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## Юридическая техника и техника доказывания по уголовным делам

Классическая правовая наука объектом приложения юридической техники видит юридическую сторону дела, а техники доказывания — фактическую сторону.

Юридическая техника обслуживает потребности в правильном понимании и применении закона. А тем, что касается установления фактических обстоятельств дела, выяснения юридических фактов, заведует теория доказательства. Ученые, которые занимаются теорией доказательства, никогда не включали в число ее проблем вопросы, связанные с толкованием законов, восполнением его пробелов и т. п.

Постмодернистская правовая мысль сводит деятельность юристов к одной из языковых игр<sup>1</sup>. Доказывание также рассматривается как игра или как борьба интерпретаций за наиболее правильное (убедительное) прочтение текста. В общем, нет ничего, кроме текста в суде, отсюда — речевая техника лежит в основе и юридической техники, и техники доказывания. Сама речь есть техника изобретения мыслей и слов.

Отсюда и своеобразная трактовка юридической техники. Юридическая техника — это и самые правила этой речевой, персонифицированной игры, и искусство владения этими правилами. Юридическая (речевая) техника имеет универсальное значение и в равной степени распространяется как на толкование закона и разрешение проблем его применения в данном конкретном случае, так и на установление фактических обстоятельств дела, подлежащего разрешению в юрисдикционном органе.

Техника исключения, градуирования, систематизации элементов речевой фактуры, основанные на языке, есть техника доказывания, то есть техника производства знания относительно предполагаемой действительности.

Владение юридической техникой — основа грамотности, мастерства юриста как профессионального пользователя юридическим языком. Изучение юридической техники подразумевает овладение юридическим языком как средством коммуникативного общения в правовой среде. Юрист —

# Sistema Sredstv Dokazyvaniia Po Ugolovnym Delam Monografiia

**R Sandford**



## **Sistema Sredstv Dokazyvaniia Po Ugolovnym Delam Monografiia:**

## Whispering the Techniques of Language: An Mental Quest through **Sistema Sredstv Dokazyvaniia Po Ugolovnym Delam Monografiia**

In a digitally-driven earth where monitors reign supreme and immediate conversation drowns out the subtleties of language, the profound strategies and emotional subtleties concealed within phrases frequently get unheard. Yet, situated within the pages of **Sistema Sredstv Dokazyvaniia Po Ugolovnym Delam Monografiia** a captivating literary treasure pulsing with organic emotions, lies a fantastic quest waiting to be undertaken. Composed by a talented wordsmith, that marvelous opus invites readers on an introspective trip, gently unraveling the veiled truths and profound influence resonating within the cloth of each word. Within the mental depths of this moving evaluation, we will embark upon a sincere exploration of the book is key styles, dissect their fascinating writing type, and yield to the effective resonance it evokes heavy within the recesses of readers hearts.

<https://archive.kdd.org/About/book-search/HomePages/Talking%20To%20God%20Personal%20Prayers%20For%20Times%20Of%20Joy%20Sadness%20Struggle%20And%20Celebration.pdf>

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