



OPENNESS IN LEGAL DISCOURSE

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ABSTRACT

This article provides an extensive analysis of legal discourse and the concept of openness within it. It examines scholars' views on eloquence, transparency, and sincerity in the legal field, analyzing similarities and differences in their perspectives. The study offers a theoretical foundation for the culture of legal language from ancient times to the present and enriches it with examples.

KEYWORDS

Legal discourse, eloquence, syneors, logographers, jurisprudence, lawyers, judiciary, defendants, confession, punishment.

INTRODUCTION

Words are the beauty of language and the adornment of intellect. Words are sacred and must serve only goodness and virtue. According to Greek philosophers, language is the key to the treasure of wisdom, and a person's knowledge and manners are evident from their speech. Lawyers, in particular, frequently interact with various segments of society, such as witnesses, victims, suspects, and criminals. This requires extreme caution in their use of language, especially during investigations and trials.

Legal practitioners' work is inseparable from official documentation. Their ability to draft investigation reports, court rulings, prosecutorial speeches, and other official documents with literacy and precision depends on their linguistic competence. Therefore, a future lawyer must be a skilled orator, capable of delivering logical and persuasive speeches, which is a demand of the modern era.

LITERATURE REVIEW

The language used in jurisprudence, characterized by orthographic, lexical, grammatical, and stylistic peculiarities, is referred to as legal language. Prominent legal scholar Professor A. X. Saidov noted, "Legal language is a product of millennia of development and the accumulated experiences of many generations." He further emphasized that "legal language, embodying the historical experiences of legal development, is an undeniable cultural value and an integral part of legal culture."

In the development of administrative rhetoric, the influence of Greek judicial traditions is noteworthy. During Solon's reign in ancient Greece, every citizen of Athens was granted the right to self-representation in court. This legal process pushed individuals to craft cultured and persuasive speeches. However, not everyone could master the art of rhetoric. Consequently, the need for professional speechwriters emerged in Greece. These professionals, known as *synegoroi*, were the early counterparts of modern defense attorneys, while *logographers* were hired to draft defense speeches.

METHODOLOGY

Legal discourse manifests in both oral and written forms, each distinct in its characteristics. Oral discourse, such as speeches by prosecutors, judges, or defense attorneys, exists only at the moment of delivery and ceases once the speech ends. However, the information conveyed can have a lasting impact on the listener's perception, behavior, and emotions.

Oral legal discourse relies on additional elements such as pauses, intonation, emphasis, gestures, and facial expressions to effectively convey the speaker's message.

Legal language comprises various subcategories, such as the language of law, scientific jurisprudence, courtroom discourse, legal-pedagogical language, legal-publicist language, prosecutor language, and defense attorney language. Despite their lexical-grammatical commonalities, these subcategories possess unique characteristics.

For example, terminologies used in civil law, such as "litigation," "claim initiation," and "settlement order," differ significantly from terms in criminal law like "fraud," "genocide," "assault," and "terrorism."

RESULTS AND DISCUSSION

Legal discourse is governed by norms and structured communication between participants, such as investigators, defendants, and attorneys. Openness in legal language facilitates truth-seeking and the resolution of disputes. It also enhances trust and cooperation among participants.

In legal interactions, openness can take various forms, such as confessions, voluntary testimonies, and transparent communication. For instance, a defendant's honest confession may not only aid the investigation but also serve to mitigate the severity of the sentence. Similarly, investigators must formulate their questions clearly and choose language accessible to the interviewee.

Effective legal discourse requires practitioners to be proficient in rhetorical strategies, psychological communication techniques, and a deep understanding of their interlocutor's linguistic background.

CONCLUSION



In legal communication, openness, transparency, sincerity, and impartiality form the basis of productive dialogue. Both parties in legal interactions—the participants in the legal discourse—are responsible for ensuring its effectiveness. Investigators, attorneys, and defendants must approach such discourse with clarity and respect for linguistic nuances to achieve justice.

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