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LINGUISTIC AND STYLISTIC MEANS OF EXPRESSING PRAGMATIC CATEGORIES IN SPANISH LEGISLATIVE TEXTS

Summary. The article is devoted to a comprehensive study of linguistic and stylistic means of expressing pragmatic categories in Spanish legislative texts, which are pivotal to legal discourse. The analysis is based on four key documents: the Civil Code of Spain (1988), the Criminal Code of Spain (1987), the Spanish Constitution (1978), and the Workers' Statute (2015), representing diverse areas of law – civil, criminal, constitutional, and labor. The study focuses on the linguistic realization of the addresser's identity in legislative texts, manifested through the pragmatic categories of objectification/subjectification and categoricalness/non-categoricalness. These categories shape the communicative orientation, tone, and functional effectiveness of legal texts, ensuring their clarity, authoritativeness, and accessibility to the addressee. The research examines such linguistic and stylistic means as inversion, used to emphasize key provisions; the placement of verbs at the beginning of sentences to enhance imperativeness; and constructions with non-finite verb forms (infinitive, gerund, participle), which contribute to the generality of norms. Particular attention is given to indefinite, negative and relative pronouns, which ensure precision and universality of formulations, as well as repetitions and explanatory expressions that enhance the logical coherence and comprehensibility of the text. Additionally, references to other norms, which underscore the systematic nature of legislation, and maxims – generalized principles of law reflecting the ethical foundation of legal texts, are analyzed. A qualitative analysis of the texts is employed to identify the specific functions of these stylistic means in creating a pragmatic effect. The study highlights how linguistic and stylistic tools establish a balance between formalized, impersonal presentation and the expression of the author's stance, as well as between clear, unambiguous formulations and conditional constructions that allow for interpretation. This approach reveals the mechanisms through which legislative texts achieve communicative effectiveness, facilitating their interpretation and application in legal practice. The article is intended for linguists exploring legal discourse, lawyers interested in the linguistic aspects of legislation, translators working with legal texts, and researchers studying the peculiarities of linguistic realization in Spanish legislative texts.

Key words: linguistic and stylistic means, pragmatic categories, objectification, subjectification, categoricalness, Spanish legislation.

Problem statement. The study of linguistic and stylistic means in legislative texts holds significant importance from both theoretical and practical perspectives, as these texts serve as a primary channel of communication between the state and its citizens. Characterized by high formality, pragmatic orientation, and the need for clarity, persuasiveness, and authority, legislative documents demand precise

linguistic strategies to achieve their communicative goals. In the context of the Spanish language, which features a relatively free word order and a rich morphological system, there is a compelling need to explore how specific linguistic and stylistic devices – such as inversion, sentence-initial verbs, non-finite verb forms, indefinite, negative and relative pronouns, repetitions, explanatory expressions, references, and maxims – are employed to express pragmatic categories, namely objectification/subjectification and categoricalness/non-categoricalness. These categories reflect the ways in which information is presented, shaped by the text's functional context, the relationship between the addressor (legislator) and the addressee (citizens), and the document's communicative purpose.

The problem lies in the limited exploration of the stylistic features of Spanish legislative texts from a pragmatic perspective, which restricts a comprehensive understanding of the mechanisms underlying effective legal discourse. While the syntactic flexibility of Spanish allows for varied stylistic choices, the interplay of the aforementioned devices and their specific pragmatic functions in legislative contexts remains underexplored. This gap is particularly evident in the analysis of how these devices contribute to achieving a balance between clarity and flexibility, authority and accessibility, in texts ranging from constitutional provisions to civil, criminal, and labor legislation. Addressing this issue is crucial not only for advancing linguistic research but also for practical applications, such as improving legal translation, drafting precise legislative documents, and enhancing the communicative strategies of legal acts. This study aims to bridge this gap by providing a detailed examination of the stylistic tools that shape the pragmatic effectiveness of Spanish legislative texts, thereby contributing to a deeper understanding of legal discourse dynamics.

Purpose of the article. This study aims to examine linguistic and stylistic means, including inversion, sentence-initial verbs, non-finite verb forms, indefinite, negative and relative pronouns, repetitions, explanatory expressions, references, and maxims, in Spanish legislative texts to identify their role in conveying pragmatic categories of objectification/subjectification and categoricalness/non-categoricalness. It also seeks to assess how these devices contribute to the communicative effectiveness of legal discourse.

Analysis of recent research and publications. The exploration of linguistic and stylistic means in Spanish legislative texts is a vital area of linguistic research, given their role as formal instruments of state-citizen communication, demanding precision, pragmatic orientation, and authority. In Spanish, with its flexible word order and robust morphological system, stylistic devices such as

inversion, sentence-initial verbs, non-finite verb forms, indefinite and negative pronouns, repetitions, explanatory expressions, references, and maxims are instrumental in conveying pragmatic categories of objectification/subjectification and categoricalness/non-categoricalness. This section reviews recent and foundational studies relevant to these devices and their pragmatic functions, identifying gaps that the current study seeks to address.

Placencia and García's *Spanish Pragmatics* [1] provides a foundational analysis of pragmatic theories, including speech acts, implicature, and deixis, applied to Spanish discourse. The book highlights how pragmatic strategies achieve communicative goals in formal settings, which can be extended to legislative texts where objectification is realized through impersonal forms like *se ordena* or pronouns such as *nadie*. While not focused on legal texts, its insights into pragmatic variation are essential for understanding stylistic choices that ensure neutrality and authority in legislation.

The *Routledge Handbook of Spanish Pragmatics: Foundations and Interfaces* [2], edited by Koike and Félix-Brasdefer, offers a comprehensive synthesis of contemporary Spanish pragmatics research. Chapters on speech acts and discourse markers are particularly relevant for analyzing how legislative texts employ maxims (*No hay pena sin dolo o imprudencia*) or references to structure norms and enhance categoricalness. However, the handbook lacks specific analysis of legislative discourse, leaving room for further exploration.

Vázquez and del Árbol's article *English versus Spanish Procedural Law Terminology and Phraseology: Troublesome Features for Translators* [3] directly addresses stylistic features of Spanish legal language, such as passive voice and subjunctive mood, which contribute to objectification and categoricalness. For example, subjunctive forms (*así lo prevea*) convey authoritative tone, while passive constructions minimize subjectivity. This study is highly relevant but primarily focuses on translation, not a broad stylistic analysis.

Márquez Reiter and Placencia's *Current Trends in the Pragmatics of Spanish* [4] examines discourse markers and politeness strategies, offering insights into how connectors like *por tanto* enhance logical structure in formal texts. While it includes judicial discourse examples, its application to legislative texts, particularly devices like inversion or repetitions, is limited. Similarly, Kryk-Kastovsky's *Legal Discourse, Power and Pragmatics* [5] explores pragmatic aspects of legal discourse, such as speech acts and presuppositions, in judicial settings. Its discussion of power dynamics is applicable to legislative texts, where stylistic choices reinforce authority, but it does not address specific devices like non-finite verbs or maxims.

Despite these contributions, key gaps remain. There is no comprehensive study of how inversion, non-finite verb forms, pronouns, repetitions, references, and maxims interact to realize pragmatic categories in Spanish legislative texts. Moreover, their adaptation across document types, from the declarative Constitution to procedural Decrees, remains underexplored. This study aims to fill these gaps by analyzing the interplay of these stylistic means and their pragmatic roles in Spanish legislative discourse.

Presentation of the main material. As is known, legislative texts exist predominantly in written form. Since a written legislative text is perceived visually by the recipient, linguistic, compositional, and graphemic means serve as the primary tools for the addresser to achieve the pragmatic goals and objectives of the legislative document. In creating the text, the legislator employs specific stylistic devices to emphasize the pragmatic significance of elements

deemed important and to reflect the pragmatic categories identified in our study of Spanish legislative texts.

Pragmatic categories can be defined as pragmatically conditioned ways of presenting information by the addresser, depending on the conditions of the text's functioning, the relationships between communicants, and the purpose of communication. In the course of the study, two pragmatic categories of texts were identified: the category of objectification/subjectification and the category of categoricalness/non-categoricalness.

As observed in the Spanish legislative texts under analysis, the primary stylistic feature in the construction of legislative provisions is the word order used to convey legislative information. It is well-known that some languages feature relatively free word order, while others have a more fixed structure. Generally, the most common explanation for this phenomenon is based on the type or degree of formal relationships of structural dependency between phrase components [6]. It can be said that there are at least two ways to convey these relationships in a language: word order and morphology (through affixation and adpositions). Each language prioritizes one of these means. Thus, a dependency is observed: the more effectively syntactic relationships function through morphology, the less necessary it is to mark them through word order. For example, Latin was a language with free word order because case endings sufficiently indicated grammatical relationships; conversely, English is considered a linguistic prototype where structural dependency relationships are marked by a relatively fixed word order.

The Spanish language, as is known, belongs to languages with a free word order. However, as our research has shown, not all phrases that appear to express the same things are equally appropriate in the same context.

Let us consider a very simple example:

- (1) a. El marido y la mujer son iguales en derechos y deberes.
- b. En derechos y deberes son iguales el marido y la mujer.
- c. Son iguales el marido y la mujer en derechos y deberes.

At first glance, one might say that the phrases in (1) are identical, as they describe the same state of affairs in such a way that it cannot be claimed that one of these phrases is true while the others are not. However, if they were completely identical, they should be interchangeable in all possible contexts; but this is not the case. In example (2), we see how word order affects the emphasis on the main component of each of the phrases listed in (1):

- (2) a. El marido y la mujer son iguales en derechos y deberes (Чоловік та дружина є рівними у правах та обов'язках). – no son disiguales
– no hijos y primos
– no en sexo
- b. En derechos y deberes son iguales el marido y la mujer (У правах та обов'язках є рівними чоловік та дружина). – no son disiguales
– no hijos y primos
– no en sexo
- c. Son iguales el marido y la mujer en derechos y deberes (Є рівними чоловік та дружина у правах та обов'язках). – no son disiguales
– no hijos y primos
– no en sexo

Thus, the author, in our case the legislator, uses word order to diminish or emphasize specific components of a phrase. As is known, this stylistic device is called *inversion* – a syntactic deviation from the usual phrase structure, that is, from the direct word order: subject, predicate, followed by secondary sentence elements. The Spanish language, thanks to its rich morphological system,

allows the legislator to use inversion to emphasize the action or subject, contributing to objectification and authority. The legislator places at the forefront of the utterance the element they wish to bring to the recipient's attention first. A general trend observed in all the legislative documents we studied is the placement of the verb at the beginning, highlighting the primary role of the action in the utterance. This phenomenon has a pragmatic basis. Legislative utterances are designed and expressed in such a way that all potential recipients perceive their obligatory nature. This effect is achieved by the legislator through vocabulary and phrase structure. In this regard, the choice and use of verbs play a paramount role. It can be said that the primary tool of the legislator in establishing the obligation to comply with the law is the verb.

The placement of the verb at the beginning of a sentence is a stylistic device that emphasizes the action, reflecting the obligatory nature of the norm's execution. This device often expresses sanctions, prohibitions, or definitions, corresponding to the pragmatic category of categoricity: "*No podrá invocarse como causa la infidelidad conyugal si existe previa separación [...]*" [7, p. 49] – protection; "*Son causas de divorcio: [...]*" [7, p. 50] – definition; "*Serán castigados como rebeldes con la pena de prisión de cinco a diez años e inhabilitación absoluta [...]*" [8, p. 303] – sanction; "*Son responsables criminalmente de los delitos y faltas los autores y los cómplices [...]*" [8: p. 47] – the addresser employs the stylistic device of proclaiming a sanction as an anathema; "*Será nulo el pacto que establezca un periodo de prueba cuando el trabajador haya ya desempeñado las mismas funciones con anterioridad en la empresa, bajo cualquier modalidad de contratación*" [9] – sanction.

A sanction placed at the beginning emphasizes the threat of punishment in the case of an offender (while this word order also makes the phrase lighter). This device enhances the effect of obligatoriness, compelling the recipient to perceive the norm as indisputable.

Non-finite verb forms (infinitive, gerund, participle) are used to convey circumstantial meanings (time, purpose, condition), ensuring clarity and conciseness. They contribute to objectification by eliminating subjectivity and emphasizing the circumstances of the action: "*Al llegar a la mayoría de edad sólo podrá ejercitar la acción el contrayente menor [...]*" [7, p. 48] – a connective infinitive phrase that emphasizes the significance of the temporal circumstance; "*Para adoptar acuerdos las Cámaras deben estar reunidas reglamentariamente y con asistencia de la mayoría de sus miembros*" [10, p. 20] – a connective infinitive phrase that emphasizes the significance of the purposive circumstance; "*Negándose el usufructuario a hacer esta anticipación, podrá el propietario pedir que se venda la parte de los bienes usufructuados [...]*" [7, p. 135] – an absolute gerund phrase with a conditional circumstantial meaning; "*Aprobados los Presupuestos Generales del Estado, el Gobierno podrá presentar proyectos de ley [...]*" [10, p. 32] – an absolute participial phrase that emphasizes the significance of the temporal circumstance.

Non-finite forms ensure a logical structure, contributing to objectification by avoiding personalization.

Indefinite pronouns (todo, alguno, otro, cada, cualquiera) and negative pronouns (nadie, ninguno, nada) create an effect of generality and impersonality, corresponding to the pragmatic category of objectification: "*Nadie podrá ser privado de su propiedad sino por autoridad competente y por causa justificada de utilidad pública, previa siempre la correspondiente indemnización*" [7, p. 107]; "*Toda proposición o enmienda que suponga aumento de los créditos o disminución de los ingresos presupuestarios req-*

uerá la conformidad del Gobierno para su tramitación" [10, p. 32]; "[...]. Cuando por *cualquier* motivo distinto de la extinción de la responsabilidad penal, incluso la declaración de rebeldía o la residencia fuera de España, no pueda perseguirse a *ninguna* de las personas comprendidas en *alguno* de los números del apartado anterior, se dirigirá el procedimiento [...]" [8, p. 48].

The pronoun *nadie* generalizes the subject, emphasizing the universality of the norm. The pronoun *toda* creates an effect of comprehensive coverage, highlighting objectification. The pronouns *cualquier* and *ninguna* reinforce generality, avoiding specificity. These pronouns ensure impersonality, which is crucial for legal norms.

Additionally, the use of relative pronouns *quien (quienes), el (la, los, las) que*, and *lo que* in the role of the subject creates a stylistic-pragmatic effect of generality and abstractness of the subject of the action: "*El que actúe como administrador de hecho o de derecho de una persona jurídica, o en nombre o representación legal o voluntaria de otro, responderá personalmente, aunque no concurren en él las condiciones, cualidades o relaciones que la correspondiente figura de delito o falta requiera para poder ser sujeto activo del mismo, si tales circunstancias se dan en la entidad o persona en cuyo nombre o representación obre*" [8, p. 49]. In one example from the Spanish Criminal Code, we observe both the relative pronoun *el que*, the indefinite pronouns *una* and *otro*, and a conditional subordinate clause in postposition.

Repetitions and explanatory constructions, another stylistic feature of legislative texts, are employed to avoid ambiguity and emphasize the universality of the norm, contributing to logical clarity and objectification: "[...] En los delitos y faltas *que se cometan utilizando medios o soportes de difusión mecánicos* no responderán criminalmente *ni* los cómplices *ni* quienes los hubieren favorecido personal o realmente" [8, p. 48]; "*Las penas que pueden imponerse con arreglo a este Código, bien con carácter principal bien como accesorias, son privativas de libertad, privativas de otros derechos y multa*" [8, p. 51].

The repetition *ni...ni* excludes all possible categories, ensuring precision. The explanatory expression *bien...bien* clarifies categories, avoiding ambiguity. The explanatory construction *cuando... así lo prevea* specifies the condition, enhancing logical coherence. These devices structure the text, ensuring its unambiguousness.

References to other norms or articles serve as a compositional device that facilitates text interpretation and structures it, promoting objectification through a clear definition of context: "*La separación y el divorcio se regirán por la ley que determina conforme a lo dispuesto en el artículo 9*" [7, p. 57]; "*Los trabajadores menores de dieciocho años no podrán realizar trabajos nocturnos ni aquellas actividades o puestos de trabajo respecto a los que se establezcan limitaciones a su contratación conforme a lo dispuesto en la Ley 31/1995, de 8 de noviembre, de Prevención de Riesgos Laborales, y en las normas reglamentarias aplicables*" [9]; "*Si resultase nula solo una parte del contrato de trabajo, este permanecerá válido en lo restante, y se entenderá completado con los preceptos jurídicos adecuados conforme a lo dispuesto en el artículo 3.1.*" [9].

References can link from one article of a law to another, from an article of a law to an article or section of the same law, and so forth. There are also references to entire laws without specifying particular articles. References to specific articles or laws establish a connection with a broader context, creating a logical network of norms that enhances their comprehension.

Stylistic devices in legislative texts also include the use of so-called *maxims*. Maxims are concise, aphoristic statements that articulate legal principles, enhancing the authoritativeness and categoricity of the norm: “No hay pena sin dolo o imprudencia” [8] (Немає покарання без умислу чи необережності) – this maxim clearly delineates the principle of responsibility, creating an effect of universality. “La forma política del Estado español es la Monarquía parlamentaria” [10] (Політичною формою іспанської держави є парламентська монархія) – this maxim proclaims the fundamental principle of the state system. “Se prohíbe la admisión al trabajo a los menores de dieciséis años” [9] (Забороняється допуск до роботи осіб молодше шістнадцяти років) – this maxim succinctly establishes a fundamental labor law principle.

Maxims contribute to categoricity, creating memorable formulations of norms.

The analysis shows that the aforementioned linguistic devices are rarely used in isolation. For example, in the phrase “*Nadie podrá ser privado de su propiedad sino por autoridad competente y por causa justificada de utilidad pública*” [7], the indefinite pronoun *nadie* (objectification), the verb at the beginning *No podrá* (categoricity), and the explanatory construction *sino por...* (clarity) are combined. In the sentence “*Serán castigados como rebeldes con la pena de prisión de cinco a diez años*” [8], the verb at the beginning *Serán castigados* interacts with inversion, emphasizing the sanction. This interplay ensures a multilayered pragmatic effect, adapting the text to various contexts.

Conclusions. The analysis of linguistic and stylistic devices in Spanish legislative texts, including the Civil Code, Criminal Code, Spanish Constitution, and Workers’ Statute, reveals their critical role in expressing pragmatic categories of objectification/subjectification and categoricity/non-categoricity. Devices such as inversion, verb-initial constructions, indefinite, negative and relative pronouns, repetitions, explanatory expressions, references, and maxims ensure clarity, authority, and logical coherence, enhancing the communicative effectiveness of legal discourse. The interplay of these devices creates multilayered pragmatic effects, adapting texts to diverse interpretive contexts. This study underscores the importance of stylistic tools in structuring legal norms and facilitating their application in practice.

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Власенко М. Лінгвостилістичні засоби вираження прагматичних категорій в іспанському законодавстві

Анотація. Стаття присвячена комплексному дослідженню лінгвостилістичних засобів вираження прагматичних категорій в іспанських законодавчих текстах, які є ключовими для юридичного дискурсу. Аналіз ґрунтується на чотирьох основних документах: Цивільному кодексі Іспанії (1988), Кримінальному кодексі Іспанії (1987), Конституції Іспанії (1978) та Трудовому статуті (2015), що представляють різні сфери права – цивільне, кримінальне, конституційне та трудове. Дослідження зосереджується на мовленнєвій реалізації особистості адресанта законодавчого тексту, яка проявляється через прагматичні категорії об’єктивації/суб’єктивації та категоричності/некатегоричності. Ці категорії визначають комунікативну спрямованість, тональність і функціональну ефективність юридичних текстів, забезпечуючи їхню чіткість, авторитетність і доступність для адресата. У межах дослідження розглядаються такі лінгвостилістичні засоби, як інверсія, що використовується для акцентування ключових положень, вживання дієслова на початку речення для підсилення імперативності, конструкції з неособовими формами дієслів (інфінітив, герундій, дієприкметник), які сприяють узагальненості норм. Особливу увагу приділено неозначеним і заперечним займенникам, що забезпечують точність і універсальність формулювань, а також повторам і пояснювальним виразам, які підвищують логічну зв’язність і зрозумілість тексту. Крім того, аналізуються відсилання до інших норм, які підкреслюють системність законодавства, та максими – узагальнені принципи права, що відображають етичну основу юридичних текстів. Для дослідження застосовано якісний аналіз текстів, який дозволяє виявити особливості функціонування зазначених стилістичних засобів у створенні прагматичного ефекту. Дослідження підкреслює, як лінгвостилістичні засоби формують баланс між формалізованим, безособовим викладом і виразом авторської позиції, а також між чіткими, однозначними формулюваннями та умовними конструкціями, що допускають інтерпретацію. Цей підхід розкриває механізми, за допомогою яких законодавчі тексти досягають комунікативної ефективності, забезпечуючи їхню інтерпретацію та застосування в юридичній практиці. Стаття адресована лінгвістам, юристам, перекладачам і дослідникам, які вивчають особливості мовленнєвої реалізації в іспанських законодавчих текстах.

Ключові слова: лінгвостилістичні засоби, прагматичні категорії, об’єктивація, суб’єктивація, категоричність, іспанське законодавство.