

J. K. S. B. T. E.

Semantische Kämpfe im Recht

Ein Buch von
J. K. S. B. T. E.
mit einem Vorwort von
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Semantische K M pfe Recht Rechtslinguistische Sprachwissenschaften

Dietrich Busse



Semantische Kämpfe Recht Rechtslinguistische Sprachwissenschaften:

Juristische Semantik Dietrich Busse, 2010 Dass das Recht ohne Sprache und die Arbeit mit und an Sprache nicht gedacht werden kann zeigt die Fülle sprachtheoretischer und hier vor allem semantischer Überlegungen in der juristischen Interpretationstheorie und Methodenlehre Gesetzesauslegung und Anwendung ist so immer zugleich eine semantische Tätigkeit Nicht alle der in juristischen Arbeiten diskutierten sprach- und bedeutungstheoretischen Annahmen entsprechen jedoch dem Stand der modernen Sprachwissenschaft Auch folgt ihre Rezeption anscheinend den vorgegebenen Konfliktlinien juristischer Methodenschulen subjektive oder objektive Lehre Auslegung oder Analogie Rechtsanwendung oder Rechtsfortbildung Präzisionsideale der Logischen Semantik oder Freiheiten der Hermeneutik usw Nur selten bewirkt die Aufnahme sprachtheoretischer Annahmen eine Infragestellung liebgewordener rechtstheoretischer Grundpositionen selbst Das Buch soll durch die aus der Sicht eines Sprachwissenschaftlers vorgenommene Bestandsaufnahme Analyse und Kritik der juristischen Semantik und Sprachtheorie einen Überblick über die Diskussionslage geben und zugleich Auswege aus scheinbaren Dilemmata des juristischen Methodenstreits aufzeigen **Semantische Kämpfe im Recht** Janine Luth, 2015

Untersuchungen zur Rechtslinguistik Friedrich Müller, 1989-01 **Rechtssprache Europas** Friedrich Müller, Isolde Burr, 2011 Die Heidelberger Gruppe der Rechtslinguistik www.recht-und-sprache.de widmet sich in ihrem vierten gemeinsamen Band mit dem Europarecht einem Gebiet das neuartige Probleme aufwirft aus seinem supranationalen Ursprung wegen seiner inzwischen zwanzig gleichrangigen Nationalsprachen wegen seiner Vielheit von Rechtskulturen Das Recht der Union expandiert beschleunigt in die Breite nach seiner schiereren Masse auf inzwischen praktisch allen Rechtsgebieten und es breitet sich in die Tiefe aus nämlich unmittelbar in das Innenleben der nationalen Rechte Um auf praktikable Weise in der Wirklichkeit anzukommen braucht es aber eine gemeinsame Sprache und diese Sprache sollte von den Bürgern Europas angenommen werden können darf also ihre Nationalsprachen nicht überwältigen In diesem noch offenen Vorgang des Herausbildens einer Rechtssprache Europas spielen hierarchisch zentralistische wie auch interaktionistisch dezentrale im Ganzen also gegenläufige Faktoren und Bestrebungen eine Rolle Um so schwerer ist es beispielsweise trotz alles dessen eine hinreichende Rechtssicherheit zu gewährleisten die ohne Verlässlichkeit der sprachlichen Formen nicht denkbar ist Der vorliegende Band diskutiert einen wichtigen Teil der Probleme die sich der Übersetzungswissenschaft der Linguistik und der Jurisprudenz auf diesem Feld stellen auf der Ebene der europäischen Verfassungstheorie in den komplexen Fragen der Mehrsprachigkeit und in den Ansätzen zu einer gemeineuropäischen Methodik in der Arbeit der Gemeinschaftsgerichte überhaupt spielt die Justiz bei der Entwicklung des europäischen Rechts und seiner Sprache eine zentrale Rolle dem entspricht es dass auch die vor kurzem erschienene Arbeit *Juristische Methodik Band II Europarecht* von Friedrich Müller und Rasmus Christensen wesentlich auf Analysen der Praxis der Gerichtshof der Union basiert Der vorliegende Band geht auch diesmal wieder interdisziplinär vor und schließt ferner Beiträge einer Reihe von Praktikern aus den europäischen

Institutionen ein **Zugänge zur Rechtssemantik** Friedemann Vogel, 2015-10-16 Der Band Zugänge zur Rechtssemantik widmet sich der Frage wie Bedeutungen im Recht entstehen und wie sie rechtsstaatlich angemessen analysiert werden können Ausgang ist die rechtslinguistische Einsicht dass Recht und Rechtsstaat sprachlich vermittelt sind und die juristische Arbeit im Wesentlichen eine institutionalisierte Arbeit in und mit Texten darstellt Diese Arbeit hat sich mit der Mediatisierung aller Lebensbereiche durch die Einführung von computertechnischen Systemen und Datenbanken Internet und Hypertext verändert Die in diesem Band dokumentierten Beiträge zeigen in empirischen Beispielen zur Judikative Rechtswissenschaft und Gesetzgebung wie qualitative und computergestützte Methoden für die juristische Textarbeit und das Verständnis juristischer Diskurse fruchtbar gemacht werden können Dabei werden die Perspektiven von Sprach Medien Rechts und IT WissenschaftlerInnen interdisziplinär miteinander verknüpft Das Ergebnis bildet eine weiterführende Diskussionsgrundlage für einen reflektierten Beitrag zu juristischer Methodik und Rechtstheorie im Zeitalter der Digitalität

Sprache und Recht Markus Nussbaumer, 1997

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