THE U.S. CONGRESS ACT OF IMMIGRATION: LEGAL TEXT OR CATEGORY OF LEGAL COMMUNICATION?

Horodylovskaya Mariia Tarasivna
Ph.D. student of the Faculty of Foreign Languages
Lviv National University of Ivan Franko, Ukraine

This research is focused on the investigation of the linguistic nature of Immigration Acts (IA)s issued by the U.S. Congress, namely the determination of their belongings to one of the categories of legal communication, which is the genre, in particular, or functioning of such acts within the institutional discourse as legal texts.

Genre is a text phenomenon, which means that it can be a type of text, in this study – the U.S. Congress Act of Immigration. It has such characteristics as a) functional-stylistic text features; b) it is an example of text organization; 3) it is a rhetorical phenomenon of a textual nature [1, p. 62]. Genre is a category of communication that includes discourse nature. Most types of discourses function within various communicative situations. IA is claimed to be a category of legal communication thus it functions as a genre within institutional discourse, which is characterized by specific parameters: a) structural orientation; b) a great number of language restrictions – it is created by social institutions, which have well-established rules and logically-organized structure of their existence and functioning; c) relatively fixed change of communicative roles [3, p. 70]. According to R. Pylypenko, institutional discourse is compared to the hierarchically organized environment of communicative and information-communicative interaction of the participants, united by common institutional placement, status and roles of conduct, related models of social and professional knowledge, as well as a special selection of communicative strategies [2, p. 40]. The task of the U.S. Congress, being a legislative branch in America, is first and foremost, to establish laws, which are mostly entitled acts, and bring them to the attention of a specific group of people who are concerned or society in general. IA is an appeal of the U.S. Congress to different categories of immigrants with the purpose of concrete rules and regulations establishment. The U.S. Congress is viewed as a social institution, where various types of genres function, while communicative situations can move from one to another. Taking into consideration the linguistics views of M. Bakhtin, we summarize that speech genre is a compound structure of context, style and composition as well as additional not linguistic factors, e. g. social ones. Legal text – IA as a legal document is viewed as a separate genre because it includes typical features of a legal text: the features of text and the features of the genre. The communicative aim is a main
feature of the genre. Based on the analysis of the Acts accepted by the U.S. Congress between 1776 (the Declaration of Independence) and 1799, it is concluded that IA as a genre is characterized by a) formality; b) frequent use of performative verbs; c) implementation of archaisms and Latinisms; d) complex syntactic structures; e) well-organized structure of the acts. IA as a genre is a speech act, which occurs in a social context when the members of both the House of Representatives and the Senate demonstrate new acts with the aim: 1) to establish an act, which becomes law inside the legislative body according to the procedure; 2) to inform the society or social group (class) who are a target audience for them.

References: