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This study habilitation thesis focuses on the syntactic and semantic analysis of the Portuguese and Brazilian Penal Code. Its primary aim is to compare the syntactic formulation and semantic proprieties of the non-finite and the finite clauses that occur in above mentioned legal texts. At the same time, in various parts of the investigation, we verify the validity of the obtained results on a more general level, working with the linguistic corpus *Linguateca* and its Portuguese and Brazilian sub-corpora *CETEMPúblico* and *CETENFolha* that help us to decide if the ascertained results are specific proprieties of both or only one of the Codes or if they are currently used in a common language.

As for the structure of the thesis, apart from the introduction (*Introdução* - chapter 1), general part (*Considerações Iniciais* - chapter 2), that includes basic information about the Forensic Linguistics and about the Penal Codes, and the conclusion part (*Conclusões Finais* - chapter 6), there are three main chapters that describe our own quantitative and qualitative investigation realized in the syntactic and semantic field and related to the completive (chapter 3), relative (chapter 4) and the circumstantial clauses (chapter 5) in which is based the hypotactic formulation of the Codes.

In the chapter dedicated to the completive clauses we focus our attention to the influence of the modal base of the subcategorizing element in the occurrence of the verbal mode and forms (especially the personal and non-personal infinitive). As we prove in the case of the relative and circumstantial clauses, the usage of the verbal mode is determined also by other aspects: the determination of the anaphoric referent, the modal character of the proposition and internal structure of the clauses. We also occupy with the occurrence of the non-finite elliptic clauses that poses a very special and unusual linguistic expression in the area of the legilinguistic translatology of the Portuguese Language.

The results of the study prove both the convergent as the divergent proprieties of the Penal Codes. We discover an obvious concordance of the completive clauses: the percentage distribution of the subcategorizing antecedents, from the point of view of the semantic modal base, is really almost identical. And also, as for the verbal finite or non-finite verbal forms used in this type of clauses, we observe that the same criterions are followed, e.g.: besides the modal base of the antecedent, one of the most important factors is the verbal transitivity and, also, the referential feature of the subject of the subordinated clause. However, at the same time, the two compared Codes manifest radically different tendencies: there are significant semantic and formal discrepancies in the formulation of the circumstantial and relative clauses. In this regard, the Brazilian Penal Code could be characterized as a modally factual text (owing to a numerical superiority of the indicative mode) with a formally encyclopaedic features (due to a high frequency of non-personal infinitive verbal forms), while the Portuguese Penal Code possesses exclusively personal finite clauses, being characterized as a hypothetical and eventual modal text in which the most frequent verbal mode is the subjunctive.

Key Words: completive clause, relative clause, circumstantial clause, modality, determination, anaphoric referent, Portuguese Penal Code, Brazilian Penal Code.