

Legal Terminology in Linguistic Terminology

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Abstract - Science terminology is numerous and varied in proportion to the nature of each science, according to the requirements of this science. These terms play their role in expressing the various concepts within this science, in a way that achieves the development and progress of this science throughout the ages and times on the one hand, and also achieves the effectiveness of this science at the operational level in the lives of individuals in general on the other hand. The research deals with the function of the legal term within the science of law, and its role in legal life, whether among scholars - at the private level - or among members of society, and with regard to the science of law itself, and the development of this science. There is no development of any science - including the science of law - without an effective role for the terminology that contributes to this development, and also an effective role for the linguistic dimension in constructing the legal term. This structure also contributes to defining the functional dimensions of the legal term, and the research also delves into the forms of context and their role in achieving the functional effectiveness of the legal term.

Keywords: Legal Terminology, Linguistic Terminology, Science terminology.

I. INTRODUCTION

The scientific terminology in any science plays an important role at the level of the components of this science, so much so that the process of forming this science cannot be completed without relying on these terms and their relationships with each other, so that they perform the function that was assigned to them, which is what we will discuss in this section through three Main demands.

Scientific terminology plays an important role in terms of the components of this science. Some scientists even went further and considered the possibility of relying on these terms to measure the maturity of a science by the extent of this science's ability to build an integrated system of interconnected terms. And its expression of concepts in a way that ensures the logical connection between these concepts in a close manner (1).

We find this matter in many different sciences, and what can be applied to them is the term that determines the nature of a particular scientific topic within this or that science, as it

is capable of describing a scientific phenomenon. By giving it appropriate appreciation, delving into its dimensions, and focusing on its particles, it also has the ability to link this phenomenon and its concept with other phenomena, so that its functional role becomes pivotal in terms of supporting the fundamentals of scientific discourse on the one hand, and in terms of precisely defining its phenomena and determining the possibility of precise linking between them (1).

The importance of the research is evident in its study of a subject that is rarely studied in depth. The function of the term - although it has been studied previously - has not been addressed in the subject of legal studies and legal sciences. On the other hand, the role of the function of the legal term in various aspects of law cannot be overlooked as a stand-alone science and as a part of people's lives. The accurate practice of law - as an important part of human daily life in any society - cannot be achieved without a precise understanding of legal terms and the role of each term.

So that the study of the function of the legal term is of high importance with regard to the science of law on the one hand, and with regard to social life on the other hand, so that the study of its role and function is of great importance.

The most prominent research problems are the linguistic dimension of the legal term, and its role in constructing the legal term and its function. There is an overlap between the legal term and the linguistic term at the level of construction and at the level of practice, so that this issue is pivotal within defining the function of the legal term at the level of science itself, and at the level of application in practical life within the lives of individuals, and defining the dividing lines is one of the most prominent research problems.

The hypotheses of this research can be summarized as follows:

Legal terminology is based largely on linguistics and its terminology. Therefore, legal scholars must have a good understanding of philology, and it is necessary to delve into the levels of linguistic analysis within the functions of legal terminology.

Understanding the law is one of the most prominent functions of the term; it is not possible to accurately understand the law without terminological accuracy.

Context plays a role in achieving the functional effectiveness of the legal term, regardless of its forms. The most prominent precise functions of the term: the founding function, the organizational function.

II. RESEARCH METHODOLOGY

I chose the descriptive approach for my study. It is the approach that enables me to study the scientific phenomena and problems related to my research by describing in a scientific way the nature of the legal term and its function, and then prepares me to reach logical explanations that have evidence and evidence that gives me the ability to develop specific frameworks for the problem, which leads to knowing and drawing results. It also helps me in making appropriate and correct decisions related to the study, by providing clarifications and explanations regarding them.

Regarding its various and variable tools, I will resort to using observation, in which I will monitor the phenomenon of researching legal and linguistic books, formulate what is related to it, determine its constant and changing behaviors, and then analyze it through induction, before arriving at the desired results.

First: Levels of linguistic analysis within the functions of the legal term:

These functions of the legal scientific term appear precisely through levels of linguistic analysis. The scientific term in general, as we mentioned earlier, is not separated from the language, but rather it is the spoiled child of this language from whose womb it emerges. One of the most prominent of these analytical levels is the level of lexical analysis, given that the term represents the lexical aspect in the precise legal language of specialization. Terminology is the verbal stock that the scientific language within this or that specialization relies on to designate names and concepts, and to link these legal concepts to cognitive perception (1).

This is one of the most prominent functions of legal terminology, as it is not possible to identify legal concepts and define them in the mentality without relying on scientific terminology with specific frameworks and specific goals, concepts, and particles. Thus, they express specific things, specific clear characteristics, and knowledge in the mentality of those who possess knowledge and those involved in it (2).

All of this is based on these lexical connotations. Terms are primarily a group of functions and have specific connotations. The role of legal terminology in developing the laws of countries is highlighted within the main function of scientific terminology, which is the development of science. The development of sciences of all kinds is directly linked to

the development of their terminology, and this development of the term is based mainly on the linguistic faculty and the connection of this faculty with the surrounding environment, as the development of this faculty is closely linked to the environment (1), and this development may be linked to the environment in multiple ways, It may be related to the aspect of sounds, so development is based on the phonetic aspects, although this type of development proceeds very slowly, and also in a slow gradual manner (2).

But it comes on its own, and is the result of a direct impact from the environment, so that the source of the term here is spontaneous and automatic, and there is the development resulting from the connection with the environment from a situational standpoint, and also from a vision standpoint... and so on, but this type of terminology is not spontaneous, but rather is produced. Artificially...not like before.

There is also the semantic level, and this level has special and great importance at the level of the functions of the scientific term, especially as it highlights the relationship of the scientific term for this science (law here) to the language of the specialty in a direct and profound way, and highlights the principle of semantic specificity in the scientific use of this term. Its ability to produce a cognitive impact is of a special and exclusive nature among those possessing this knowledge (1).

This specialization is in a specific and specific way, and not in a general way, as this term may be used by others other than those related and associated with this science, and he cannot understand the special meaning of it, even if he is widely acquainted with the linguistic sciences to which he belongs, and is acquainted with dictionaries and linguistic lexical materials. However, the semantic specificity of this term (at the semantic level) makes the ability to perform its function and mission limited to those with legal scientific knowledge, and makes its ability within these people a matter of absolute privacy (1).

And also, the contextual level, which represents one of the pillars of achieving the functional effectiveness of the legal term. The context is the sentence or sentences within which the term is defined and is part of it within the framework of a specific text, and there are forms of context that play the interactive role.

Second: Forms of context within achieving the functional effectiveness of the legal term:

Three forms of context according to the position the term occupies in it: descriptive, definitional, and descriptive context (1).

We will discuss each of the previous types with some explanation and define the functional role of the term with greater precision. As each context has specificity within the performance of the term in it, and within the effectiveness of this term through the interconnection and role at the level of performance of the concept:

- The descriptive context: The term within it is the tool that describes the specific legal issue or concept, such as: ((administrative law)), and thus it is the term that describes part of the conceptual launch and definition that takes place and is not achieved (i.e., understanding) except through this descriptive term within The descriptive context that contributes to defining it morally and conceptually within its functional performance, this performance that only takes place through this definition within this context(1).

In addition to the context, dictionaries play a role in determining a meaning from within a set of meanings for this or that word to support the meaning of the term and nourish it within the framework of performing its functional role. Without the role of the context in addition to the lexical meaning, the term cannot be defined in an accurate and specific manner so that it is thus able to perform its function. Its functional role during the process of use. The law is characterized by a group of fine particles, and these fine particles require precise definition within the different contexts in which they appear. Here, cooperation between groups and interpretations of many famous words within the characteristic of determining the meaning in which the context plays an active role is the main factor in this Context (2).

Other contexts play their role in addition to the descriptive context, such as:

- Definitional context: The concept of the term is similar to what is described (the term), and some of them call it a definitional context, as the definitional boundaries are linked to what is described within the performance of the function of this term(1).

Third: Functions of the term:

The term plays a major role in building knowledge despite the different types of this knowledge, and the different structure of the cognitive cultures that make up this knowledge. Among the most prominent of these functions is the direct job construction and the method of fulfilling the job role within the precise specialized framework in the science of law, as follows:

- The founding function: This function relates to the issue of establishing science and its existence from the first

stage, that is, from its first inception. The reason for this is that science cannot be established and established in a direct and complete manner and with complete foundations except through the presence of names that indicate the main concepts that are related to its existence and its details. That is, the particles on which its existence depends. Thus, these terms indicating legal scientific concepts (here) are part of the function of establishing science through their performance of the expressive role of total and partial concepts (1).

Then, the absence of scientific terms related to the law, whether in whole or in part, will lead to the disintegration and loss of the scientific material and the concepts that express it, that is, it will ultimately lead to the loss of the scientific content of each of these terms (2).

Here, it is possible to rely on this principle, that is, proceed to another terminological function, which is also central and no less important than the previous functions, which is the function of perception in general, as the legal term performs the function of understanding the law in its dimensions, especially for the legal man (3).

As it is the general law that controls culture. Legality is the basis of the legal system, and it can only be understood and comprehended through terms that contribute to a cognitive process of even its particles, and this cognitive process contributes to performing its work and the work of those working within the legal category (1).

- The restrictive function: The legal term performs a central and necessary task within legal science and legal practice, which is the task of restricting knowledge, and without this function of the term its particles (i.e. the particles of knowledge) dissolve, which is what Al-Tahuni defined when he considered that “every science has its own terminology since it does not He knows that it is not possible for the one who initiates it to find a way to it or to understand it as evidence.” (2).

The role of the restrictive function also appears in the relationship of the legal term to other concepts within the science of law through the interconnection in the naming, designation, and referral to the specific concept or part that this term performs or performs. He is the referrer to this concept, as this is his main specialty, and this (restrictive) function can be performed.) To go beyond the previous cases (naming, designating, and referring) to what is more in-depth and more involved; The term carries out precise specification within linguistic considerations in language issues, and this specification is determined and manifested through the relationships of the general to the specific and to the gender,

through a specific morphological formula that accompanies it over time (1).

- Organizational function: The sciences as a whole (including the sciences of law) are based on complex systems of concepts related directly and indirectly to these sciences. These systems are linked by logical and existential relationships that cannot be communicated, and understanding cannot be achieved through them except in complete harmony with these systems. And these regulating relationships and here it is possible to determine the role of terminological systems that together show the existing relationships between the topics of knowledge, no matter how great they are in direct abstraction or classification (1).

On this basis, knowledge within any science, including law, can be divided into multiple fields, and the terms contained in each of the previous fields are classified into general terms characterized by generality and avoiding any kind of specification and narrowing, and special terms that are defined with complete precision and express limited particularities. In a narrow scope, then to something more specific than before, etc. (2).

Within this function, three central elements interact fully with each other to the point of fusion to enable this function to start and work. These three elements are: expression, perception, and understanding. (1)

The term allows facilitating the communication process between specialists, especially in the field of law (legal terminology), but also between various groups of society within the subject of law, especially the famous terms that people generally know in their daily dealings, such as knot, legal claim, complaint, and reconciliation., and so on.

There is a functional role for the legal term in the educational field. Teaching law requires explanation and diving into legal subjects and all their related matters, and all of this requires the explainer to use precise scientific terms that require precision in their use as well. It also requires skill in using each term in its appropriate place, to express the educational part that the lecturer explains (For example, in a lecture), he should also be able to convey the appropriate idea, and one must also take into account the use of the appropriate, simplest, and least complicated term during the explanation process.

The number of scientific terms for each science is very large, and more than one term intersects in expressing the same idea within the large number of these terms, which are estimated to number in the thousands, which makes it necessary for us or the explainer in the educational process to

deal in a systematic manner with the scientific term (). So that the selection of the appropriate and simplest approach is the title of this methodological trend in the educational process during explanation, within the functional role of this term, and so that its role is highly accurate and effective in conveying the required concept to the student learner. The use of legal scientific terminology during the teaching process must take into account the development occurring in each scientific term on the one hand, and it must also take into account the development occurring in the meaning of the term on the other hand. The process of semantic extension of some legal terms occurs according to social need and scientific need. Terminology is not only the key to science, but rather it is the conclusion resulting from research into each science in each element. That is, it includes the entire era, and the development of these terms summarizes the development of science (1).

Terminological development is one of the pillars of the development of all sciences, including the science of law, and this aspect must be taken into account in the educational process. The dimensions of terminological development (i.e. its semantic development) must be explained when using it, so that the learner is fully informed of its dimensions and circumstances, and the new and old concept to which this legal scientific term refers, so that this learner is aware of the accurate concept of what this term expresses, so that he can use it in The future is correct.

Thus, performing the legal scientific term correctly and completely is an important part of performing its function. The legal term cannot achieve its function without being an active, well-known term, just as it cannot achieve its goal and function without realizing the developments it has undergone over the ages and the semantic dimensions that it has undergone. It expanded upon it, and the implications that were added to it during this development, and the extent of the prevalence of this knowledge among scholars and society in general.

III. RESULTS

After this study and review of the term's functions, the following results can be summarized:

The legal term contributes to the development of the science of law and its related matters, over time. The process of developing any science cannot take place without relying on the term, and the development process itself is also linked to the development of this term.

At the level of the function of the legal term, its functions are related to a group of levels, including semantic and lexical, in the performance of the concept at the linguistic level

between the people of knowledge and the people of the society to which it belongs, so the interconnection between all of these levels is pivotal in launching the main communicative mechanism within communication in the scientific specialty.

Context contributes to the functional effectiveness of a legal term. There are three forms of contexts according to the position the term occupies in them: descriptive, definitional, and descriptive.

One of the most prominent legal terminological functions is the expression of legal details within the concepts of the law. Terminological specialization is the most prominent factor in the success of this function. It is based on defining partial terms within the general science for each detail, no matter how small.

The function of realizing the law emerges; Through terminology and its correct use in the appropriate place, this leads to an understanding of the law and a full understanding of its details, in addition to an understanding of its goals and overall mechanisms, on the basis of rights and duties, and on the basis of consequences.

The educational function also stands out as the most prominent function of legal terminology. Teaching legal sciences is based on a set of terms that refer to many concepts. Familiarity with these many terms helps the interpreter in the educational process in a broad way. The role of legal terminology is essential in the educational process through its ability to convey various concepts to the learner accurately.

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