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KEY ASPECTS OF LEGAL TERMINOLOGY TRANSLATION

КЛЮЧОВІ АСПЕКТИ ПЕРЕКЛАДУ ЮРИДИЧНОЇ ТЕРМІНОЛОГІЇ

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The article examines the key aspects of legal terminology translation as a complex and multifaceted field within translation studies. The relevance of the research is обусловлена the increasing level of international cooperation, which requires accurate and adequate translation of legal documents between representatives of different legal systems and cultures. Particular attention is paid to the issue of the lack of full equivalence between legal terms in different languages, which is обусловлена differences in legal systems, historical development, and sociocultural factors.

The study analyzes the main approaches to defining translation transformations, including lexical, grammatical, and complex ones. It reviews the scholarly perspectives of Ukrainian and foreign researchers on the application of translation strategies in rendering legal concepts. The necessity of considering the systemic relationships between terms within each legal system to achieve translation adequacy is substantiated. The main methods of translating legal terminology are identified, including the use of lexical equivalents, calquing, transcription, transliteration, descriptive translation, approximate translation, and the creation of neologisms. The reasons for applying these transformations are analyzed, particularly structural and semantic differences between languages, as well as the specific nature of legal vocabulary, which is characterized by precision, unambiguity, and standardization. The importance of the translator's professional competence is emphasized, as a legal translator must possess not only linguistic knowledge but also a solid understanding of the legal systems involved. It is argued that adequate translation of legal texts is possible only when communicative equivalence is achieved and semantic accuracy is preserved. The conclusions highlight that the main difficulties in translating legal terminology include polysemy, the absence of direct equivalents, and differences in linguistic structures. The study suggests applying a комплекс of translation transformations to improve translation quality. The findings can be used in the practice of legal translation as well as in the training of specialists in translation studies.

Key words: legal terminology; translation; translation transformations; lexical transformations; grammatical transformations; legal texts; equivalence; translation adequacy; legal systems; intercultural communication.

У статті досліджено ключові аспекти перекладу юридичної термінології як складної та багатогранної галузі перекладознавства. Актуальність теми зумовлена зростанням міжнародної співпраці, що потребує точного та адекватного перекладу правових документів між представниками різних правових систем і культур. Особливу увагу приділено проблемі відсутності повних еквівалентів між юридичними термінами різних мов, що пояснюється відмінностями у правових системах, історичних умовах та соціокультурних чинниках. У роботі проаналізовано основні підходи до визначення перекладацьких трансформацій, зокрема лексичних, граматичних та комплексних. Розглянуто наукові погляди вітчизняних і зарубіжних дослідників щодо застосування перекладацьких стратегій у процесі передачі юридичних понять. Обґрунтовано необхідність врахування системних зв'язків між термінами у межах кожної правової системи для досягнення адекватності перекладу. Визначено основні способи перекладу юридичної термінології, серед яких: використання лексичних відповідників, калькування, транскрипція, транслітерація, описовий переклад, наближений переклад та створення неологізмів. Проаналізовано причини використання цих трансформацій, зокрема структурні та семантичні відмінності між мовами, а також специфіку юридичної лексики, що характеризується точністю, однозначністю та нормативністю.

Наголошено на важливості професійної компетентності перекладача, який повинен володіти не лише мовними знаннями, а й орієнтуватися у правових системах обох мов. Доведено, що адекватний переклад юридичних текстів можливий лише за умови досягнення комунікативної еквівалентності та збереження змістової точності. У висновках підкреслено, що основними труднощами перекладу юридичної термінології є багатозначність термінів, відсутність прямих відповідників та розбіжності у мовних структурах. Запропоновано використовувати комплекс перекладацьких трансформацій для підвищення якості перекладу. Результати дослідження можуть бути використані у практиці перекладу юридичних текстів та у підготовці фахівців у галузі перекладознавства.

Ключові слова: юридична термінологія; переклад; перекладацькі трансформації; лексичні трансформації; граматичні трансформації; правові тексти; еквівалентність; адекватність перекладу; правові системи; міжкультурна комунікація.

Problem statement. Today's reality is characterized by the rapid development of trade, cultural, and economic priorities and political relations between states. Almost all of these areas are governed by various laws and regulations set forth in different legal documents. The parties to these relations speak

different languages and belong to different cultures, which increases the need for legal translation. Lexical equivalents often fail to convey the correct meaning of lexical units, since similar terms in two languages may have different meanings or different semantic ranges for closely related concepts. For this reason,

selecting equivalent equivalents for an accurate translation of terms is possible only after examining the relationships within each terminological system and the inter-system correlations between terms. The translation of legal texts is considered one of the most challenging types of translation. In our view, the main challenge in translating legal documents lies in the fact that every country has its own legal system, which reflects its culture, history, and mindset.

Legal terminology covers a wide range of legal fields and institutions, so when translating legal texts, it is essential to take into account the fact that the laws of different countries vary greatly. Translators face sociocultural barriers due to cultural differences between the culture of the text's originator and the culture of the target language's speakers. Although the translation of legal terms must be as accurate and correct as possible, it is impossible to adapt the entire text to the norms of another culture.

Analysis of recent research and publications.

During the translation process, it is often necessary to use translation strategies that may alter the structure of the original sentences. These transformations include a variety of changes that alter the vocabulary, grammar, and semantics of the source text.

The issues of translation transformations have been studied by many scholars, both Ukrainian and foreign, such as I. Korunets, I. Sinyagovska, I. Melchuk, J.-P. Vine, J. Darbelne, I. Zorenko, L. Naumenko, A. Gordeeva, Ya. I. Retcker, V. Klymenko, T. Levytska, A. D. Schweitzer, M. Shemuda, O. O. Selivanova, and others.

Some researchers focus on lexical translation transformations, such as the use of synonyms and antonyms to select the best words for conveying meaning. Other researchers examine grammatical transformations, such as changes in sentence structure and the use of different tenses to ensure the grammatical correctness of the translation. Ukrainian scholar O. O. Selivanova studies transformation as a process involving changes in the form, structure, and content of texts to ensure that the communicative impact on the recipients of the original and translated texts is consistent. She distinguishes between transformations at the level of formal aspects (lexical or grammatical transformations) or semantics (semantic transformations) of the source text for subsequent transmission.

French linguists such as Jean-Paul Vigne and Jean Darbelnet distinguish between direct and indirect methods of translation, including literal translation, calquing, borrowing, and others. This diversity of approaches and research in the field of translation transformations underscores the relevance of this issue for translators and linguists.

Research in this area contributes to the development of both the theoretical foundations of translation studies and the practical skills of translators. Having analyzed the aforementioned findings of Ukrainian and foreign scholars, one can conclude that understanding, studying, and applying translation transformations is of great importance for improving translation quality and ensuring effective communication between different linguistic and cultural communities.

The aim of this study is to examine translation transformations as an important aspect of translation and their role in ensuring the accuracy and appropriateness of the rendering of legal norms, as well as to analyze lexical and grammatical transformations in the translation of English-language international legal documents.

To explore the concept of translation transformations and analyze lexical-grammatical transformations based on international legal documents, the following methods were employed: a literature review (an analysis of theoretical conclusions by Ukrainian and foreign scholars regarding the application of translation transformations), linguistic and corpus analyses (analysis of lexical and grammatical translation transformations in English-language and translated international legal documents).

Presentation of the main material. For multilingual communicators to interact as fully as possible, it is necessary to produce texts in the target language that are communicatively equivalent in value to the original text in the foreign language. The communicative equivalence of a text is crucial for understanding the mechanics of translating foreign-language materials. For the communicator, both texts function as equivalent existential forms of the same message and share functional and structural semantic identity [1, c. 218]. When translating legal documents, such equivalence can only be achieved if the translator has legal knowledge in both the source and target languages. A basic understanding of the law, particularly relevant legal terminology, is a mandatory requirement for translators working in the legal field.

It should also be noted that legal terms must reflect the legal reality of the state. Every legal term and every legal category must outwardly reflect the essence of a state-legal phenomenon or social practice and accurately convey the meaning of each category; furthermore, when interpreted legally, they must not be ambiguous or have multiple meanings. When there is a discrepancy between the meaning and the content of a legal term, its semantic significance is lost, and it will have a distorted impact on the social environment for which it is intended. However, the function of legal terminology lies not only in the precise and clear definition of the linguistic meaning of national legal

concepts, but also in giving them practical significance and serving as a means of communication, primarily in professional legal practice. Translation transformation is often used to ensure the best possible translation. The issue of translation transformations when translating from one language to another is not a new one). Many scholars have addressed this issue over the years. Although there are differences of opinion regarding the number and typology of these techniques, all authors agree that translation transformations can be divided into lexical, grammatical, and complex ones [2, c. 58].

There are various reasons for the use of lexical transformations. For example, the primary reason lies in the characteristics inherent to each language, which are shaped by the history and culture of its speakers and influence the formation and development of its lexical system.

In modern legal language, there are a number of specific requirements for legal terms that must be taken into account during the translation process. These include: correspondence with the concept being denoted in the specialized field, the term's independence from context, the presence of a definition, a commitment to unambiguity, systematicity, functional consistency, compliance with terminological standards, rational conciseness, codification, justification, stylistic neutrality, derivational capacity, grammatical correctness, and accuracy. This list is not exhaustive, but it is important to adhere to these specific characteristics in order to distinguish between normative and non-normative terminology in the legal field [3, c. 280].

In terms of structure, the vast majority of legal terms are derived. More than half are compound terms, while all the others are formed using various methods of word formation (suffixation, prefixation, compounding).

All terms are classified by structure into: simple terms (consisting of a single word): legislation – legislation; compound terms (consisting of two words): Supreme Court – Supreme Court; and phrase terms (consisting of several components): specific performance – specific performance.

For the modern period of the English language, the most characteristic features are borrowings in the fields of international law and diplomacy, which stem from the rivalry between France and England in the struggle for the colonization of India and the Americas, as well as the alliance between France and England during the First and World Wars and France's significant influence on the development of international politics [4, c. 82].

Given these specific characteristics, the following most common techniques are used when translating legal terms:

– translation using a lexical equivalent, for example: legal case – судова справа, forensic medical examination – судово-медична експертиза, common law – загальне право, family law – сімейне право;

– calque (loan translation) – reproduction of the combinational structure of a word or phrase, where the constituent parts of the word (morphemes) or phrase (lexemes) are translated by corresponding elements of the target language, for example: accomplice of attempt – співучасник у замаху на життя; according to law – відповідно до закону;

– transcription is the formal reproduction of the original lexical unit using the phonemes of the target language, for example: securitization – сек'юритизація, lex scripta – писаний закон, ultra vires – поза компетенцією або за межами повноважень;

– transliteration is the formal reproduction of the original lexical unit using the alphabet of the target language, for example: solicitor – солісітор, barrister – баррістер, legitimism – легітимізм, vice-chancellor – віце-канцлер, vice-consul – віце-консул;

– descriptive translation is a lexical-grammatical transformation in which a lexical unit of the source language is replaced by a phrase that explains or defines it, for example: official accusation – офіційне звинувачення (у здійсненні злочину);

– approximate translation is a type of translation in which the main meaning of the word is preserved, but in the target language the word differs from the original in its lexical background, for example: police photographer – судовий фотограф, notary public – державний нотаріус;

– translation by means of an analogue is the use of one of several possible synonyms when translating a lexical unit, for example: claim – позов; праводомання; претензія; вимога, notice – попередження, повідомлення, заява, сповіщення, попереджати, заявляти сповіщати;

– translation by means of neologism involves creating a new word or phrase in the target language. In legal linguistics, a neologism implies the use of a term that does not exist in the legal system of the target language, for example: stay-in – пікетування; has-been – політичний діяч, який утратив свій вплив.

The problem of translating terminology is one of the main challenges in translating legal texts [5, c. 95]. All this is determined by a set of factors, among which it is worth highlighting the difficulties associated with the specific characteristics of legal terms; the difficulties arising from differences between legal systems of different countries, and therefore from differences in the scope of concepts conveyed by equivalent terms; as well as the difficulties caused by the existence of specific units that are unique to one system of terms,

and therefore lack equivalent counterparts in another legal system.

As mentioned, in practice there are quite often cases of differences in the grammatical, syntactic, and morphological structures of the English and Ukrainian languages. To resolve such discrepancies, certain transformations have to be used. They may be applied in the form of: transposition (rearrangement): prosecutorial judgement – рішення обвинувальної влади; substitution: Criminal Justice Act – Закон «про кримінальне правосуддя»; addition: citizen's arrest – затримання правопорушника цивільною особою; omission: sea lawyer – акула (спеціаліст із морського права) [6, с. 270].

The obvious lack of legal equivalents in the Ukrainian language forces lawyers to borrow most of the terms for legal professions. Thus, terms such as “solicitor,” “barrister,” and “attorney” have entered the Ukrainian language, which, in turn, require further explanation. It is therefore clear that the legislature must provide a single, unambiguous definition of the legal term, incorporating all essential characteristics that are regulatory in nature and have legal significance. The existence of several different legislative definitions for a term leads to ambiguity and vagueness in legal regulation, giving rise to misunderstandings and errors, typically on the part of those subject to the regulatory act. Problems arising from certain translation challenges have led to a proposal to render all key legal terms from Western languages into Latin in order to facilitate communication and the legal translation process. However, the problem remains that idea of using Latin cannot be put into practice, since the value of

Latin is diminishing year by year, particularly in the context of legal communication, and is quite limited.

Conclusions and prospects for further research.

Having analyzed the issues of translating legal literature, it is appropriate to propose ways to improve and simplify this complex and large-scale process. Considering that the main obstacles in translating legal terms into English lie in their polysemy, the lack of direct equivalents, and differences in language structures, it is advisable to apply the above-mentioned translation techniques, especially transcription, transliteration, calquing, and translation by selecting analogues.

It is important to note that the translation of legal terms involves transferring meaning from one legal system to another; therefore, special attention should be paid to the issues of adequacy and equivalence, since legal terms develop under different socio-cultural and historical conditions, and in most cases there is no complete equivalence between them. Thus, the study has shown that the difficulties in translating legal terms are caused by their polysemy and often by the absence of full equivalents in the target language. In order to achieve an adequate translation of legal terminology from English into Ukrainian, a translator must understand the principles of term formation, be familiar with current legislation, possess specialized vocabulary and knowledge of the specific use of foreign legal terminology in context, and use specialized reference materials. The improvement and modernization of national translation practices are of great importance for the further development of the state, the enhancement of its political and foreign economic reputation, as well as for strengthening cooperation within the framework of international activities.

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