

# Analysis of Legal German Terminology Based on Semantic Field Theory

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Based on the semantic field theory, this paper systematically explores the structural characteristics of the semantic field of legal German terms and their functional realisation in judicial practice. On the basis of clarifying the core connotation of the semantic field theory, it is emphasised that the legal terminology is a lexical network of conceptual systems, and that the meaning of the terminology needs to depend on the overall structure of the legal system in order to be fully presented. The semantic field of legal German terminology not only constitutes a structured representation of legal terminology, but also maintains the objectivity of legal judgement by means of the constraints and complementary relationships between terms. This paper provides a new theoretical perspective for the study of legal German terminology, which is of reference value for legal language teaching and legal translation.

*Keywords:* semantic field theory, legal German, terminology

## Introduction

Semantic field theory is a meaningful attempt of modern semantics, originated from a concept in physics, and has experienced difficult and long years. It was not until the early 1930s that the German scholar Trier contributed greatly to the development of semantic field theory. Trier proposed that all words are interrelated and the meaning of each word depends on the meaning of neighbouring words in this semantic field. Outside the semantic field, individual words have no content, leading to uncertainty about their meaning. Trier is more concerned with the paradigmatic relations of words. In his view, words with the same concept can form a semantic field.

In previous studies on semantic field theory, most of them have been studied in connection with vocabulary learning, and most of them have been in English language teaching, and few related German studies have been seen. The research object is limited to the relationship between words, but not extended to the internal logic and cultural level. Two important Chinese scholars, Hu Dongping (Professor at Hunan Agricultural University) and Guo Shangxing (Professor at Henan University), have provided their own insights into semantic field theory. Hu Dongping (2000) suggested that “the study of semantic fields can and should be extended to the cultural level” (p. 13). Although semantic field research has made great achievements, very few have applied the theory to conduct multidimensional, multilevel, cross-field and interdisciplinary research. Guo Shangxing (2019) pointed out that semantic fields can be divided into general semantic fields and narrow semantic fields, of which the former can be divided into conceptual fields and cultural fields, which are “national, historical, social, and

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territorial, and closely related to pragmatics” (p. 88). Semantic field theory cannot be limited to the study of traditional conceptual meanings; it should include both conceptual and cultural levels. This paper provides an in-depth discussion of legal German terminology in the context of Trier’s semantic field theory. This framework helps to reveal how terms in legal texts contribute to the formation of legal judgements through semantic interactions, and to deepen the understanding of complex legal concepts by cutting through new perspectives.

### **Semantic Field Characteristics of Legal German Terms**

Legal German terms have a certain system dependency, which means that the meaning of a legal term depends not only on its literal meaning, but also on the legal system in which it is used (Groot, 2002, p. 222). Therefore, the semantic field of legal German terms is not only reflected in the words themselves, but is also linked to the relevant concepts and rules of the legal system to which they belong. Legal terms form a strict hierarchical structure through the semantic field, and this structure is a reflection of both the logical relations of legal concepts and the rigour and precision of the legal system.

Taking the German Civil Code as an example, the construction of semantic field of legal terms has the systematic characteristic of clear hierarchy. It adopts the code structure of general provisions and sub-legal provisions, forming a logical chain from abstract to concrete. The term natural person in the General Provisions takes over the first level of subordination creditor, and creditor can take over other second level of subordination, forming a vertical semantic correlation; the horizontal term creditor and creditor have the same meaning as creditor. The subordinate terms taken by creditor and bearer form a new sub-semantic field through complementary relationship, realising the dynamic balance of legal relationship (Zhao, 2011, p. 139). This combination of hierarchy and relevance not only ensures the strict coverage of legal concepts, but also provides clear logical guidance for judicial practice.

In the legal terminology system, the superordinate concepts (Hyperonym) often refer to those abstract legal categories with broad coverage, which are able to unify the specific legal behaviours or legal relationships under them. The contemporary German civil law system derives from Pendleton jurisprudence. According to Flummey, “the main feature of the Pendleton system is the preexisting body of general principles, the core of which lies in the theory of legal acts”. The status of the concept of legal act (*Rechtsgeschäft*) cannot be overemphasised in the German law system (Zhu, 2013). As a typical superordinate concept, it encompasses all types of behaviour that have the elements of legal effect, without being limited by their specific form or content. The core value of this type of legal concept lies in triggering the formation, adjustment or termination of legal relations, and this dynamic mechanism of effectiveness constitutes its fundamental position in legal practice. Hyponym, on the other hand, is a specific version of the superordinate concept, which usually refers to a particular type of legal act or legal relationship. *Vertrag*, for example, is defined by Wikipedia as a legally binding agreement between two or more parties involving the transfer or modification of rights and obligations. Its core feature is that it is legally binding, i.e., once signed, the terms of the contract are enforceable. *Vertrag* carries with it a formal nature and legal consequences, and tends to be found in scenarios where legal protection or enforcement is required, such as commercial agreements, contracts of employment, and contracts of sale and purchase. According to Trier’s theory, the meaning of *Vertrag* is more narrow, which can be called “W1”, and its meaning revolves around formal and legal effect, which is specific and has clear legal consequences. The other subordinate concept, *Vereinbarung*, which we will call “W2”, is defined in Wikipedia as a consensus or agreement between two or more parties, and is often used to denote an informal or broader agreement, which can encompass a number of

different types of co-operation or agreement. It does not necessarily require a legal form, nor does it have to be enforceable. Concepts related to Vereinbarung include Übereinkunft (agreement), Übereinkommen (agreement), Abmachung (agreement), and others. They may appear in everyday communication between two parties in order to reach some kind of consensus, such as agreements between private individuals, social engagements, or work arrangements. The meaning of Vereinbarung is thus broader and more diverse, emphasising consensus and voluntariness rather than legal compulsion. Thus, W1 and W2, or even W3, and so on, with similar meanings, form a set, which we call a semantic field, and the relationship between Vertrag and Vereinbarung can be seen as a dichotomy between formality and informality, and the former can be seen as a form of the latter, or a higher level of normality, often used to reach a more serious or binding agreement. This also suggests that within the same semantic field of legal terms, the boundaries of the terms are clearer, allowing each legal term to convey its unique expressive value.

### **Semantic Field Analysis in Court Judgements**

In order to select authoritative samples, the cases selected in this chapter are taken from the 21st of January 2025, when the judgements of the German Federal Administrative Court were published on the official website. As the highest administrative court in Germany, the judgements of the Bundesverwaltungsgericht are not only highly legally valid and authoritative, but also ensure that the terminology used is normative and representative. At the same time, in view of the typicality and timeliness of the legal judgements, priority was given to the judgements of recent years in order to better reflect the current legal practice and the use of terminology. Moreover, the selected cases are public and accessible, which can ensure the transparency and reproducibility of the research, and also facilitate verification and reference by other researchers.

In this judgement, the German Federal Court of Justice guaranteed the accuracy and fairness of the judgement through the precise use of a series of legal German terms. The use of these terms not only reflects the rigour of the legal language, but also reveals to a certain extent its inherent semantic variations. This chapter will first explore the question of how the court guarantees the accuracy and fairness of the legal judgement through the use of specific terminology. Then, it will focus on the core legal terminology in the case, extract the related legal terms, and analyse the semantic field formed, in order to reveal the semantic relationship and the role of these terms in the specific legal context.

The precise use of legal terms is the basis of a legal judgement. In a judgement, the judge must ensure that the terms he uses match the definitions in the legal text and that he can correctly apply them to the specific case. The term Planfeststellungsbeschluss (plan approval decision) was mentioned several times in the case and its meaning corresponds to the definition in the Electricity Grid Expansion Act (EnLAG). The German Federal Court of Justice has also addressed the question of whether there was an Abwägungsfehler (weighing error) in the judgement, citing relevant case law from the Bundesverfassungsgericht (Federal Administrative Court) in support. Moreover, the semantics of legal terms change to varying degrees as the specific circumstances of a case change. This means that judges must match the use of terms in their judgements to the specific facts and legal context of the case. The specific weight of the Vollzuginteresse (execution interest) involved in the case will vary depending on the specific circumstances of the case, as in this case where the concept is given a higher weight when talking about military interests. Judges also need to apply legal reasoning in their judgements, so that they can verify that the legal terms they use are applicable to the specific case. In its judgement on the question of whether underground cables should be used instead of overhead lines, the court cited Section 2, Paragraph 2,

Sentence 1 of the Grid Expansion Act, which specifies that underground cables may only be used if they are technically and economically feasible. However, after a detailed analysis of the technical and economic circumstances, it was concluded that underground cables were not feasible in this case (see Figure 1).

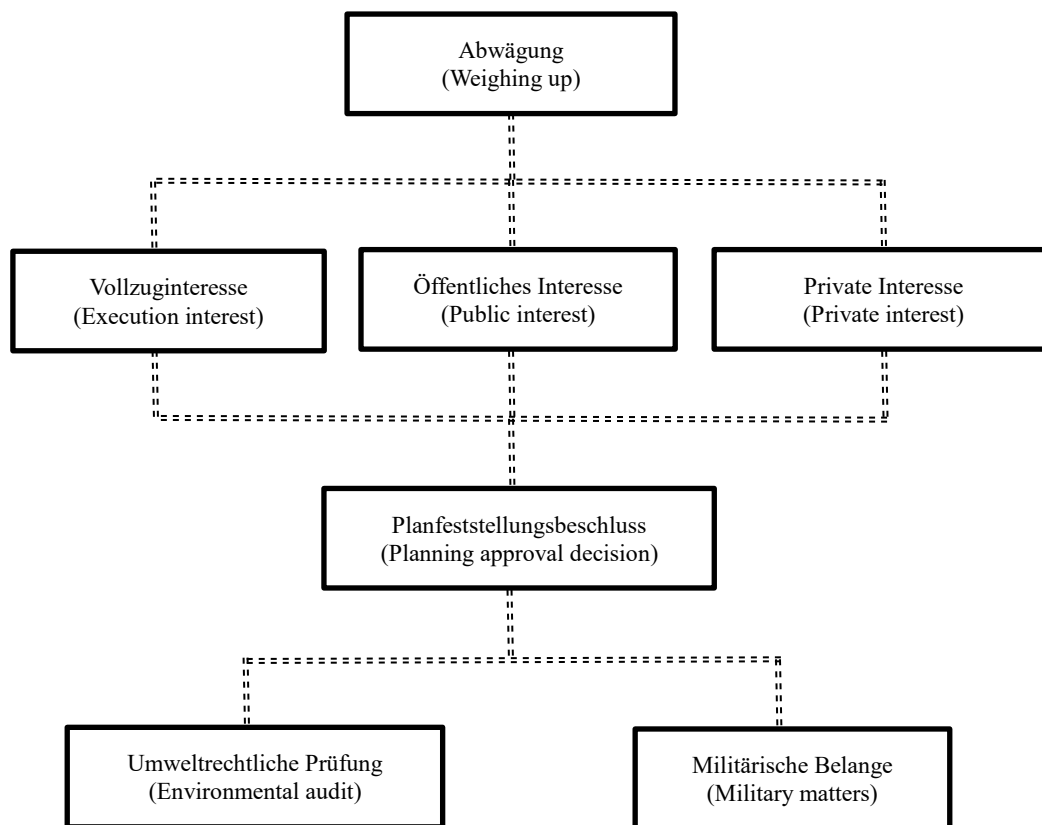


Figure 1. Semantic field of legal terms in court judgements.

In order to ensure the accuracy and fairness of legal judgements, the legal terms used by the courts are not only individual tools of judgement, but they are also deeply semantically related to each other. The case involved an urgent litigation review of a planning approval decision for a high-voltage transmission line, where the applicant (a landowner) was dissatisfied with the planning of the line, arguing that the administrative body had made a number of errors in the weighing process, but the court ultimately rejected the application. The core dispute in the case was the weighing (*Abwägung*) process in the legal proceedings, and the term appeared 28 times in the judgement, which is a high-frequency keyword. Therefore, in that case, it was possible to extract a set of legal terms related to the core term *Abwägung*, thus creating a more focused and tight semantic field. The following criteria were followed when extracting the key terms:

1. They are directly related to the core term;
2. The terms need to be specifically unfolded in the judgement and have a substantial impact on the outcome of the weighing;
3. Technical details or secondary procedural terms are excluded.

According to Trier's theory, a lexeme constitutes the same semantic field if it is related to a certain number of other lexemes, in other words, if these lexemes collectively belong to a particular field of activity or expertise (Hao, 2010, p. 8).

Abwägung refers to the consideration of the balance of different interests, rights, and goals in the decision-making process. All the terminology related to this concept revolves around how to balance different legal interests. Local authorities are obliged to ensure that all relevant interests are fully and fairly weighed. Nevertheless, local authorities may set aside the interests of one or the other party in favour of the other within this framework. Closely linked to Abwägung are Vollzuginteresse (Executive Interests), Öffentliches Interesse (Public Interests), and Private Belange (Private Interests), all of which are the main interests that need to be prioritised in the weighing process. Extracting the core semantic elements for these three terms yields the following results:

Vollzuginteresse = Public Authority + Enforcement of Legal/Administrative Measures + Efficiency Guarantee + Counteracting Private Obstruction;

Öffentliches Interesse = Society as a Whole/State + Public Safety/Health/Order/Environment + Priority of Law + Dynamic Social Consensus;

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There is an antagonistic relationship between Öffentliches Interesse and Private Belange. In principle, the public interest takes precedence over the private interest. However, in some cases, the law requires that these two interests be weighed (the so-called “third-party protection criterion”), and the Vollzuginteresse is subordinate to the Öffentliches Interesse, which is the public interest as it is concretised in administrative or judicial proceedings. There is a certain conflict and harmonisation between the executive interest, which may directly infringe on private matters, and which needs to be balanced by procedural safeguards and substantive compensation, among other things. When weighing administrative actions and private rights, courts also need to determine whether private interests are disproportionately affected or infringed, especially in land use issues like the one in this case. Directly related to the above concepts, then, is the Planfeststellungsbeschluss, or plan approval decision. It is a key point in the administrative process where the court must review the legality of the decision, as it involves a weighing up of different interests. What is involved in the Umweltrechtliche Prüfung (environmental law review) also needs to be included in the weighing up, especially when the impacts on the environment and natural resources are examined. The aim is to identify, assess, and avoid or minimise the potential impacts of a project on the environment. So, the environmental law review helps to protect the environment and promote sustainable development. To some extent, it also helps us gain insight into the core values and priorities in the German legal system. The final Militärische Belange (military interest) is also an important aspect of the weighing process. In this case, the applicant argued that the administration had given undue weight to military interests in the weighing process, to the detriment of private interests and environmental protection. However, in its reasons for rejecting the application, the Court stated that military interests had priority and that the public and executive interests took precedence over the applicant’s private interests. The impact on the environment had been reasonably considered in the balance and there was no irreversible damage.

These terms do not exist in isolation, but form a dynamic semantic field through interconnection. The weighing is a bridge between public and private interests, while environmental legal review and military interests provide the specific context and basis for the weighing. This dynamism allows courts to flexibly adjust the weights and relationships of the terms according to the varying needs of specific cases, so that they can make judgements that are most consistent with the spirit of the law and the actual situation. The semantic field

composed of these legal terms embodies a strict hierarchical structure, reflecting the multi-layered nature of legal judgements and revealing the complex interrelationships between legal terms.

### Conclusion

As a core element of the legal language system, the systematic, precise, and hierarchical characteristics of legal German terminology are highly suitable for the applicability and explanatory power of semantic field theory in the study of professional terminology. Using semantic field theory as a framework, this study demonstrates the hierarchical semantic structure of legal German terminology driven by system dependency through real-life case studies. The logical connection between superordinate and subordinate concepts in legal terminology supports the conceptual rigour of the legal system, and the semantic interaction between terms in judicial practice ensures the consistency and authority of legal interpretation. The process of analysing the semantic field constituted by the core legal terms and their related terms clarifies the conceptual boundaries and effectively avoids ambiguities in the use of legal terms, thus providing a linguistic guarantee for judicial justice. This study helps to deepen the understanding of the systematic characteristics of legal terms, and also provides methodological insights for legal language teaching and legal translation. In the future, the study can further expand the coverage of terminology analysis by combining the corpus linguistics approach, and explore the potential application of semantic field theory in dynamic legal contexts (e.g., law revision or terminology comparison across legal systems), so as to promote the synergistic development of the theory and practice of legal linguistics.

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