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Concept «Human Rights» and its Cognitive, Discursive, Contextual and Historical Characteristics

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Abstract

From a cognitive point of view, the concept of human rights contemplates study of its mental structures which include stereotypes and standard representations of the world of law noted for stability of structures, images and emotions: a cognitive approach focuses on a special role of a human factor in cognitive and verbal-thinking processes. Human rights define a worldview of every individual in particular and community in general. Human rights are universal and act as an indicator of a healthy society and state.

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1. Introduction

It is a person who perceives and creates the world through its sense organs and uses it as a basis to create a system of representations of the world. Having transmitted them through its consciousness and interpreted results of such perception, it transfers them to other members of the community using the language; the language does act as a regulator of relations between the person and the law, community, as “a defender” and “a prosecutor”.

Different peoples have different ways from the actual world to a concept and then to a verbal expression, which are due to differences in history, geography, life patterns of such peoples, their legal system and, consequently, differences in development of their social consciousness. But if we want to characterize the semantic usage properly which is accepted in any speech community and belongs to the described language, we should not only describe it. We can achieve the result only by applying collective estimations, which are adopted in the community, so we must

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take into consideration the public opinion. One and the same thing may have different descriptions in different civilizations. Such semantic definitions must have substantial consequences for the formal analysis of linguistic units.

From a cognitive point of view, the concept of human rights contemplates study of its mental structures not only on collective knowledge, but also on individual one of some speakers, their daily experience of conscious and non-conscious perception of the world around, its role in forming a meaning of expressions and meanings of individual linguistic units, as well as forms of mental and language representations of such knowledge in their interaction (Boldyrev, 2000, p.4)

A legal sphere is an important part of a national culture which is reflected in the language. A linguistic view of the world, one of key concepts of modern linguistics, is an integral set of images of reality which exists, as mentioned above, in individual and collective consciousness and is reflected in communications.

1.1. «Human rights»: cognitive characteristics

A linguistic view of the legal world represents a complex union of mental items (concepts, stereotypes, scenarios, conceptual fields, etc.) related to a legal sphere of communications and a legal discourse. The majority of such items are fixed in the language in terms of words, abbreviations, word combinations, phraseological units, and to any extent they impose on an individual a definite view of the world, particularly in its categorization and appraisal.

As noted by cognitivists, a person thinks in terms of concepts combining them and making in-depth predications as part of the concept and its combinations, forming new concepts while thinking (Popova & Sternin, 1999, p.3). According to E.S. Kubryakova, a concept is an operating meaningful unit of thinking, a unit, or a quantum of structured knowledge (Kubryakova, Demyankov, Pankrats, & Luzina, 1996, p.90).

Modern linguistics treats a concept as a mental item, which is specified by a word (phraseological units, abbreviations, word combinations, etc.). Concepts are those ideal abstract units, meanings which are used during thinking. They reflect content of received knowledge, experience, results of all human activities and results of learning the world in terms of definite units, “quanta” of knowledge. Transmission of any information and communication process in general also represents transmission or exchange of concepts in verbal or non-verbal forms. Concepts reflect key elements of national legal consciousness. A set of such concepts forms a sphere of concepts where the nation’s legal culture acts as a centre.

The concept of human rights covers a wide range of meanings of a word and representations of bearers of such culture on the nature of events standing behind the word in all variety of its attributes, connections, features and evaluations. It runs like a scarlet thread through all branches of law, legal disciplines, areas of research legal knowledge, etc. Human rights are the key to understanding of law, legal system, and legal culture. Human rights are an indicator of the society’s status and legal consciousness of its citizens. Human rights cover a total area of human existence.

With all variety of institutions of the society and state having different objectives and tasks of activities, with the polarity of views and sets of different social, ethnic and confessional groups, human rights may serve as a unifying idea, form a common understanding and world perception. It is fair to say that human rights are all that may unite people, contributing to overcoming interstate barriers and controversies stipulated by features of historical development, level of economic development and trends in policies of different countries.

The concept of human rights in terms of its specificity is abstract. It is verbalized with individual words and word combinations, phraseological units, abbreviations, onyms, sentences and full texts; it has a complex structure, whose content is partially revealed through means of its representation in speech. The content of a concept is significantly wider than a content defining this concept of a word (term), as the content of the concept includes not only conceptual, but also emotional, value, cultural, historical components and imagery.

1.2. Structure of the concept of human rights from this point of view of conceptual component

Human rights are integral rights of every person regardless of its nationality, colour of skin, religion, language or any other features. All people have equal human rights excluding any discrimination. Such rights are interrelated, interdependent and indivisible.

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