

## ABSTRACTS

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### **Comprehensible legal texts – utopia or a question of wording?**

#### **On processing rephrased German court decisions**

This paper presents a study on the comprehensibility of rephrased syntactic structures in German court decisions. While there are a number of studies using psycholinguistic methods to investigate the comprehensibility of original legal texts, we are not aware of any study looking into the effect resolving complex structures has on the comprehensibility. Our study combines three methodological steps. First, we analyse an annotated corpus of court decisions, press releases and newspaper reports on these decisions in order to detect those complex structures in the decisions which distinguish them from the other text types. Secondly, these structures are rephrased into two increasingly simple versions. Finally, all versions are subjected to a self paced reading experiment. The findings suggest that rephrasing greatly enhances the comprehensibility for the lay reader.

*Markus Nickl*

### **Linguistische Gutachten für Patente**

A patent is a special kind of text which has to comply with legal requirements, which is categorized by its strictly binding character, by its high financial potential and by its long-lasting validity. That is reason enough to take a closer look at the linguistic aspects of patents. Therefore doctima GmbH has developed a special offer for its clients to analyse patents as regards linguistic weak points.

First, this article deals with the economic and operational aspects of patents. Second, characteristic features of the text of patents are analysed. Finally, doctima's specific range of products concerning reports on patents is presented and its benefit for companies and patent agents is demonstrated.

*Viola Heutger*

### **Der Platz der juristischen Fachsprache in der Experten-Laien-Kommunikation**

In this commentary, the author outlines possible contributions of a linguistic monitoring especially to the interpretive work of legal experts from the point of view of a lawyer. However, for such a monitoring to be efficient more efforts must be made from the part of the linguists to make clear what the specific methodological characteristics of a *linguistic* monitoring consist in. The article sees possible contribution in fields like interpreting legal texts in more languages like in the EU system, overcoming the differences of legal systems in international legal cooperation, and optimizing national legal texts produced on the basis of community legal texts in order to make them more accessible for national citizens.

*Kent D. Lerch*

### **Beobachter beobachten Beobachter**

#### **Eine andere Sicht auf das linguistische Monitoring der juristischen Experten-Laien-Kommunikation**

The author of this commenting article presents his reactions to the notion of a linguistic monitoring of the communication between experts and non-experts in the area of law. This type of linguistic monitoring may contribute to the development of linguistics as well as of law. It will enable linguists to take a closer look at one of the most important institutional uses of language and may also help lawyers to see aspects outside their usual scope, especially as far as the traditional view of legal interpretation is concerned. However, linguistic monitoring will have to develop specific methods of description in order to cover the characteristics of legal communication. A thorough analysis of legal communication will have to precede studies of the communication between experts and non-experts in the area of law.

*Masako Suzuki*

## **Ordsprog og idiomer**

In this article, I focus on the difference between proverbs and idioms which derive from proverbs. Both proverbs and idioms are hard to define, as it is also difficult to categorize a specific expression being either a proverb or an idiom. Fixed form is one feature of proverbs as well as that a proverb appears as a sentence, but today one can easily find variations and/or modifications of proverbs. To see how those idioms which derive from proverbs are used in actual speech, I have collected examples from a number of corpuses. Some of these idioms are truncated and, being quite conventional, used almost only in their reduced form. Some idioms lose the negations which the original proverbs show, but they still carry their original meaning implicated by the proverbs. A proverb, as a whole, is lexicalized and this is why one can use part of the proverb and/or the proverb modified. However, when a part or a component of a proverb becomes strongly lexicalized and no longer connected with its original meaning as a proverb, then such an expression can be regarded as an idiom.

*Erla Hallsteinsdóttir*

## **Phraseographie**

Multiword expressions – i.e. phraseological units – like idioms and collocations are one of the most interesting part of every language. In this article, I investigate phraseological units from a lexicographical point of view. I discuss the theoretical and methodological basis of phraseography as a discipline that includes aspects of lexicography, phraseology, corpus linguistics and theories of language learning. I demonstrate the importance of corpora as a source for the lexicographer and the use of corpus data. I also discuss the requirements for the lexicographical treatment of phraseological units by the compilation of a phraseological database for language learners in relation to their assumed needs that have already been described in detail.

*Elin Waara & Philip Shaw*

## **Male and Female Witnesses' Speech in Swedish Criminal Trials**

The present quantitative study focuses on witnesses' speech in Swedish criminal trials, more specifically on potential differences between men's and women's language styles. Since the 1970s, research on language and gender has been divided into three main approaches towards the relationship between men's and women's language use: the *deficit approach*, the *dominance approach* and the *cultural approach*. The present study uses the more recent *dynamic approach* to show how gender is acted out in each situation taking into account a number of factors, e.g. context. The aim of our work is first and foremost to study the possible correlation between the witnesses' gender and language in the courtroom context and then to investigate if income and/or level of education provide better explanations for possible variation by looking at a broad range of linguistic variables. The results show no statistically significant gender or social status differences in the witnesses' speech. However, when comparing the results of the testifying police officers accidentally included in the study with the rest of the witnesses, the differences turned out to be significant. This shows that, in this case, factors such as previous courtroom experience and familiarity with the context were probably more influential on the speech of the informants than gender, income and education, in conformity with the assumptions of the dynamic approach.

*Lise Bernhardt*

## **Kohærens og kohæsion i hypertekster Om sammenhæng i internettekster**

This article addresses the concepts of coherence and cohesion in hypertext documents on the Internet. Textual coherence is usually associated with a single, continuous line through the text but the question is whether this also applies to hypertext documents since hypertexts are non-linear. Cohesion, on the other hand, is the grammatical connectedness of utterances and here the question is whether it is at all possible to talk about cohesion in hypertexts since many consider the modules which form the hypertexts as grammatically independent of other modules. Following an initial discussion of these problems I present the kinds of coherence and cohesion phenomena which exist in hypertexts documents.

*Birthe Mousten*

**Text Travel in the Global Age:**

**Anthony Pym (2004): *The Moving Text – Localisation, Translation, and Distribution*. Amsterdam/Philadelphia: John Benjamins Publishing Company;**

**Bert Esselink (2000): *A Practical Guide to Localisation*. Amsterdam/Philadelphia: John Benjamins Publishing Company;**

**Bert Esselink (2003): Localisation and translation. In Harold Somers (ed.): *Computers and Translation. A Translator's Guide*. Philadelphia: John Benjamins Publishing Company.**

This paper aims at presenting, discussing and putting into perspective some of the essentials of localisation as these have been defined and explicated by Anthony Pym and Bert Esselink.