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The pragmalinguistic analysis of legislative genre (based on texts of german laws)

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Article. As a rule, legal genres are subdivided into three large thematic groups: “Legislation” (laws, regulations, instructions, acts, orders), “Case law” (judicial decisions, appeals, protocols, court orders and court inquiries), “Official documentation” (official correspondence, reports, contracts). This research focuses on the pragmalinguistic and linguo-stylistic analysis of German legislative texts. The authors describe the characteristics of legislative genres and single out their general and special language functions. The relevance of the article is based on the fact that in Russia and abroad there are few linguistic papers on the analysis of legislative genre and law texts. In the meantime, the given research direction is highly prospective for interdisciplinary studies. The authors argue that the function of nomination, the function of message, the function of influence and the function of communication are vividly manifested in legislative genre via multilevel language means. A pragmatic analysis of the legal norms of the German legislative texts shows that the latter are characterized by imperative and dispositive legal norms, while recommendatory legal norms for the texts of German laws are less typical. The methodological base of research includes contextual and functional analysis, linguo-stylistic techniques as well as descriptive and linguo-pragmatic methods of analysis.

Keywords: legislative genre, pragmatic language functions, legal norms, intention, pragmatic analysis, nomination, linguo-stylistics, extralinguistic factor

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Научная статья

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Прагмалингвистический анализ законодательного жанра (на материале текстов немецких законов)

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Аннотация. Юридические жанры, как правило, делятся на три большие тематические группы: «Законодательство» (законы, указы, распоряжения, акты, приказы), «Прецедентное право» (судебные решения, апелляции, протоколы, распоряжения и запросы суда) и «Официальная документация» (деловая переписка, отчеты, контракты). Целью настоящего исследования является анализ немецких законодательных

текстов с позиций прагмалингвистики и лингвостилистики. Авторы статьи описывают специфику законодательного жанра и выделяют присущие ему общие и частные языковые функции. Актуальность статьи обусловлена тем фактом, что в современной отечественной и зарубежной лингвистике работ, посвящённых изучению непосредственно законодательного жанра и анализу текстов законов, не много, а между тем данное направление является весьма перспективным в плане междисциплинарных исследований. Авторы полагают, что функция номинации, функция сообщения, функция воздействия и коммуникативная функция наиболее ярко репрезентированы в законодательном жанре посредством разноуровневых языковых средств. Как показал прагматический анализ правовых норм немецких законодательных текстов, последним присущи императивные и диспозитивные правовые нормы, тогда как рекомендательные правовые нормы в меньшей степени характерны для текстов немецких законов. Методологической основой работы выступают метод контекстного и функционального анализа, лингвостилистические приёмы, а также описательный и лингвопрагматический методы анализа.

Ключевые слова: законодательный жанр, прагматические функции языка, норма права, интенция, прагмалингвистический анализ, номинация, лингвостилистика, экстралингвистические факторы

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Introduction

In modern linguistics there is a tendency of enhanced studying of language as an instrument of communication and expressing thoughts and intentions. The present study which is based on German laws highlights the issues connected with studying language structure, properties and functions as well as analyzing legislative genre. There are also important issues of examining the substance, system and structure of the language and its functions which are discussed in the present paper.

The study of pragmatic functions of language is crucially important for understanding legislative texts' functionality in language and speech. The classical view on general pragmatic language functions was presented in the theories of J. R. Searle and J. Habermas. J. R. Searle determines five pragmatic functions corresponding to five classes of speech acts: *assertives* (the pragmatic function is to commit the speaker to the truth of the expressed proposition); *directives* (the pragmatic function is an attempt by the speaker to make the listener perform an act); *commissives* (the pragmatic function is that the speaker commits himself to perform an act); *expressives* (the pragmatic function is to express the speaker's psychological state about a state of affairs specified in the propositional content of the speech act); *declaratives* (the pragmatic function implies that a successful performance guarantees that the propositional content of the speech act corresponds to the world) [1]. J. Habermas singles out only 3 major classes: *constatives* (the pragmatic function is to present states of affairs); *expressives* (the pragmatic function is to present something from the subjective world of the speaker); *regulatives* and *imperatives* united

in a single class (the pragmatic function is to regulate the interaction between the actors in the social world) [2].

The inventory of language functions is discussed in many linguistic papers, but in modern pragmatics there is no common understanding of this issue. In Western linguistic tradition the process of communication takes the dominant position. Thus, A. Martine considers communicative, cognitive and emotional functions as the main ones, and the rest are considered as secondary ones [3]. K. Bühler structures the basic language functions in a hierarchical manner and, in his view, the communicative function acts as a hyper function in this hierarchy. It splits into expressive, appellative and message functions [4]. In Russian linguistic tradition language functions are analyzed either in connection with semiotics or with a genre theory. Thus, Yu. S. Stepanov singles out *the nominative function* covering linguistic units constituting nominal and verbal classes, *the predicative function*, which is represented by the syntactic relations of words, and *the performative function*, which includes the units of the communicative act [5]. V. V. Vinogradov distinguishes *the function of message*, *the function of communication* and *the function of influence*. In his opinion, they are directly connected with functional styles of speech and literary genres and find their expression with the help of various linguistic means [6]. Later due to the development of pragmatic direction in linguistics language functions were analyzed in a new light, as pragmatics requires the study of language in its relationship with communicants and communicative context.

The term *pragmatics* was first used by Ch. Morris, who considered pragmatics to be "a part of semiotics, which deals with the study of

language signs' purpose" [7: 219]. Since the late 60s and early 70s of the XX century, linguistic pragmatics has become a separate field and has been going on its intensive development up to the present moment.

Ideas of pragmatics go along with the ideas of linguo-stylistics with a long-standing tradition of studying stylistic means not only in the system of language, but also in specific situations using extralinguistic data. Pragmatics offers a multivariate perspective of studying stylistic facts, which are analyzed in their correlation with a multitude of factors. V. L. Naer singles out such factors of analysis as "the subject of speech and the addressee, their communicative intentions, the purposes, expectations, the communicative situation, the communicative purpose of the speech act in the connection with the pragmatic parameters of the statement" [8: 4–9].

The language functions, manifested directly in speech acts, were fundamentally clarified in the theory of speech acts of J. L. Austin. Initially J. L. Austin divided speech acts into "constatives" (statements describing some events) and "performatives" (statements accompanying a description of an event)» [9: 111–128]. From those types of speech acts the researcher developed the theory of "locutionary acts". In accordance with this theory, a verbal act can be performed in three ways: by a "locutionary act", when the statement is merely correlated with an event, by an "illocutionary act", when the statement contains a bit more than a mere piece of information about some event and by a "perlocutionary act" when something is said in order to influence the listener. The difference between illocutionary and perlocutionary acts is that the aim of the former can be put into words, but the aim of the latter is not explicated verbally [10]. According to the theory of speech acts, language contains various instruments for expressing different intentions of the speaker. These instruments are included into the communicative competence of both the speaker and the listener; they are relevant to the communicative conditions.

One of the main goals of our paper is linguo-pragmatic analysis of legislative genre represented in the texts of German laws. German is one of the most widespread languages in Western Europe. The study of German legal texts is of linguistic interest, since it allows to establish typologically common features and interlanguage inconsistencies in legislative texts in different languages. Linguists are increasingly turning to multidisciplinary studies of linguistic phenomena. In this regard, the analysis of texts may be promising not only from a linguistic point of view, but also from the positions of functional grammar, logic, stylistics, pragmatics and linguo-cultural studies.

The relevance of this study is determined by the necessity to study the problems of adequate understanding and translation of German legislative documents in the context of integration processes in Europe and around the world. Conducting a comprehensive analysis of German legal texts seems to be of practical significance and well-timed. The problem of searching German equivalents to linguistic means of expression can be solved through a more precise description of the meanings of German linguistic means in the legislative area.

A distinctive feature of the Romance-Germanic legal system is the predominantly codified nature of its branches. Codification in the countries with the above-mentioned legal system represents a special legal technique, which assisted to complete the formation of the Romance-Germanic legal family as an integral phenomenon. The methodology of codification was developed by German lawyers; therefore, it can be called Germanic to a certain degree [11: 30]. It is the more popular in the legal systems of Central and Eastern European states. German jurists, who are developing the codification methodology and applying it in practice, proceed from the thesis that it is impossible to describe precisely the normative legal prescriptions in legislative acts in the form accessible for correct, accurate and comprehensive understanding by all members of society [12: 25–26].

The code, enacted according to the German methodology, acts as the main form of normative expression and formal establishment of scientific and legal concepts that determine legal regulation in various spheres of social life. German legislators and codifiers have traditionally attempted to make normative legal acts available to professional legal audience. The codes, created in accordance with the German methodology are meant for professional interpretation mainly, carried out by persons with special legal professional or scientific training. Therefore, such a systematizing legislative act is available, as a rule, for understanding and usage by professional lawyers mostly [13: 57–58].

The base of our research is the legislative text in connection with extralinguistic factors. Any communicative interaction occurs in the cultural context in a certain communicative situation. The existence of cognitive models of various communicative situations in the minds of individuals is the condition of their successful speech activity. M. A. K. Halliday considers that if the communicative situation meets a set of key parameters, the relevant scenario is actualized in the mind of the individual [14]. V. V. Nikitina distinguishes the following basic parameters: the purpose of communication, the atmosphere of communication (official, neutral, informal), the type of situation

(subordinative, non-subordinative), characteristics of participants of communication (positional, status indicator, situational, role relations), communication channel (oral, written), a set of conventional regulations (rules, norms, values) [15: 75]. Each speech act is functionally target-oriented: it has a definite purpose and methods of actualization. Achievement of purpose is directly dependent upon the sphere of communication and the conditions in which it takes place.

1. Communicative Functions of Legislative texts

Legal language is subdivided into genres of legislation (resolutions, rules, laws, charters, conventions, regulations), case law (judicial decisions, protocols, opinions of judges, appeals) and official documentation (contracts, bulletins, official correspondence, records).

The legislative text differs from a plain text by a certain communicative purpose. In order to reveal its essence, first of all it is necessary to clarify what the main purpose of the texts of laws is, what communicative purposes and tasks are set by the creators of this type of texts. A legislative text as a genre of formal style implies the realization of the following communicative functions:

1) to ascertain the fact:

Art. 12. [Berufsfreiheit]

(1) *1 Alle Deutschen haben das Recht, Beruf, Arbeitsplatz und Ausbildungsstätte frei zu wählen. 2 Die Berufsausübung kann durch Gesetz oder auf Grund eines Gesetzes geregelt werden (GG).*

2) to prescribe the fact:

§ 6. [Prüfung von Amts wegen]

Das Gericht hat seine sachliche Zuständigkeit in jeder Lage des Verfahrens von Amts wegen zu prüfen (StPO).

The text of laws, being intended for maintenance of business relations in the administrative and legal spheres, reflects some state of things in a certain field and urges the addressee to take the necessary actions resulting from that order of things. Relationship between the addresser and the addressee is social, and the pragmatic program is imperative, authoritative and strong-willed by its nature. The rational program in the text of the law is carried out in detail and is on an equal footing with the pragmatic one, and the emotional program contains rational motivation.

Functions of the texts of laws are described in the legal and linguistic literature [c.f. 16–19]. Lawyers note that laws are one of the most important tools of social regulation. They induce people to active behavior, prescribe, prohibit or allow specific variations of this behavior. Therefore, the law does not act only as a regulator, but also as a direct instrument of controlling action. The

language of jurisprudence is aimed at persuasion and serves as an important means of ideological influence on the addressees and contributes to forming their socio-political consciousness.

3) **The communicative structural function** presupposes the presence in a law's microsystem both of the rights granted to and the duties imposed on the subject of law. The microsystem structure of law consists of such elements as a *hypothesis, disposition and sanction*:

§ 133. Verwahrungsbruch

(1) Wer Schriftstücke oder andere bewegliche Sachen, die sich in dienstlicher Verwahrung befinden oder ihm oder einem anderen dienstlich in Verwahrung gegeben worden sind, zerstört, beschädigt, unbrauchbar macht oder der dienstlichen Verfügung entzieht, wird mit Freiheitsstrafe bis zu zwei Jahren oder mit Geldstrafe bestraft (StGB).

In the given example all three elements of the legal rule are present. The *hypothesis* specifies the conditions for the operation of the rule of law, *disposition* determines the model of individuals' behaviour by establishing rights and obligations, and *the sanction* provides consequences for the individual who exercises the disposition.

A clearer denotation of the place, role and purpose of the law as a legal rule in the legal regulatory system is provided by classifications of the norms of law. For our research two most important classifications of legal norms are significant. These classifications are based on the following criteria:

- 1) the functional role of the rule of law;
- 2) the methods of legal regulation.

In the former case, it is necessary to distinguish the *original, general* and *special* rules of law. The *original rules* of law form the basis for the legal regulation of social relations, its goals, objectives and directions. These include, for example, norms that either proclaim principles or contain definitions of specific legal concepts:

§ 1. [Beginn der Rechtsfähigkeit]

Die Rechtsfähigkeit des Menschen beginnt mit der Vollendung der Geburt (BGB).

§ 12. Verbrechen und Vergehen.

(1) Verbrechen sind rechtswidrige Taten, die im Mindestmass mit Freiheitsstrafe von einem Jahr oder darüber bedroht sind.

(2) Vergehen sind rechtswidrige Taten, die im Mindestmass mit einer geringeren Freiheitsstrafe oder die mit Geldstrafe bedroht sind (StGB).

In most cases, *general rules of law* are characteristic of any general branch of law, which applies them in the majority of the institutions of this or that area:

§ 96. [Rechte als Bestandteile eines Grundstücks]

Rechte, die mit dem Eigentum an einem Grundstück verbunden sind, gelten als Bestandteile des Grundstücks (BGB).

§ 62. Grundsatz der Verhältnismässigkeit.

Eine Massregel der Besserung und Sicherung darf nicht angeordnet werden, wenn sie zur Bedeutung der vom Täter begangenen und zu erwartenden Taten sowie zu dem Grad der von ihm ausgehenden Gefahr ausser Verhältnis steht (StGB).

Special rules of law refer to certain institutions of a particular branch of law and regulate any particular type of social relations considering their inherent characteristics. They detail and specify the conditions for their realization, as well as ways of legal impact on the behavior of the individual:

§ 185. [Verfügung eines Nichtberechtigten]

(1) Eine Verfügung, die ein Nichtberechtigter über einen Gegenstand trifft, ist wirksam, wenn sie mit Einwilligung des Berechtigten erfolgt (BGB).

§ 142. Unerlaubtes Entfernen vom Unfallort.

(1) Ein Unfallbeteiligter, der sich nach einem Unfall im Strassenverkehr vom Unfallort entfernt, bevor er

1. zugunsten der anderen Unfallbeteiligten und der Geschädigten die Feststellung seiner Person, seines Fahrzeugs und der Art seiner Beteiligung durch seine Anwesenheit und durch die Angabe, dass er an dem Unfall beteiligt ist, ermöglicht hat oder

2. eine nach den Umständen angemessene Zeit gewartet hat, ohne dass jemand bereit war, die Feststellungen zu treffen,

wird mit Freiheitsstrafe bis zu drei Jahren oder mit Geldstrafe bestraft (StGB).

In the latter case, the legal norms are subdivided into *imperative*, *dispositive*, *encouraging* and *recommendatory*. At the same time, it is noted that *imperative norms* contain authoritative prescriptions, *dispositive norms* presuppose freedom to a certain extent, *encouraging norms* promote socially useful behavior, and *recommendatory norms* offer the most appropriate ways of behavior for the state and society [20, 21]. Imperative and dispositive norms of law are characteristic of German law texts:

Art. 36. [Beamte der Bundesbehörden]

(1) 1 Bei den obersten Bundesbehörden sind Beamte aus allen Ländern in angemessenem Verhältnis zu verwenden. 2 Die bei den übrigen Bundesbehörden beschäftigten Personen sollen in der Regel aus dem Lande genommen werden, in dem sie tätig sind (GG).

§ 241. [Schuldverhältnis und Leistungspflicht]

1 Kraft des Schuldverhältnisses ist der Gläubiger berechtig, von dem Schuldner eine Leistung zu fordern. 2 Die Leistung kann auch in einem Unterlassen bestehen (BGB).

In the former example we can observe imperative rules of law in the legal text, in the latter one – the dispositive legal norms.

Grouping laws as legal rules allows us to suggest that the texts of laws are not homogeneous in achieving their primary purpose – regulating public legal relations. The structure of the rule of law shows that disposition is its main part regulating and affecting the behavior of the individuals, but the legal norm has no sense without a hypothesis, and it is weak without sanction. In the former case, we can observe the subject's motivation for socially useful behavior, and in the latter one – the motivation for the permission to perform certain acts. The influence of the sanction is more psychological by nature than the influence coming from the disposition.

The afore cited definitions of the rule of law relating to its essence and designation, the description of its structure and analysis of classifications of the rules of law show that according to their purpose the legal rules in general and the texts of laws in particular perform the function of regulating social relations.

2. Pragmatic Functions of Legislative texts

The four above-mentioned special functions of the language – the functions of nomination, message, communication and influence – have their own peculiarities of manifestation in the German legal texts. To understand the way legal rules perform the function of regulating social relations, it is necessary to analyze the structural elements of the texts of laws and their interrelations from the functional point of view.

2.1. Nominative Function

The *nominative function* is exercised in the titles of the articles of the law. For naming the articles and structuring the paragraphs nonverbal formatting techniques are also used:

Art. 94 [Bundesverfassungsgericht, Zusammensetzung] (GG)

§ 19 Schuldunfähigkeit des Kindes (StGB).

As these examples show, the names of articles or paragraphs of laws are usually printed in boldface type; besides the names of articles of the Basic Law and other laws of Germany are enclosed in brackets, the names of paragraphs in the Criminal and Civil Codes of the Federal Republic of Germany and of some other laws of Germany are given without brackets. To a great extent the nominative function is exercised via legal terms contained in these texts. In the legal language the correct understanding of the whole legal rule often depends on the right usage of the term.

2.2. The Function of Message

The function of message in legislative texts can be performed in the form of both the description of actions/situations and information about the possible consequences of certain actions or omissions. In fact, the legal norm can regulate the individuals' behavior since it gives some guiding information to the addressee. At the same time, the provisions of the law are understood as a kind of social controlling information and are addressed to those who must accept, understand, study and use them. The message in the text of the law is absolutely impersonal. The formal messages of the legal texts are aimed to stimulate the addressee to commit or omit to commit certain actions which are the subject of the article of the law, for example:

§ 56. Strafaussetzung

(1) *Bei der Verurteilung zu Freiheitsstrafe von nicht mehr als einem Jahr setzt das Gericht die Vollstreckung der Strafe zur Bewährung aus, wenn zu erwarten ist, daß der Verurteilte sich schon die Verurteilung zur Warnung dienen lassen und künftig auch ohne die Einwirkung des Strafvollzugs keine Straftaten mehr begehen wird. Dabei sind namentlich die Persönlichkeit des Verurteilten, sein Vorleben, die Umstände seiner Tat, sein Verhalten nach der Tat, seine Lebensverhältnisse und die Wirkungen zu berücksichtigen, die von der Aussetzung für ihn zu erwarten sind (StGB).*

In the text of paragraph 56 of the Criminal Code of the Federal Republic of Germany, the function of message is realized by informing the addressee of the conditions for the substitution of imprisonment for probation. The notification about these conditions affects the addressee, since it requires their strict obedience. In addition, the criteria the court takes into consideration for adjudicating probation, include social background of the defendant, his or her past, circumstances of the crime, his or her behavior after committing the crime, social binds and actions. The appeal to the defendant in the text of the law also directly influences their present and future behavior.

2.3. The Function of Communication

The function of communication is not specific for legislative texts, since the addresser and the addressee are not represented personally. However, as a rule, the texts of laws are known to have a corporate author, who is a legislator. The language of the law as a way of transferring information from a legislator must take into account the characteristics of the target audience, otherwise the information can be misunderstood, lost or distorted.

Considering the peculiarities of the individuals accepting the legislative information, one can

have at least an approximate knowledge of the scope of people to whom this or that legislative act is addressed. The information contained in legal norms must have a concrete addressee, otherwise it will be aimless. When the addressee is not clearly identified, it makes understanding of the legal norm difficult and does not allow to solve the problem of legal responsibility.

Thus, in the text of the law, there is communication between the collective addresser-legislator and a particular addressee, the public, to whom a specific legal norm is addressed. At the same time, the addressee is determined by the legislator in the process of law making, and communication that takes place between the addresser and the addressee is neutral. The influence of the legal rule is extended to a certain group of persons to whom this information is addressed. So, when reading the text of the law, the addressee can easily understand whether a legal rule is addressed to them or not. E.g., study § 9 of the German Civil Code:

§ 9. [Wohnsitz eines Soldaten]

(1) *1 Ein Soldat hat seinen Wohnsitz am Standort. 2 Als Wohnsitz eines Soldaten, der im Inland keinen Standort hat, gilt der letzte inländische Standort.*

(2) *Diese Vorschriften finden keine Anwendung auf Soldaten, die nur auf Grund der Wehrpflicht Wehrdienst leisten oder die nicht selbständig einen Wohnsitz begründen können (BGB).*

In the given example the addressee of the legal rule raises no doubts – it is obviously a soldier (soldiers), defined in the first and second sentence by the noun “ein Soldat”, and in the second sentence by the plural “Soldaten”.

2.4. The Function of Influence

The function of influence is performed in the texts of laws since the texts of this type are intended to exercise certain influence on the consciousness and behavior of the addressee. The information contained in the text of a law influences the memory and attention of the addressee; declaring the conditions requires their strict fulfilling. Let us study the manifestation of the function of influence and consider the example of the usage of Konjunktiv forms in the texts of laws, which affect the addressee due to declaring the conditions for the eligibility of the action, as well as encouraging the addressee to commit the desired act:

1905 [Sterilisation]

(1) *1 Besteht der ärztliche Eingriff in einer Sterilisation des Betreuten, in die dieser nicht einwilligen kann, so kann der Betreuer nur einwilligen, wenn*

1. die Sterilisation dem Willen des Betreuten nicht widerspricht,

2. der Betreute auf Dauer einwilligungsunfähig bleiben wird,

3. anzunehmen ist, dass es ohne die Sterilisation zu einer Schwangerschaft kommen würde,

4. infolge dieser Schwangerschaft eine Gefahr für das Leben oder die Gefahr einer schwerwiegenden Beeinträchtigung des körperlichen oder seelischen Gesundheitszustandes der Schwangeren zu erwarten wäre, die nicht auf zumutbare Weise abgewendet werden könnte, und

5. die Schwangerschaft nicht durch andere zumutbare Mittel verhindert werden kann. 2 Als schwerwiegende Gefahr für den seelischen Gesundheitszustand der Schwangeren gilt auch die Gefahr eines schweren und nachhaltigen Leides, das ihr drohen würde, weil vormundschaftsgerichtliche Massnahmen, die mit ihrer Trennung vom Kind verbunden wären (§§ 1666, 1666a), gegen sie ergriffen werden müssten (BGB).

In the given example the special form of the subjunctive mood of conditional I (*würde kommen, würde drohen*) is used with the modal verbs *können* and *müssen* to express the special connotations of inducement. Along with the meaning of inducement, modal verbs add to the text the connotation of the action's conditional character. Any condition is considered a limitation of the action; this has also a certain effect on the addressee of the text.

Conclusions

In the present paper we have tried to contribute to development of pragmatics. The results of our research are based on the study of the characteristics of the language functions in legislative texts in the modern German language. The conducted linguistic and pragmatic analysis develops a deeper understanding of the fundamental features of the language system and, to a certain extent, may be applicable to the studies of texts belonging to different genres in other languages. Pragmatics of the XXI century can be described as an actively developing branch with the multiple sources of new theoretical problems and applied tasks.

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The functions of language reflect its essence, purpose and social nature. The main basic language functions split into *special language functions*. The latter can be considered the specific actualization of a communicative act's certain elements. The number of special language functions varies in different studies. These functions determine either the basic kinds of speech acts or definite types of speech activity. Thus, the information presented in the legislative text affects the attention and memory of the text's recipient. The text of a law dictates the terms and requires strict obeying them. The legislative texts, analyzed in the present paper, can be referred to a special type of speech activity. Their pragmatic analysis allows to single out the set of special language functions appropriate for legislative texts: *the functions of nomination, message, communication and influence*. These functions are exercised in the texts of laws in a specific manner. The most significant function is the function of influence, since it is the function that exercises the communicative goal of a legislative text as a regulator of social relations. Thereby we consider that the function of influence is the basic one for legislative texts because along with the communicative and cognitive functions, it serves the main purposes of the legal text.

In the future we think it will be possible to study various types of texts and determine their basic and special functions, the list of which will differ from the typical classification of language functions according to their significance. The research in this direction will allow to change the existing opinion that there are only two basic linguistic functions – communicative and cognitive, and the rest are just their derivatives. The analysis of the language functions of legislative texts makes it possible to systematize the means of realization of this or that special language function.

In perspective the authors intend to develop certain models of the legislative texts which correspond to special language functions of nomination, message, communication and influence. Modeling the texts of laws can also be refined by attributing the legislative texts to a specific type of legal rules (the models of legislative texts with binding, dispositive, encouraging or recommendatory legal norms).

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