

ABSTRACT

of the dissertation for the Doctor of Philosophy (PhD) in the speciality “8D02306 – Foreign Philology (Western Languages)”

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on the topic “Linguo – Semantic and Cognitive Characteristics of Legal Discourse: on the materials of the English language”

The relevance of the research. In today’s rapidly evolving legal landscape, the study of legal discourse has gained renewed relevance across disciplines. Legal language, with its complex structures, specialized vocabulary, and interpretive nature, plays a critical role in shaping legal outcomes and influencing public understanding of justice. While many aspects of legal texts have been explored, ranging from terminology to stylistic features, much of this research remains fragmented, often limited to isolated linguistic or doctrinal analysis.

This study explores legal discourse in English with a particular focus on how vagueness and polysemy influence legal meaning and interpretation. Vagueness occurs in borderline cases when it is indeterminate whether the term applies. Polysemy occurs when a word has multiple related meanings. To address these phenomena, the research engages with H.L.A. Hart’s theory of open texture and cognitive approaches such as Frame Semantics, Prototype Theory, and Barsalou’s theory of conceptual simulation. These frameworks help illuminate how polysemous legal terms are mentally represented, retrieved, and interpreted by legal actors across various domains of law.

The occurrence of polysemy is explored within the legal acts of the Republic of Kazakhstan, which aims to establish how they function. Moreover, the study investigates translation-induced polysemy in statutory language, highlighting the factors that contribute to the widespread use of polysemous terms in Kazakh when translating from English. This study is motivated by the growing importance of legal communication in a globalized world where Kazakhstan increasingly interacts with international legal frameworks rooted in common law traditions. Thus, translation becomes a site of conceptual negotiation. By analyzing how legal terms behave in discourse, especially those that are vague or polysemous the study contributes to legal linguistics.

The relevance of the dissertation lies in its focus on legal discourse as a distinct and underexplored object of linguistic inquiry, particularly with regard to the semantic phenomena of vagueness and polysemy in statutory language. Although the complexity and interpretive challenges of legal language are well recognized, there remains a significant gap in empirical studies that investigate how these linguistic features operate within concrete legislative texts, especially in key statutes of English law.

The object of the research is legal discourse based on English-language materials.

The subject of the research is the linguo-semantic and cognitive features of legal discourse, particularly vagueness and polysemy in UK legislative texts.

The goal of this research is to investigate the linguo-semantic and cognitive characteristics of legal discourse.

- to examine semantic vagueness in legal discourse, applying frameworks such as H.L.A. Hart's theory of open texture to assess whether vagueness is a deliberate legislative strategy in Acts of the UK Parliament;

- to analyze how linguistic vagueness functions within the UK legal system;

- to determine the phenomenon of polysemy in legal language, focusing on how general-language terms acquire specific legal meanings in the UK Parliament Acts;

- to explore the cognitive mechanisms behind legal interpretation, employing Frame Semantics, Prototype Theory, and Barsalou's conceptual simulation theory;

- to identify and analyze examples of polysemy in Kazakh legal texts, including the Civil Code, Criminal Procedure Code, and Labor Code of the Republic of Kazakhstan;

- to examine polysemy arising from the translation of English legal terms into Kazakh.

Methods and techniques of the research. This dissertation employs a comprehensive methodological framework that integrates traditional linguistic tools with contemporary cognitive and discourse-based approaches. The core method is a *lexical-semantic analysis* of selected Acts of the UK Parliament, aimed at the systematic identification and classification of vague and polysemous terms and the examination of semantic variability of legal terms across different contexts. To understand how these terms function within legal communication, the study applies *discourse analysis*, focusing on how institutional context, legal genres, and the conventions of legal interpretation shape meaning. A *cognitive linguistic perspective* is employed to explore how legal professionals mentally process ambiguous or polysemous expressions. This involves examining the conceptual models and inferential strategies used to interpret legal language, especially when it's unclear. In addition, the study uses a *comparative approach* to identify similarities and differences in the treatment of vagueness and polysemy in English and Kazakh legal discourse. This cross-linguistic perspective highlights the translational and interpretive challenges inherent in multilingual legal systems.

The theoretical and methodological framework of the research is grounded in the foundational and contemporary works of foreign and Kazakh scholars. The general theory of discourse draws on the contributions of M. Foucault, N. Fairclough, T. van Dijk, R. Wodak, M. Halliday, V.I. Karasik, N.D. Arutyunova, Y.S. Stepanov, E.D. Suleimenova, G.G. Burkitbayeva and G.G. Gizdatov. The study of legal discourse builds upon the works of P. Goodrich, Y. Maley, D. Kurzon, A. Trosborg, P. Tiersma, E.A. Kazhemyakin, M.V. Batyushkina, T.V. Dubrovskaya,

A. Chernyshev, G. B. Noruzova, N. Tulkinbayev and N.M. Abisheva. The theory of indeterminacy in legal language is informed by the work of R. Dworkin, H.L.A Hart, M. Moore, B. Bix, T.A.O. Endicott, L. Solan, R. Sorensen R. Poscher. and F. Schauer. In addressing polysemy, the research relies on the works of A. Apresjan, D.A. Cruse, A. Vicente, I.L. Falkum, S.Lobner, J.Lyons, D.J. Hemel, and D.N. Shmelev.

The sources of the research: The materials used in the research include a selection of primary and secondary legal texts in English and Kazakh, with particular attention given to statutory instruments. The Consumer Rights Act 2015, the Employment Rights Act 1996, and the Criminal Justice Act 2003, key legal codes of the Republic of Kazakhstan, including the Criminal Procedure Code, the Labour Code, and the Civil Code were analyzed to examine how polysemous and vague legal terms are conceptualised and interpreted across legal systems and languages. These texts were selected due to their recurrent use of semantically rich terms which serve as focal points for investigating legal indeterminacy and interpretive flexibility. Judicial interpretations, case law, and legal commentaries were also reviewed to assess the role of vagueness in statutory and practical legal contexts. Moreover, bilingual legal dictionaries, etymology dictionaries and English-Kazakh legal glossaries were used to evaluate strategies for conveying meaning in cross-linguistic legal communication.

The scientific novelty of the research. The dissertation presents an original interdisciplinary investigation of the linguo-semantic and cognitive features of legal discourse, with a particular focus on vagueness and polysemy in UK statutory texts and their comparison with Kazakh legal discourse. The research integrates perspectives from legal linguistics, semantics, and cognitive linguistics, which collectively define the innovative character of the study.

– *The study offers, for the first time, an interdisciplinary exploration of vagueness and polysemy in UK statutory language*, employing theoretical and methodological tools from cognitive and legal linguistics. Vagueness is examined not merely as a linguistic imperfection but as an essential feature that contributes to the adaptability and interpretive openness of legal texts, while reinforcing the discretionary power of legal actors and preserving legislative control. Polysemy is analyzed as a fundamental mechanism through which legal meaning is constructed, revealing how legal terms acquire nuanced, context-dependent interpretations in statutory discourse.

– *The research conducts a novel cross-linguistic and cognitive analysis of polysemy in Kazakh legal language*, marking a significant step in Kazakh legal linguistics. For the first time, polysemous legal terms are systematically identified and categorized within key Kazakh legal codes. The study uncovers how the absence of a standardized legal lexicon, the reliance on general vocabulary, and the influence of Russian-language legal drafting practices contribute to increased semantic ambiguity and interpretive challenges in Kazakh legal discourse.

The theoretical significance: The study contributes to the development of Legal Linguistics, Cognitive Linguistics, and Discourse Studies. The findings of the study enhance understanding of legal discourse, the interpretation of legislation, and the conceptualization of legal reality in both English and Kazakh legal contexts. This research adds to the field of legal linguistics by highlighting the systematic nature of meaning variation in legal terminology. It also contributes to the development of theoretical frameworks for the analysis of legal vocabulary and lays the foundation for future efforts to systematize and describe legal terminology in Kazakh, a field that remains largely underexplored. The findings of this dissertation may serve as a valuable resource for future researchers in the field and can be used as supplementary material in the preparation of legal discourse statistics for research projects, academic seminars, and other scholarly activities.

The practical significance: The results may be applied in the development of academic courses on legal discourse, cognitive semantics, legal lexicography, and terminology studies, which can be integrated into the curricula of law and philology faculties. In particular, the results may support the creation of specialized courses such as “Introduction to Kazakh Legal Discourse”, “Legal English for Kazakh-speaking Professionals”, “Comparative studies of Legal English and Legal Kazakh”, ‘Comparative Legal Linguistics and Cross-Cultural Communication in Law’.

The statements submitted for the defense:

1. Vagueness in legal texts is a deliberate text drafting strategy that allows laws to remain adaptable to a broad range of situations. It reflects the open-textured nature of legal language and supports judicial interpretation in uncoded legal systems such as that of the United Kingdom.

2. Legal discourse is a distinct and interdisciplinary type of institutional discourse that reflects power structures and ideological functions through its language, particularly through the use of vague terms in statutes that enable flexible interpretation.

3. Polysemy in legal discourse is a systematic and functional feature of statutory language, where general-language terms acquire multiple context-specific legal meanings. These meanings are shaped by grammatical form, legal context, and pragmatic function.

4. Translation-induced polysemy in Kazakh legal language arises from conceptual and lexical asymmetries between English and Kazakh. This phenomenon illustrates the cognitive and semantic challenges of legal translation and contributes to the evolving nature of Kazakh legal terminology.

Research approbation. The main provisions and results of the research have been published in 3 scientific articles, of which 2 articles were published in a journal recommended by the Committee for Quality Assurance in Science and Higher Education (CQASHE) of the Republic of Kazakhstan, and 1 article in a Scopus-indexed journal (Q2, percentile - 85%)

The structure and volume of dissertation

This dissertation is structured into an introduction, three sections, a conclusion, a list of references and appendixes.