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FUNCTIONAL MECHANISMS OF LEGAL SPEECH IN LEGAL COMMUNICATION

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Abstract

This article examines the functional mechanisms of legal speech within the framework of legal communication from a linguopragmatic perspective. Legal speech is analyzed as a complex communicative phenomenon that performs normative, informative, persuasive, regulatory, procedural, and protective functions in institutional interaction. The study explores the linguistic and extralinguistic factors influencing the effectiveness of legal discourse, including legal terminology, syntactic structures, intonation, communicative strategies, professional ethics, and social context. Particular attention is paid to the pragmatic impact of legal speech on participants in legal communication, such as judges, lawyers, investigators, and citizens. The article also identifies the role of legal speech in shaping legal consciousness, regulating social relations, ensuring procedural order, and influencing decision-making processes. Through functional and discourse analysis, the research demonstrates that the effectiveness of legal communication depends not only on linguistic accuracy but also on the speaker's communicative competence and the appropriate use of extralinguistic mechanisms. The findings contribute to the development of legal linguistics, discourse studies, and professional legal communication theory.

Keywords: Legal speech; legal communication; legal discourse; functional mechanisms; linguopragmatics; extralinguistic factors; persuasive communication; legal interaction; discourse analysis; communicative competence; pragmatic effect; institutional communication.

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Legal speech is manifested in the system of legal communication as a central functional mechanism that ensures the practical activity of a legal norm. A legal norm is static in its content, and it gives real legal consequences only when it is applied in public life through legal speech. In this sense, legal speech acts as a tool that "animates" legal norms and forces them to work in a particular communicative situation. It is through legal discourse that legal decisions, obligations, permissions, and prohibitions are absorbed into social relations. One of the functional mechanisms of legal speech is the normative function. Through this function, legal norms are expressed and rules with binding force in society are formed. Legal regulation is carried out through the language of normative legal acts. Such speech requires a high level of precision, uniformity, and standardization, as it has direct legal consequences. The second important mechanism is the interpretive function. Legal norms are often expressed in a general form, and in the process of their application there is a need to interpret them. Speech performed by courts, lawyers and other legal entities performs exactly this function. In the process of interpretation, the logic, argumentability and consistency of speech are of particular importance.

Another functional mechanism of legal speech is the communicative-regulatory function. It regulates legal relationships and establishes the interaction between subjects. For example, by means of contracts, applications, court decisions, rights and obligations between individuals are determined. At the same time, speech is not only informative, but also reveals a certain legal status.¹

In addition, the argumentative function plays an important role in legal speech. Especially in trials, speech is used as a tool of argument, justification, and persuasion. The prosecutor, attorney, and other participants will use logical arguments, facts, and evidence to prove their position. In this process, the structural accuracy and pragmatic orientation of speech are crucial.

¹ Gulyamova G., Written speech of a lawyer. -Tashkent: TSYU, 2020, 12–20.

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Another functional mechanism of legal speech is the informative function, through which legal information is transmitted. However, since legal speech, unlike ordinary informational speech, has a normative and regulatory nature, it carries out legal influence as well as information transfer².

Also, the functional mechanisms of legal speech are closely related to extralinguistic factors. The communicative situation, the social status of the participants in the speech, the legal system and the cultural environment determine in what form and in what function speech is manifested. It is therefore

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No.	Functional Mechanism	Primary Purpose	Linguistic Features and Means	Extralinguistic Factors	Pragmatic Effect (Result)	Examples
1	 Normative-Regulative Mechanism	To establish, change, or terminate legal norms and obligations; to regulate social relations.	<ul style="list-style-type: none"> Imperative forms Modal verbs (shall, must) Legal terms General and categorical expressions 	<ul style="list-style-type: none"> Law-making authority Official legal form Hierarchical legal system Legal order and structure 	Creates binding legal obligations; ensures compliance and legal certainty.	Statutes, codes, regulations, legislative provisions.
2	 Informative-Descriptive Mechanism	To convey legal facts, events, circumstances and information objectively and accurately.	<ul style="list-style-type: none"> Declarative sentences Fact-based statements Figures, dates, references Terminological units 	<ul style="list-style-type: none"> Source credibility Context and situation Purpose of communication 	Provides understanding and awareness; forms the basis for further legal actions.	Court decisions, reports, expert opinions, notifications.
3	 Argumentative-Persuasive Mechanism	To justify a legal position, prove a claim, refute opposing arguments, and influence the addressee.	<ul style="list-style-type: none"> Logical connectors Argumentative structures Evidence and examples Rhetorical questions 	<ul style="list-style-type: none"> Interests of the parties Legal culture and values Level of legal knowledge Court or audience mindset 	Convinces, influences judgment, and leads to acceptance of a legal position.	Advocacy, speeches, legal briefs, pleadings, oral arguments.
4	 Persuasive-Influential Mechanism	To affect the emotions, values and will of the addressee; to motivate for a certain decision or action.	<ul style="list-style-type: none"> Emotive and expressive lexis Metaphors, analogies Repetition, emphasis, intonation Ethical and moral appeals 	<ul style="list-style-type: none"> Psychology of the audience Communicator's credibility Communication setting Culture and social norms 	Shapes attitude and motivation; facilitates desired decisions or actions.	Closing arguments, mediations, public legal appeals, negotiations.
5	 Protective-Safeguarding Mechanism	To ensure and protect rights, freedoms and legitimate interests; to prevent legal violations.	<ul style="list-style-type: none"> Rights-oriented vocabulary Conditional constructions Warnings and prohibitions Legal guarantees expressions 	<ul style="list-style-type: none"> Legal responsibility Rights and freedoms system Preventive legal procedures Balance of interests 	Protects legal rights; prevents violations and ensures legal security.	Constitutional provisions, applications, complaints, injunctions.
6	 Procedural-Regulatory Mechanism	To organize and regulate the course of legal proceedings; to determine procedures and steps.	<ul style="list-style-type: none"> Procedural terms Sequential and temporal words Standard formulations Articles and clauses 	<ul style="list-style-type: none"> Procedural law and rules Court or administrative regulations Institutional competence 	Ensures order and legality of proceedings; facilitates fair and efficient process.	Procedural codes, court orders, procedural guidelines.
7	 Integrative-Communicative Mechanism	To establish and maintain legal interaction and cooperation between participants in legal communication.	<ul style="list-style-type: none"> Inclusive and respectful language Forms of address and politeness Cooperative constructions Clarification and explanation 	<ul style="list-style-type: none"> Professional ethics Mutual trust Communication culture Social roles of participants 	Builds mutual understanding and cooperation; promotes effective legal interaction.	Negotiations, consultations, mediations, professional dialogue.

 **Conclusion:** The functional mechanisms of legal speech operate in interrelation and complementarity. Their effective use ensures the achievement of legal communication goals such as norm creation, information exchange, influence, protection of rights, regulation of procedures, and cooperation.

² Above source

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important to analyze legal discourse not only in linguistic terms, but also in its functional and social context.

Proceeding from this, legal speech is manifested as a multifunctional system in legal communication. Its normative, interpretive, regulatory, argumentative and informative functions work in harmony with each other and ensure the effective functioning of the legal system.

The relationship between law and language plays a special role in explaining the functional mechanisms of legal speech. In research within the framework of law and jurisprudence, legal dialogue is interpreted not only as a process of information transmission, but as a discursive activity that carries out legal actions. In this context, legal speech in legal communication performs the functions of interpreting the norm, adapting it to a specific situation and legitimizing legal action. As a result, a legal norm is interpreted through speech activity and becomes an integral part of the real legal process³.

In explaining this process, speech act theory serves as an important methodological framework. In a legal context, many legal statements are not limited to providing simple information, but are about the legal action itself. For example, the mere utterance of acts of speech, such as a judgment, contract, or issuing an order, changes the legal situation. In such cases, the illocutive power of speech plays a decisive role in the occurrence of the legal result. Thus, the functional mechanism of legal speech depends not only on the content, but also on the institutional competencies and procedural conditions of the subject⁴ of speech. (Appendix 1)

The functional activity of legal speech is inextricably linked with extralinguistic factors. The legal situation, procedural norms, institutional powers and the status of participants in communication determine in what form and with what force legal speech is manifested. For example, a speech made by a judge has binding legal force, while a lawyer's speech performs a reassuring and justifying function.

³ Shukhrat Kuchimov. *Jurislingvistika* (Tashkent: Tashkent State University of Law, 2024), 50–55.

⁴ J. L. Austin, *How to Do Things with Words* (Oxford: Oxford University Press, 1962), 94–108.

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In both cases, the linguistic units may be identical, but their functional roles differ dramatically due to extralinguistic conditions⁵.

Legal speech, as the main tool of legal communication, plays a decisive role in ensuring legal order in society, regulating normative and legal relations, and forming legal awareness. From a jurilinguistic point of view, all components of the legal system - laws, normative legal acts, court decisions, legal commentaries and other legal texts - are expressed through language and are introduced into social life through speech⁶. Therefore, it is desirable to interpret legal speech not only as a communicative tool, but as a mechanism that shapes and manages legal reality.

Legal speech is a key component of the legal communication system, which manifests itself as a means of regulating, explaining, and implementing legal relations. Legal communication is considered as an important form of law practice in modern legal disciplines. According to this approach, law is not only a normative system, but also a process of social communication, information exchange and meaning creation. Therefore, legal speech manifests itself as the main tool of legal communication, through which legal norms are formed, transmitted and interpreted⁷.

In understanding the essence of legal speech, it is necessary, first of all, to consider it **as a discursive phenomenon**. Legal discourse is an institutionally regulated communicative system arising within the framework of legal activity, in which legal content is developed by means of language⁸. In this context, legal speech is not only a linguistic phenomenon, but also a complex system inextricably linked to legal consciousness and social relations.

In the analysis of functional mechanisms of legal speech, its communicative nature is of particular importance. The communicative essence of law is that legal norms are valid only in the process of communication and have social force. In

⁵ Kaarlo Tuori, "Legal Discourse," in *Properties of Law* (Cambridge: Cambridge University Press, 2021), 115–124.

⁶ Kuchimov Sh. *Scientific and theoretical problems of expression of legal norms in the Uzbek language*. -Tashkent, 2004.

⁷ See Posidelova V.V. and T. S. Karimova, *Teoriya i praktika pravovoy kommunikatsii* (Moscow, 2024), <http://lib.eioskuimvd.ru>.

⁸ Potemkina O.S. *Communicative Function of Law* (General Theoretical Research, Saratov.2023).

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this process, legal speech performs the task of transferring legal information between subjects, expressing legal positions and ensuring normative order. Thus, legal speech manifests itself as a mechanism for the social operation of law.

One of the main functional mechanisms of legal speech is its connection with the theory of speech acts. Legal discourse is performative in nature, in which it produces real legal consequences. For example, a court sentence, the enactment of a law, or the conclusion of a contract – all of this is done through acts of speech. Legal speech is therefore not only regarded as a means of information transmission but also as a means of creating legal reality.

Comparative extralinguistic characteristics of the judiciary, prosecution, and defense speeches Based on interviews, we identified explicit extralinguistically clear comparative differences between judge, prosecutor, and attorney speeches. While the speech of a prosecutor and a lawyer has a certain degree of rhetorical freedom, the speech of a judge is completely devoid of such freedom. The judge's speech has a "hear and decide" function, so it is dominated by a balance tone rather than a commanding tone. The prosecutor's speech is extralinguistically attacking and assertive, reinforcing the accusatory position through pauses and accents. Advocate speech, on the other hand, implements a defensive strategy through extralinguistic softness and empathy. In this sense, extralinguistic tools **manifest themselves as a key factor** in the formation of conflicting communicative strategies in legal discourse in accordance with the role. On the example of a lawyer of an administrative legal speech, an interview with a lawyer of an educational institution reveals a little-studied, but relevant type of legal speech — administrative legal communication. A lawyer's speech is formed in legal dialogue outside of court proceedings and is characterized by a high degree of institutional adaptation. In the speech of a lawyer, there is a sharp methodological change depending on the audience: in communication with management, the speech is compact, formal, and focused on clearly indicating risks, while in communication with employees or cadets, an empathetic,

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explanatory and simplified strategy prevails. This case suggests that extralinguistic factors in legal discourse play a crucial role, not only in the courtroom, but also in the day-to-day management and administrative decision-making process.

Also, the way a lawyer works with documents in an interview — page turns, quick retrieval of materials, desk layout — are also evaluated as extralinguistic signals. These factors inform the interviewer unconditionally about the lawyer's competence and reliability.

In addition, the institutional factor plays an important role in the explanation of the functional mechanisms of legal speech. Legal communication is always carried out within the framework of specific social institutions (judicial, parliamentary, legal etc.). These institutions determine the form, content, and functions of speech. For example, judicial speech is distinguished by its formality, argumentation and legality, while legislative speech has a generalized and abstract character.

Another important mechanism of legal discourse is related to its discursive structure. In the structure of legal discourse, various components – subjects of speech, communicative situation, language units and social context interact with each other. Together these components ensure the formation of legal meaning. Therefore, when analyzing legal discourse, it is necessary to take into account its contextual and pragmatic aspects.

Another of the functional mechanisms of legal discourse is related to cognitive processes. Through legal discourse, social concepts and categories are formed and systematized. For example, concepts such as "justice", "freedom", "responsibility" are meaningfully enriched and normatively strengthened through legal discourse. This shows that legal speech has not only communicative, but also thought (cognitive) function.

Legal speech also has a persuasive (persuasive) mechanism. In particular, it is important that the lawyer's speech is built on this mechanism, such a feature is

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important to influence the participants in the courtroom through his speech based on persuasion in the course of his communication with the client or in the trial process, to convince the judge that he will pass a verdict in favor of the case he is defending. In this process, argumentation, rhetoric and stylistic tools are actively used. As a result, legal speech manifests itself not only as a normative but also as a means of communicative influence.

Mediation and digital communication also play an important role in the modern development of legal speech. Today, legal communication is carried out not only in traditional forms (judicial, legislation), but also through the media and digital platforms⁹. This opens up new forms and functional mechanisms of legal speech. Also, the functional mechanisms of legal speech are closely related to its logical structure. In legal texts, logical consistency, cause-and-effect relationships, and argumentative structure are important. This ensures the effectiveness of legal speech and enhances its legal force¹⁰.

Legal speech is one of the main components of the legal communication system, through which legal norms are formed, transmitted and interpreted. In modern juris linguistics and legal theory, legal speech is interpreted not only as a linguistic phenomenon, but as a communicative mechanism that forms socio-legal reality. Therefore, the study of the functional mechanisms of legal speech has an important theoretical value in understanding the process of law.

One of the main mechanisms of legal speech is related to its communicative nature. Legal norms do not only exist as texts, but they also acquire social content in the process of communication. That is, legal speech is a means of information exchange between subjects, forms legal knowledge and disseminates it in society. This is enshrined in the Constitution of the Republic of Uzbekistan by guaranteeing the right to receive and disseminate information.

⁹ S. A. Manik, *Yuridicheskiy mediadiskurs v leksikograficheskom otrazhenii* (Moscow, 2026), <https://mgpu.ru>

¹⁰ Kokomov, *Legal Language Theory*, 2013. 90-98

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