

МІЖМОВНА КОМУНІКАЦІЯ І ПРАВО

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LEGAL ENGLISH: TO THE QUESTION ON ITS PECULIARITIES

Modern world tends to globalization where a global language is needed which connects people from over the world irrespective of their occupation and native language. Today English plays a role of such “global” language.

Six languages are considered to be international today. These are the official languages of the United Nations Organization: English, French, Russian, Spanish, Arabian and Chinese. Herewith English takes a special place between these languages. Only this particular language is considered to be “international”, “global”, and “universal”. The world community has chosen the English language as the language of international communication.

A person who works in the sphere of law should know Legal English and be able to speak it fluently. First of all it is connected with the fact that modern lawyers are to contact more and more often with English-speaking colleagues, for example to negotiate, write or answer the e-mails.

If we examine legal texts we can distinguish grammatical, lexical and syntactic aspects of the legal English language.

Speaking about grammatical aspects we should point out the modal verbs “shall” and “may”. In legal documents the verb “shall” is used in archaic sense of obligation or duty but not in the meaning of future action. The modal verb “may” means “to have a right” (for example, “All restrictions applied for Balance-of-Payments purposes shall be subject to periodic review in the Committee...”).

Also there is unusual word order, for example “the provisions for termination hereinafter appearing or will at the cost of the borrower forthwith comply with the same”. This can be explained by the influence of grammatical structures of the French language.

When we consider syntactic aspects, we can say that conditional sentences are used quite often in legal English texts. Commonly such sentences begin with such words as “if/should/where” which testifies to diligence in

making legal decisions, for example «If there is no agreement on the panelists within 20 days after the date of the establishment of a panel», «Where more than one Member requests the establishment of a panel related to the same matter».

Analyzing lexical aspects we can say that the English language is quite difficult to understand because it has a lot of words and word-combinations which ordinary person can't interpret. The legal English language contains a lot of metaphoric expressions such as "a meeting of the minds" – a meeting to come to an agreement, "a binding agreement" – an agreement which is compulsory, "a broken contract" – a contract which is cancelled. Besides legal English has a lot of archaic lexis and constructions which are no longer used in modern English (hereby, herewith, henceforth, hereto, theaforesaid): «The provisions for termination hereinafter appearing or will at the cost of the borrower forthwith comply with the same...».

One more peculiarity of the English language in the sphere of law is the use of specific phrasal verbs such as *parties enter into contracts*; *put down deposits*; *write off debts*.

Also we should mention that legal English is characterized by a great number of specialized terms which can not be clear to the person without legal education, for example «*tort*» – civil offence, «*bailment*» – release under someone's responsibility.

Moreover, there exists legal slang. The examples are: *boiler plate clause* – a standard condition (in agreement); *waiver* – release of right; *grounds* – reasons for causing proceedings in judicial system; *exhibit* – a document or any other physical object which is introduced to the judge as evidence.

Today legal English tends to change from legalese to Plain English. But English lawyers still admit that it's impossible not to use legalese at all in legal theory and practice because using specified terminology favours to correct understanding of all legal documents.

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FOREIGN LANGUAGE TRAINING AND CROSS-CULTURAL COMMUNICATION: SOME ASPECTS OF INTERRELATION

At modern stage of development it is important for Ukraine to develop cross-cultural relationships with European countries in order to cooperate in the economic, political and education spheres. That's why we need highly-qualified specialists who are competent to speak professional foreign language.