

DOI: <https://doi.org/10.18454/RULB.2021.25.1.19>**РОЛЬ КАТЕГОРИИ ИНФОРМАТИВНОСТИ В ФОРМИРОВАНИИ ЗАКОНОДАТЕЛЬНОГО ТИПА ТЕКСТА  
(НА ПРИМЕРЕ НЕМЕЦКОГО ЯЗЫКА)**

Научная статья

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**Аннотация**

В статье рассматриваются особенности функционирования категории информативности, а также устанавливаются следующие типологические признаки законодательного типа текста: цикличность подачи информации, предписывающий характер, констатирующий характер, всеобщий характер, когнитивный характер, информационная насыщенность предложений, наличие информации эмоционального характера. Каждый из указанных признаков выполняет определенную функцию в тексте и представлен соответствующими индикаторами различного вида. Установление инвариантных признаков, присущих категории информативности, а также языковых средств, служащих репрезентации данных признаков, способствует формированию грамматического типа юридического текста.

**Ключевые слова:** информативность, содержательно-фактуальная информация, содержательно-концептуальная информация.

**THE ROLE OF THE INFORMATIVITY CATEGORY IN THE FORMATION OF THE LAW TEXT TYPE (ON THE EXAMPLE OF THE GERMAN LANGUAGE)**

Research article

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**Abstract**

The article considers the features of the functioning of the informativity category, and also determines the following typological characteristics of the law text type: cyclical presentation of information, prescriptive character, stating character, general character, cognitive character, informative fullness of sentences, the presence of information of an emotional character. Each of these characteristics performs a specific function in the text and is represented by corresponding indicators of various types. The identification of invariant characteristics as well as language tools representing these characteristics, contributes to the formation of the grammatical type of the legal text.

**Keywords:** informativity, content-factual information, content-conceptual information.

**Introduction**

At the moment, much attention in the text linguistics is paid to such a direction as text-forming categories. The study of these categories allows us to consider them in the process of development and functioning, to determine their most general characteristics and to identify significant regularities in the structural and semantic organization of the text.

Being one of the main categories in the text, the informativity category is a rather complex linguistic phenomenon, and therefore it has become the object of close attention of many Russian and foreign scholars having different approaches to its study, which contributed to the consolidation of its status as a text-forming category.

**Discussion**

The well-known linguist I. R. Galperin, taking into consideration the definition of the text and opinions about the dominant content side of the statement, classified informativity as the leading text category [1, P. 526].

Another Russian scholar A. A. Soshalsky considered informativity as the basic text category defining the functioning of the text as a unit of communication [2, P. 50].

Carefully analyzing the researches of her predecessors and using the accumulated experience, L. P. Shirobokova also made an attempt to define the informativity category, by which she means such a text-forming category that, with the help of language tools of different levels, can remove the recipient's indeterminacy from one side of the surrounding world and ensure the effect of his informing [3, P.31].

Many researchers, studying the informativity category in different functional styles and text types, considered it as a universal text characteristic and distinguished at the same time different types of information in the text.

For example, I. R. Galperin has identified and described in detail three types of information in the text: content-factual information, content-conceptual information, content-subtext information [4, P. 27].

A. Mol in his scientific work offers to subdivide information into semantic and aesthetic [5, P. 21].

In the opinion of L. V. Rybakova, according to the degree of the author's interpretation and the character of the subject of informing, three types of information can be distinguished in the text: factual information, motivational information, and instructional information [6, P.18].

L. V. Fedorova identifies such types of information as source information and retrospective information [7, P. 112].

It is also necessary to mention the point of view of E. I. Golubeva, according to which information can be viewed from two sides, both subjective and objective [8, P. 66].

Applied to legal text, T. V. Gubaeva offers to distinguish three main types of information: stating, factual and prescriptive [9, P. 4].

### Results

As the law text is a carrier of important information of a legal character, the informativity category can be presented here in two forms – content-factual and content-conceptual. Thanks to content-factual information one can find out the legal provisions regulating the relations of people in society of particular state in a stating form, as well as a list of basic rights, freedoms and responsibilities of citizens. The content-conceptual information in the text of Constitution of Germany can be found already at its very beginning — in the preamble, since the term "preamble" contains informative worth.

One of the most important features of the law text is the cyclical presentation of information. The rigid construction of the text requires the submission of information in the form of cycles or information blocks. Obligatory structural elements are the following components: title, preamble, sections, chapters, articles, regulations. The title performs an orienting function. The date of adoption of the law is indicated as an obligatory component. It should be noted that the informative function in the preamble is not fully presented. The main information of legal character is found in the sections, chapters, articles located immediately after the preamble.

A well-defined graphic form with its inherent means – numeration of sections, chapters, articles, paragraphs, selection of lines, which allows us to get additional information not verbally indicated, is typical for the legal text.

The law is a means of actively regulating people's behavior and influencing their consciousness and will, so most of the information contained in such texts has prescriptive character.

The prescriptive character of information in the Constitution of Germany is indicated by the presence of the modal verbs *müssen, sollen, können, dürfen*; the analytical constructions *sein + zu + Infinitiv; haben + zu + Infinitiv*; lexical means – nouns and verbs with the meaning of prescription, obligation (for example, verbs *anordnen, verpflichten, bedürfen*, nouns *Verpflichtung, Pflicht*).

*Soweit nach diesem Grundgesetz ein Grundrecht durch Gesetz oder auf Grund eines Gesetzes eingeschränkt werden kann, muß das Gesetz allgemein und nicht für den Einzelfall gelten. Außerdem muß das Gesetz das Grundrecht unter Angabe des Artikels nennen. (GG, Art.19(1))*

For any law text an objective statement of facts is necessary, so one can rightfully say, that the information contained in it is a stating message. Such a message has precision and unambiguity in the expression of the content and contributes to the creation of a standard semantic structure.

The stating character of the information in the Constitution of Germany can be seen in the sentences with the verb forms in the present tense of active and passive voices.

*Alle Staatsgewalt geht vom Volke aus. Sie wird vom Volke in Wahlen und Abstimmungen und durch besondere Organe der Gesetzgebung, der vollziehenden Gewalt und der Rechtsprechung ausgeübt. (GG, Art. 20(2))*

Since the law text is focused on a wide audience, and its recipient is both an individual citizen of the state (mono-addressee) and the entire people (poly-addressee), the informativity category can be supplemented with such a feature as the general character of information. The general character of information in German law text is manifested in the frequent presence of such lexical means as collective nouns (*die Deutschen, alle Menschen, das Deutsche Volk, Männer und Frauen*); demonstrative pronouns (*jeder, jede Mutter, jedermann*), negative pronouns (*kein Deutscher, niemand, kein Lehrer*).

Any specialized text is characterized by the presence of a large number of specific vocabulary – terms. The language of the law texts is based on legal terminology, which distinguishes this text type from any other. According to E. A. Kryukova, the term is "the brick from which the building of the legislative act is built [10, P. 29]. The presence of legal terminology makes it possible to distinguish the cognitive character of the information in the law text.

As examples of terms in the Constitution of Germany, the following can be given: *das Grundrecht, die Gesetzgebung, die Rechtsprechung, das Erbrecht, der Gerichtshof, der Rechtsweg, das Bundesverfassungsgericht etc.*

The law text is characterized by the complexity of syntactic structures, which makes it possible to create informative and voluminous phrases. Very often, the legislator tries to express his idea in one sentence, using a large number of legal concepts and logical connections between them. This phenomenon allows us to find out such a feature of the informativity category as the information fullness of sentences of the law text.

In the Constitution of Germany, along with short and informative sentences, one can see a large number of long sentences complicated by homogeneous parts of the sentence; subordinate clauses (conditional clause, object clause, attributive clause etc.); infinitive constructions; attributive and prepositional word combinations. These syntactic structures are carriers of important information of a legal character.

*Gesetze über Wehrdienst und Ersatzdienst können bestimmen, daß für die Angehörigen der Streitkräfte und des Ersatzdienstes während der Zeit des Wehr- oder Ersatzdienstes das Grundrecht, seine Meinung in Wort, Schrift und Bild frei zu äußern und zu verbreiten (Artikel 5 Absatz 1 Satz 1 erster Halbsatz), das Grundrecht der Versammlungsfreiheit (Artikel 8) und das Petitionsrecht (Artikel 17), soweit es das Recht gewährt, Bitten oder Beschwerden in Gemeinschaft mit anderen vorzubringen, eingeschränkt werden. (GG, Art. 17a (1))*

The law text should not cause any additional associations and not distract from its essence, so it is characterized by an even and calm style. However, in exceptional cases, for some law texts or parts of them, for example, for the constitution (the main law of any state), a certain element of emotionality is simply necessary.

The presence of emotional information in the law text is explained first of all by the high status of this text type in society and the attitude of people towards it. Sublime coloring and at the same time emotionality are shown the most expressive in the preamble. It is expressed not only by lexical means (emotionally colored vocabulary), but also by syntactic means, represented in the form of homogeneous parts of the sentence.

*Im Bewußtsein seiner Verantwortung vor Gott und den Menschen, von dem Willen beseelt, als gleichberechtigtes Glied in einem vereinten Europa dem Frieden der Welt zu dienen, hat sich das Deutsche Volk kraft seiner verfassungsgebenden Gewalt dieses Grundgesetz gegeben.*

*Die Deutschen in den Ländern Baden-Württemberg, Bayern, Berlin, Brandenburg, Bremen, Hamburg, Hessen, Mecklenburg-Vorpommern, Niedersachsen, Nordrhein-Westfalen, Rheinland-Pfalz, Saarland, Sachsen, Sachsen-Anhalt, Schleswig-Holstein und Thüringen haben in freier Selbstbestimmung die Einheit und Freiheit Deutschlands vollendet. Damit gilt dieses Grundgesetz für das gesamte Deutsche Volk.*

### Conclusion

Thus, on the basis of the conducted research, it can be concluded that the German law text is a carrier of essential information of a legal character, can be expressed in two forms – content-factual information and content-conceptual information. Content-factual information, stating the legal provisions regulating the relations of people in society, plays the main role. Content-conceptual information is represented by indicators of emotionality, which is explained by the high status of this text type in society. Thanks to the informativity category one can find out in the law text seven typological characteristics, each of them performs a certain function and is represented by corresponding indicators of various types, both lexico-grammatical and graphically-structural.

### Конфликт интересов

Не указан.

### Conflict of Interest

None declared.

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