of binomial constituents in terms of word combination as well as the conjunction use. For instance, in the word combination *Speak or publish* can be present in writing, in legal context only word combination as *Speak and publish* can be considered as binomial:

Task 1.1.3 Link the binomials with the appropriate conjunction and the appropriate second part of the binomial.



Task type of gap filling in binomials has been used as well. Similarly as in noun and verb task case, the binomials are already provided and they are expected to be put in the empty spaces in the given sentences:

Task 2.3.2 Put the appropriate binomial from the given choices in the empty space in the sentence.

Vagueness and overbreadth stigmatizes and victimizes halted or punished fraud and libel

1 Court said, fraud and libel in political literature would seldom pose a risk to democratic processes that would justify a ban on anonymity.

2 The Courts examine content and content neutral regulations for vagueness and overbreadth. (Appendix 5)

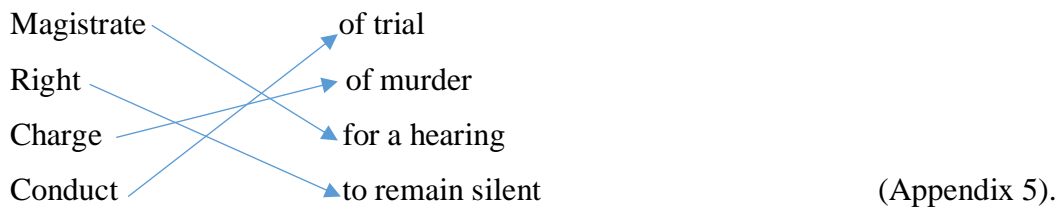
Tasks regarding binomials in legal setting consider task types mainly in matching format as the main idea is to consider binomial as one lexical unit as lexical chunk in a certain combination. The tasks aim at the legal professional's knowledge of appropriate word pair combinations in similar or opposite meaning created in legal context.

5.3.5 Tasks created by expressions

Tasks regarding the legal expression awareness draw attention to the word strings that create the lexical meaning in the legal texts. Legal expressions present in the *The Law of Public Communication* by Middleton have been used while creating diverse types of tasks for legal expression acquisition.

Furthermore, as the expressions have the terms placed in a particular order, sequencing is also used as another type of the exercise. The task is to put the words that constitute the expression in a most likely order in order to create a meaningful expression. For instance, in the task below a student is expected to match the provided parts of the expression in order to make one whole expression:

Task 1.6.4 Match the two appropriate legal expression parts.



The task mentioned above aims at the knowledge of relationships of separate words and their part combinations as one lexical chunk. Furthermore, the expressions present in the text contribute to the understanding of a particular theme and relation to other legal terms and notions legal texts.

5.3.4 Tasks created with hierarchical and constituent relationships of the terms

As some of the notions and aspects of the terms are explained via hierarchical and constituent relationships, tasks have been created to raise awareness of the different kinds of the relationships of the terms in legal setting.

As discussed in Chapter 3.4.1 Subordinate level categorization is expressed in terms of hierarchical relationships of the terms as well as the term explanation from the perspective of part relationships. The tasks are created in a manner that the lexical terms and their relationships.

Classification and division of terms has been chosen as one of the task types to improve understanding of the terms and their parts, from which the terms consist of. For instance, the task below is to determine the subcategories of certain legal notion and write them to the according superior category:

Task 1. 4.3 There are given four legal aspects and their consisting parts are put in one text. Put the given consisting parts under the appropriate superior category legal notion.

District court commissions Trial Court state legislatures law of equity
Court of Appeals Judicial circuit statutes Final Appellate Court
city councils the common law Intermediate Appellate Court constitutions

Federal system: District court, Judicial circuit, Court of Appeals

State Court: Trial Court, Intermediate Appellate Court, Appellate Court (Appendix 5).

The task aims at the categorization of somewhat similar notions, the procedure of the exercise will ensure the referencing process of the terms most likely to be connected under a particular base category into subcategories.

To conclude, the lexical items present in texts constitute the majority part of the tasks as in correlation to their number present in legal text. Multi-word items are crucial lexical item to master as

5.4. Interim Conclusions

The lexical meaning has been studied from various perspectives and the educational material has been constructed while taking into consideration the Lexical Approach by Lewis (1993, 1993) and Meaning Analysis by Cicourel (1980).

The co-textual meaning analysis results showed that meaning has been created via grammatical and lexical coherence. First, grammatical coherence in legal texts has been expressed via several kinds of references, such as references outside the text and references within the text referring to legal terms and expressions throughout the text. Refences outside the text are mainly Latin terms.

The study material has mainly included two parts where according to the present lexical item's tasks have been created. In addition, Chapter 3 Summary includes additional tasks regarding collocations and binomials as the present amount of collocations and binomials in the subchapters were insufficient to create a task. Collocations and binomials are crucial part of legal discourse, for that reason the tasks regarding collocations and binomials are also present in summary part that can be found in any of the two first chapters and subchapters.

Study material includes tasks regarding legal noun, verb and noun and verb phrase meaning in legal context. There is a variation of task types in order to raise awareness of the lexical item relationships between other words in the text and make associations to the particular theme considering legal processes. In addition, lexical items relationships in terms of constituents improve an understanding of lexical items and their hierarchy. The task completion process will benefit the understanding of lexical meaning in terms of cohesion and overall connectivity of the text.

CONCLUSIONS

The aim of the research paper has been to investigate, define theoretically and justify lexical principles of written communication in law and to develop a study material. The paper particularly was aimed at lexical features and lexical meaning in the legal context. The analysis was approached from a case study type and from two perspectives: qualitative and quantitative perspectives.

The theoretical study of the paper discusses theories on semantic meaning (Bachmann and Palmer, 1996), Language school of functional linguistics (Halliday, Hasan, 1989), Lexical Approach (Lewis, 1993, 1997), Pragmatic meaning creation (Thomas, 1982; Grice, 1991), meaning analysis (Cicourel, 1980) and legal language (Crystal, 1995; Galdia, 2009; Matilla, 2013). The theoretical sources provided the basic theories that have been considered while performing empirical part research.

The empirical part of the study is mainly constructed from two main parts, lexical meaning analysis, and study material development. First, Lexical Approach analysis (Lewis, 1993) results showed that lexical items constitute mainly of legal terms and terminology, as well as collocations, expressions and binomials. In addition, the lexical items vary in form and structure. Moreover, the lexical meaning level analysis showed that the meaning was created via the use of several meaning categories, which provided lexical variation, such as meaning created via the use of collocations, expressions and references.

The results of co-textual analysis showed that the meaning is created via lexical and grammatical cohesion. Furthermore, the various approaches of referencing contribute to the overall connectivity of the text. Grammatical cohesion in legal texts is expressed via referencing outside the text and within the text that refer to legal notions mention before or after the term in the text. Lexical cohesion is expressed repetition of crucial legal terms in the sentence; on the contrary, synonyms are used to avoid repetition and some expressions are used with similar meaning. Furthermore, term relationships are used to explain and raise awareness of the constituents of the legal notions.

The results of the lexical item analysis showed that there are several types of lexical items present in the legal texts, such as words and multi-word items. Words present in the legal texts were nouns, verbs and adjectives and the multi-word items were collocations, binomials and expressions.

The study material was developed considering the research results obtained from the lexical item and lexical meaning analysis. In other words, the study material was developed

to raise awareness of the lexical item types and characteristics present in *The Law of Public Communication* by Middleton. First, the study material has been divided in three parts, which consist of two main topics and a conclusion part. In addition, the study material has been structured in subchapters according to the particular theme of the text under which the various kinds of tasks have been created.

The tasks are aimed at legal noun, verb, collocation, binomial and expression acquisition. The tasks are linked to the themes, presented under the subchapters and topics of legal notions. There have been used different types of tasks in order to differentiate the acquisition process. In addition, relationships of the legal lexical items and other words of the text have been addressed via reference and cohesion techniques. The tasks also concern the relationships of the constituents of the terms and the hierarchy of the terms. The study material is expected to be used by students of faculty of law in order to increase the proficiency of legal language use in terms of lexical knowledge.

To conclude, language for law is complicated in terms of lexis, but the meaning created via the use of legal lexical items contribute to the meaning creation in legal writing. Language for law as ESP should not be approached as a specific language type, but the awareness of language as a means to ensure language competence. Particularly, the knowledge of lexical meaning and meaning as such in specific context helps professionals to gain the ability to successfully communicate and thus, increase professional achievements.

The topic of the research is challenging and intriguing; therefore, further analysis of other meaning creation strategies and methods to analyse meaning would be valuable in other discourses as well.

THESES

1. The present research concerns investigations of lexical items in legal writing and the study material development aimed at lexical meaning acquisition.
2. The use of professional language creates an inner circle for professionals. Professional discourse is performed with the use of particular professional language features, such as lexical, grammatical and textual features.
3. Lexis is considered as lexical items, which consists of separate words and multi-word items. Awareness of the lexical chunks and the kinds of the lexical chunks helps to acquire lexical knowledge, including vocabulary, grammar, and pronunciation.
4. The lexical meaning depends on the context in which it is used. Legal context changes the meaning of some words used in everyday language and creates a new meaning of a lexical item particularly used in the legal context.
5. Lexical and Grammatical cohesion serve as main aspects of lexical meaning creation strategies.
6. Legal language is aimed at transmitting legal messages and other legal content in order to communicate between law professionals.
7. Lexical Approach focuses on the probable language, but it does not deny the role of grammar as it is a crucial part of the language. Lexical approach is considered as the reason why a particular language is used.
8. Lexical meaning acquisition can be achieved by the knowledge of lexical chunks, that are multi-word items, such as collocations, binomials and expressions.
9. Matching, gap filling and deleting types of tasks are aimed at mastering lexical item and multi-word item use as well as compatibility with other words present in the texts.
10. Gaining lexical knowledge ensures legal language proficiency as the professional legal language mainly concerns specific lexis used.

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Source material for analysis and study material development

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ANNEX

List of binomials

1. Arrests and convictions
2. Bigotry and prejudice
3. Civil or criminal
4. Clear and present
5. Constitution and statutory
6. Defamation and invasion
7. Defendant and plaintiff
8. Halted or punished
9. Facts and arguments
10. Fair or just
11. Federal and state
12. Law and regulation
13. Libel and privacy
14. Libel or privacy
15. Liberty and equality
16. Overbroad or vague
17. Preventive and remedial
18. Prohibited or punished
19. Prosecution and defence
20. Rights and liberties
21. Rules and regulations
22. Sane and objective
23. Speak and publish
24. Statutes and ordinances
25. Stigmatize and victimize
26. Vagueness and overbreadth

List of lexical items: words

Nouns:

- | | |
|---------------------------------|---------------------------|
| 1. Absolutism | 41. Jurisdiction |
| 2. Abuse | 42. Jury |
| 3. Ad hoc (latin) | 43. Justice (n) |
| 4. Adjudication | 44. lawyer |
| 5. Advocacy (n) to advocate (v) | 45. Legislation |
| 6. Allegation | 46. Legislations |
| 7. Amendment | 47. Libel (n) and (v) |
| 8. Appeal (n) and (v) | 48. Litigant |
| 9. Attorney | 49. Magistrate(person) |
| 10. Bill of Rights | 50. Malice (n) |
| 11. Brief | 51. Misdemeanor |
| 12. Certiorari (latin) | 52. Order |
| 13. Charge (n) and (v) | 53. Ordinance |
| 14. Circuit | 54. Party |
| 15. Claim(n) | 55. Per curiam (latin) |
| 16. cohort | 56. Perjury |
| 17. Conduct (n) | 57. Petitioner |
| 18. Conviction (n) | 58. Plaintiff |
| 19. Crime | 59. Pleadings |
| 20. Custody | 60. Policy |
| 21. Defamation (n) | 61. Precedent |
| 22. Defendant | 62. Prior restraint |
| 23. Defense (n) | 63. Prosecution |
| 24. Dissent | 64. Respondent |
| 25. Doctrine | 65. Restraint |
| 26. draft | 66. Rigor |
| 27. Due process of law | 67. Sentence (n) and (v) |
| 28. En banc (Latin) | 68. Sheriff |
| 29. Equity | 69. Stare decisis (Latin) |
| 30. Fine (n) | 70. State action |
| 31. Fraud (n) | 71. State agent |
| 32. Freedom of religion | 72. Statute |
| 33. Freedom of speech | 73. stifle |
| 34. hearing | 74. Strict scrutiny |
| 35. Impairment | 75. Subpoena (Latin) |
| 36. incitement | 76. Substantive evils |
| 37. Incorporation | 77. Tenure |
| 38. Indecency | 78. Tort |
| 39. indictment | 79. True threat |
| 40. Judiciary (n) | 80. Violation |

List of lexical items: words

Verbs

1. Abridge (verb)
2. adjudicate (v)
3. advocate (v)
4. Appeal (n) and (v)
5. Charge (n) and (v)
6. Convict
7. Curb
8. Employ
9. encompass
10. Forfeit(v)
11. Halt(v)
12. Incite
13. infringe
14. Jeopardize
15. Judge
16. Justify
17. Libel
18. overturn
19. Pre-empt
20. Prevail
21. Remand
22. Sentence
23. Sue
24. testify
25. violate

Adjectives:

1. concurring
2. lawful
3. unlawful
4. overbreadth

Types of collocations

Noun+adjective	Noun+verb	Noun+Noun	Noun+preposition
court case	court ruled	court hearing	under oath
fair trial	courts can hear	fairness of trial	on the ground
False statement	deny permit	plea bargain	
jail sentence	enforce rules	prison term	
legal wrong	file complaint	prison sentence	
losing party	issue order		
guilty party	vacate order		
injured party	seal order		
strike down	magistrate hearing		
appeal court	pass law		
law enforcement	trial conduct		
swing vote	take into custody		
	bring charges		
	carry issue		
	Hold hearing		
	Hold conviction		

Fixed expressions

1. Clear and present danger
2. Victim of the law
3. Breach of the piece
4. Set the bail
5. Right to remain silent
6. Plead guilty (or not guilty)
7. Preponderance of evidence
8. Bear the burden

Study material

1. Sources of law

1.1 Constitutional and Statutory law

Verbs

Task 1.1.1 Put the appropriate verb in correct form in the empty space in the text.

Restrain pre-empt sentence prevent restrict testify

3. The order sharply restricted what prosecution and defense lawyers could say about the case outside of court.
4. The judge did not restrain the press from publishing information about the case as well-established precedent prevents such judicial action.
5. After three month trial, Holmes was sentenced to multiple life terms.
6. It provides a vehicle to settle disputes, such as when a reporter refuses to testify in court.
7. Sometimes federal laws preempt state regulation, thereby monopolizing governmental control over a specific subject.

Collocations

Task 1.1.2 Put the collocations in the according empty space in the sentence. Note that some of the collocations have to be changed in form.

Fair trial Take into custody issue an order Law enforcement

4. Law enforcement officials were also prevented from making statements likely to prejudice Holmes's right to a fair trial.
5. Judge issued an order limiting pretrial publicity.
6. Police took into custody a package sent by Holmes to his psychiatrist.

Binominals

Task 1.1.3 Link the binominals with the appropriate conjunction and the appropriate second part of the binomial.

Opening and publish
 Speak or liberties
 Rights and viewing

Verbs

Task 1.1.4 Link the verbs to the appropriate noun where combination would create a legal verb phrase.

Enact vacate amend seal issue repeal

Order: vacate, issue, seal

Rule: enact, amend, repeal

Nouns

Task 1.1.5 Match the term with the appropriate explanation

Law: → incorporations of legislatures of the common law into a statute
Common law: → the person fighting the appeal
Codification: → the system of rules that govern society
Petitioner → the person who appeals
Respondent: → accumulation of rulings made by the courts in individual disputes

1.2 Administrative law

Legal notions

Task 1.2.1 Match the Federal Regulatory Agency with its area of regulation

Federal Communications Commission → Investment advisors, securities brokers
Federal Election Commission → Medical devices, drugs, cosmetics, food
Federal Trade Commission → Radio, television, telephone, cable, satellite
Food and Drug Commission → Federal Elections
Securities and Exchange Commission → Advertising, telemarketing

Noun phrases

Task 1.2.2. Please see the word and the word partnerships that create word phrases. Cross out one of the words, which does not create a legal word phrase.

Law: administrative, federal, common, trial, case.

Rights: individual, voting, federal, constitutional, civil

Rule: amend, enact, appeal, repeal, issue

Action: illegal, state, incorrect, lawless, criminal

Verbs

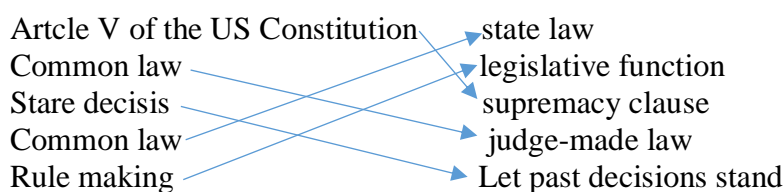
Task 1.2.3 Choose the appropriate verb for the empty space in the sentence.

2. Administrative agencies make law as they adopt rules and disputes, as authorized by statute.
a. Accept b. adjudicate c. implement d. enforce
3. If defendants fail to appear, courts may hold them in contempt and require to their cases.
a. Cancel b. hand in c. forfeit d. reward
4. Congressional regulation of the economy federal law.
a. Supersede b. enact c. oversee d. regulate
5. Administrative law judges hearings resembling judicial proceedings at which evidence is submitted and witnesses are examined
a. Provide b. conduct c. enact d. create

1.3 Common law

Synonyms

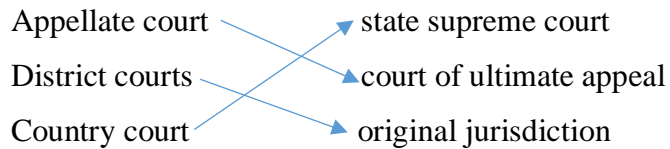
Task 1.3.1 Match the appropriate synonym used in similar meaning



1.4 Federal system

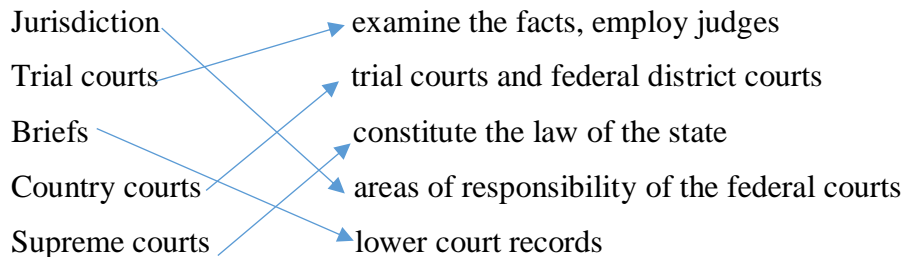
Synonyms

Task 1.4.1 Match the terms used in a similar meaning in text according to the closest meaning.



Nouns

Task 1.4.2 Match the legal term according to the correct explanation of the term.



Legal notions

Task 1. 4.3 There are given four legal aspects and their consisting parts are put in one text. Put the given consisting parts under the appropriate superior category legal notion.

District court	commissions	Trial Court	state legislatures	law of equity
Appellate Court	Court of Appeals	Judicial circuit	statutes	Final
Appellate Court	city councils	the common law		Intermediate
Appellate Court	constitutions			

Federal system: District court, Judicial circuit, Court of Appeals

State Court: Trial Court, Intermediate Appellate Court, Appellate Court

Lawmaking bodies: city councils, state legislatures, county commissions

Law in US: constitutions, statutes, the common law, law of equity

1.5 Supreme court

Nouns

Task 1.5.1 Put the given legal nouns in the appropriate empty space in the sentence

Prior restraint justice tenure draft

1. While the number of cases accepted for oral argument and disposed of with a full opinion increased during his tenure.
2. The justices could not agree on the reason a prior restraint was unjustified.
3. After a justice drafts an opinion for the Court, the draft is circulated to the other justices for editing.
4. The draft with the most support becomes plurality opinion of the Court.

Latin legal terms

Task 1.5.2 Please put in the given Latin term in the appropriate gap in the sentences.

Certiorari En banc Ad hoc Per Curiam

3. Particularly important cases will be heard en banc that is, by all judges of the court.
4. The process of submitting a case to the Supreme Court for review begins when an attorney files a written argument, called a petition for certiorari, asking the Court to review a decision by a federal court or state supreme court.
5. Although the Court voted 6-3 that the New York Times and the Washington Post could report a secret Defense Department study, the only opinion issued on behalf of the six-justice majority was an unsigned, and three paragraph per curiam opinion.
6. Ad hoc is when judges treat each case separately

1.6 Litigation process

Constituents

Task 1.6.1 Put the given subordinate words according to the superior category of the legal notions.

Jail sentence murder libel the judge arson
a fine the courthouse theft the jury privacy

Illegal acts: murder, arson, theft

Punishment: jail sentence, a fine

Civil Law: libel, privacy

Neutral facilities: the judge, the jury, the courthouse

Legal notions

Task 1.6.2 please match the legal noun or phrase according to its explanation

- | | |
|---------------------------------|---|
| 1. Tort
can be | 3. amount of money that must be posted before the accused |
| 2. Preponderance of
evidence | released from jail |
| 3. Set the bail
probable | 1. a legal wrong committed by one person against another |
| | 2. litigants convince jurors that their version of events is more |

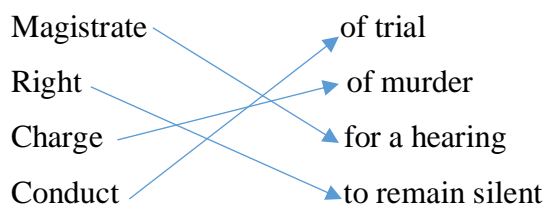
Nouns

Task 1.6.3 Put appropriate noun from the text in the empty space in the sentence.

1. Lawyers representing civil plaintiffs do not have to prove wrong beyond a reasonable doubt.
2. If the person suing wins a civil case, he or she often recovers monetary damages.
3. The prosecutor may take the evidence to a grand jury to seek indictment.

Expressions

Task 1.6.4 Match the two appropriate legal expression parts.



Collocations

Task 1.6.5 Cross out the terms that do not create collocations

Party: injured, guilty, striking, losing

Order: issue, deny, vacate, seal

Hearing: court, magistrate, hold, postpone

1.7 Civil suit

Explanation

Task 1.7.1 Find the definition of the legal term and explain the given legal notion.

Summary judgement: defense tactic in communication cases

Pleadings: documents stating the nature of the case

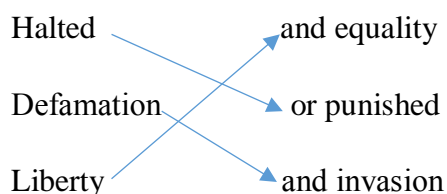
Deposition: ask questions in person, giving evidence

2 Freedom of expression

2.1 Theory of freedom of expression

Binomials

Task 2.1.1 Match the according binomial pairs



Verbs

Task 2.1.2. Put the given verbs in appropriate empty place in a sentence.

Justify incite encompass infringe prevail curb

1. Sometimes expression may be halted or punished if it incites a riot or infringes a copyright.
2. Yet few agree on the range of speakers, expression and circumstances that such theory should encompass.
3. Americans agree on the broad purposes and values of freedom of expression, even as they may disagree about when the government may curb that freedom.
4. In theory, good ideas political, scientific and social- will prevail in a free market.
5. Freedom of expression is justified as a right of the individual.

Nouns

Task 2.1.3. Put the given nouns in the appropriate empty space in the sentence.

Premise laissez-faire tract

1. Milton had published a tract urging that English divorce laws be liberalized so that he could dissolve an unpleasant union.
2. Despite his laissez-faire argument, Milton did not believe that all expression should be permitted.
3. Freedom of expression derives from widely accepted premise of Western thought.

2.2 Regulating expression

Verbs

Task 2.2.1 Choose the appropriate verb from the given choices to be the most suitable in the empty space in the sentence.

1. Absolutists presumably would also concede that the government may perjury and fraudulent speech.

- a. avoid b. abridge c. exceed d. deny

2. telecommunication companies suit challenging whether the FCC has the authority to reclassify broadband providers as telecommunication services.

- a. created b. started c. filed d. issued

Nouns

Task 2.2.2 Fill in the empty spaces in the sentence with the appropriate given noun.

Legislators incorporation agents action rigor permit
sheriff

- 1 These factors, in turn, determine the rigor with which the courts rule on the legality of regulations on expression
- 2 Federal judges are the final arbiters of freedom of expression, deciding whether state and federal legislators, administrators or lower courts have abridged freedom of expression.
- 3 Almost all clauses of Bill of Rights have been applied to the states in a process frequently called incorporation.
- 4 An ordinance permitting a country sheriff to arbitrary refuse a parade permit denies citizens their First Amendment Rights as surely as if the US attorney general denied the permit.
- 5 In each case, there is no unconstitutional state action: private broadcasters, colleges, and Twitter publishers are not state agents infringing free speech.

2.3 Content regulations

Noun phrases

Task 2.3.1. Choose the appropriate noun phrase in the empty space in the sentence.

Content regulation victim of law strict scrutiny viewpoint
discrimination

- 1 Where regulations restrict the content of political, social, and artistic expression , sceptical judges subject regulations to an analysis called strict scrutiny.
- 2 The application of strict scrutiny to content regulations reflects the scepticism with which judges view regulations that restrict a fundamental right.
- 3 When the government engages in viewpoint discrimination, it does not regulate a whole category of subject matter, but favors or disfavors a point of view within a category.
- 4 A citizen can challenge a vague or overbroad law that restricts expression even if the plaintiff is not a victim of law.

Binomials

Task 2.3.2 Put the appropriate binomial from the given choices in the empty space in the sentence.

Vagueness and overbreadth stigmatizes and victimizes halted or punished fraud and libel

- 3 Court said, fraud and libel in political literature would seldom pose a risk to democratic processes that would justify a ban on anonymity.
- 4 The Courts examine content and content neutral regulations for vagueness and overbreadth.
- 5 Judge could not distinguish between speech that is merely offensive, and therefore protected, and speech that stigmatizes and victimizes, and therefore, would not be protected.
- 6 Under the bad tendency test, expression may be halted or punished if it presents the slightest tendency to cause evil.

Collocation

Task 2.3.3. Find in the text appropriate collocation part in the text to match the other part of the collocation mentioned in the sentences.

- 3 The Supreme court also (struck down) a law punishing desecration of the American flag because the law was aimed at the content of political messages.
- 4 Convictions could result in fines up to \$10,000 and (prison terms) of up to 20 years.
- 5 Holmes dissented when the Supreme Court (upheld conviction) of five Russian aliens for distributing political fliers.

Task 2.3.4 Connect the binomials with opposite connotation, which are connected with conjunction *and*

- | | | |
|----------------|---|-----------|
| 1. Prosecution | → | publish |
| 2. Speak | → | victimize |
| 3. Defendant | → | defence |
| 4. Stigmatize | → | plaintiff |
- (Appendix 5).

2.4 Danger and balancing test

Nouns

Task 2.4.1 Choose the appropriate noun or noun phrase from the given choices and put them in the appropriate empty space in the sentence.

Retaliation misdemeanour incitement syndicalism statute
advocacy statute breach of peace advocacy cohorts

- 1 The Court said that clear and present danger could be found only if there were advocacy of direct illegal action.
- 2 The Court again employed its incitement variation of the clear and present danger test to overturn the conviction.
- 3 The Court struck down a criminal syndicalism statute under which criminal leader had been convicted.
- 4 The Court said, an advocacy statute can punish only speech that is directed to inciting lawless action.
- 5 The justices in plurality did not rigorously scrutinize the speech of Dennis and his cohorts to determine whether it represented clear and present danger.
- 6 The ordinance made misdemeanour for anyone to place a symbol, object, or graffiti including swastika on public or private property.

- 7 Court said that damned Fascist was an epithet likely to provoke the average person to physical retaliation.
- 8 Fighting words inflict injury or tend to incite an immediate breach of peace.

Verbs

Task 2.4.2 Choose one verb option out of the given options for the empty space in the sentence

- 1) Court applied ruling that a conspiracy to _____ the overthrow of the government was too far removed from immediate danger to be punished.
 a) Curb b) advocate c) justify d) incite
- 2) The Court _____ the conviction of Ku Klux Klan members for racist provocations.
 a) Appealed b) infringed c) overturned d) prevailed
- 3) The court _____ the conviction of a demonstrator who was arrested during an anti-war demonstration.
 a) Reversed b) jeopardized c) violated d) halted
- 4) Hate speech laws may be used to _____ the minorities the laws are supposed to protect.
 a) Sentence b) sue c) stifle d) abridge
- 5) University codes have been declared unconstitutional because they are narrowly drawn to _____ only fighting words.
 a) Sue b) prohibit c) testify d) violate

Noun phrases

Task 2.4.3. Match the legal notion to its explanation

- | | |
|---------------------------|---|
| 1. Actual malice | 2. courts define the outer limit of free speech |
| 2. Definitional balancing | 3. arson, terroristic threats, criminal damage to property |
| 3. Illegal action | 4. speech or symbolic expression intended to create pervasive fear in victims |
| 4. True threat | 1. false statements are not published knowingly or recklessly |

3 Summary

Binomials

Task 3.1 Match the according binomials to the other pair which are created with the conjunction *and*

1	Prosecution		15	overbreadth
2	Federal		11	victimize
3	Speak		12	statutory
4	Rules		14	invasion
5	Rights		1	defense
6	Statutes		16	prejudice
7	Preventive	and	8	plaintiff
8	Defendant		3	publish
9	Liberty		7	remedial
10	Law		13	present
11	Stigmatize		6	ordinances
12	Constitution		9	equality
13	Clear		4	regulations
14	Defamation		10	regulation
15	Vagueness		5	liberties
16	Bigotry		17	convictions
17	Arrests		18	arguments
18	Facts		2	state

Task 3.2 Match the according binomials to the other pair which are created with the conjunction *or*

6	Civil		5	punished
7	Halted		1	criminal
8	Fair	or	4	vague
9	Overbroad		2	punished
10	Prohibited		3	just

Collocations

3.3 Task Match the collocations created by noun and adjectives

Noun	adjective
9 case	3 jail
10 Trial	1 court
11 Sentence	2 fair
12 Wrong	6 swing
13 Law	4 legal
14 Vote	5 enforcement
15 Statement	8 injured
16 Party	7 false

Dokumentārā lapa

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Ar savu parakstu apliecinu, ka pētījums veikts patstāvīgi, izmantoti tikai tajā norādītie informācijas avoti un iesniegtā darba elektroniskā kopija atbilst izdrukai.

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