

BILINGUAL LEXICOGRAPHIC RESOURCES IN SUPPORT OF ACQUIRING LEGAL TERMINOLOGY FOR TRANSLATION PURPOSES

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Abstract. The support of bilingual lexicographic resources is crucial in mastering legal terminology both in the target and source language. The present study has focused on Latvian-English and English-Latvian print and online lexicographic resources accessible for all parties interested in acquiring legal terminology in both languages, in particular in the light of the new school reform School 2030 where translation is mentioned among other competences that should be developed already at school. Even though several bilingual legal terminological dictionaries have been published it must be recognised that currently there is no comprehensive Latvian-English-Latvian dictionary of legal terms. At present the success or failure in mastering legal terminology largely depends on the background knowledge of the user. Trends prevailing in the study process as well as in translation practice confirm a marked movement towards the use of lexicographic resources in the digital format. It should be noted that this format also offers considerable advantages in designing dictionaries in respect of their content, volume, structure and user-friendliness. Digital format would allow developing a comprehensive bilingual dictionary of legal terms involving collaboration among legal professionals, terminologists and lexicographers. The microstructure of this dictionary should include labels, definitions, illustrative examples, etc. giving additional information and contexts where legal terms are used, thus providing important information for diverse groups of users – learners, legal professionals, translators and interpreters.

Key words: legal terminology, bilingual, lexicographic, digital format, translation

INTRODUCTION

In the increasingly expanding range of competences required by the contemporary labour market foreign language proficiency includes also translation and interpreting competence. It has been included in the new school reform programme School 2030 aiming to enhance the competitiveness of school-leavers on the labour market. It would be premature to maintain that the professions of a translator and an interpreter are doomed to become extinct in the near future as translation, in particular legal translation, only seems misleadingly simple and it is a more faceted process than most people are aware of.

In translation studies lexicographic sources play a significant role in fostering the development of professional competence of future interpreters and translators as well as the general public that might be interested in expanding their knowledge of domain-specific vocabulary.

The focus of the present research has been on lexicographic sources in the field of Latvian and English legal terminology and with due respect to authors who have compiled dictionaries it is clear that the process of refining this particular segment should be continued. As nowadays these are the electronic resources that are used extensively the advantages offered by online lexicographic resources should be put to good use even though it is evident that the process is time-consuming and labour-intensive.

The crucial issue is the scope of information that should be provided to facilitate quality translation and help avoid ambiguity, misinterpretation and translation errors. The term *līgums* denoting in its most general sense an understanding among several involved parties concerning a specific issue, their rights and responsibilities that can be oral and recorded in writing, has been chosen for better illustration of the above statements.

THEORETICAL BACKGROUND

Since the present study focuses on the investigation of lexicographic resources that can be used in the process of acquiring legal terminology for translation purposes, the review of theoretical background of the study will be divided in two sections devoted to the following topics – the peculiarities of legal terminology and translation, as well as some relevant aspects of lexicographic resources that can be used in translation process.

1 LEGAL TERMINOLOGY AND TRANSLATION

Terminology of various sectors has been extensively studied and documented. The same can be said of studies of legal terminology, and yet it has proved to be one of the most challenging tasks as legal terminology is directly related to the legal culture and history of the respective country and in every society it has acquired its own unique character. The transfer of legal terminology has been often described as a separate category in the translation theory due to the complex nature of legal discourse. Šarčević (2000: 55) emphasizes that ‘legal translation is no longer regarded as a process of linguistic transcoding but as an act of communication in the mechanism of law’ as the legal concepts are rooted in the culture and intellectual tradition of the particular society. Moreover, Chroma (2014: 121-122) has observed that the process of legal translation implies several stages, and it leads the scholar to the conclusion that in the case of legal translation ‘the source legal text essentially becomes a concrete outcome of the semiotic intersection between the source language and source law’ (ibid.: 121).

Furthermore, the translation of legal texts often implies a transfer of concepts between different legal systems – the civil law system and the common law system – with the ultimate goal of ensuring equivalence of terminology. The concept of equivalence is recognized to be one of the most controversial assumptions in translation theory – from total rejection of any possible equivalence to the breakdown of equivalence in various types (e.g., the distinction between directional vs. natural equivalence in translation studies by Pym (2007), and the classification of equivalents used in bilingual dictionaries suggested by Adamska-Sałaciak (2010)). Thus, terminology and reliable lexicographic sources remain a crucial part of the translation process and the key factor for ensuring quality translations. The statement expressed by Cabré and Sager (1999: 47) that translation ‘implies understanding the source text and this requires knowledge of the specific terms of the source and target languages’ remains valid and it has not been resolved.

Since equivalence is such a vaguely defined concept, there is no one correct route a translator must take in order to achieve it, it is the translator’s/interpreter’s responsibility to find the most appropriate terminological equivalent in the target language to convey the meaning of the concept designated by the term in the source language. This is where the bilingual lexicographic sources come to the fore as they will largely influence the success or failure of the translation process for all involved parties – learners eager to translate legal texts, translators entrusted with significant documents for translation, etc.

2 LEXICOGRAPHIC RESOURCES OF TERMINOLOGY

Various types of lexicographic resources providing legal terminology for translation purposes fall in the general category of specialized dictionaries. According to Fuertes-Olivera and Tarp (2014: 12-18) specialised lexicographical works, that can be named differently (e.g. Dictionaries, glossaries, terminological databases, resources), combine the properties of dictionaries and encyclopaedias, they can vary considerably in their microstructural complexity, and are currently available mostly in digital format demonstrating various degrees of utilizing the wide scope of opportunities offered to lexicographic works by this format.

Various scholars have discussed different essential microstructural elements of the law dictionaries underscoring the importance of inclusion of these information types in the entries of monolingual, bilingual as well as multilingual dictionaries of legal terms in order to meet the needs of the intended users. For instance, Garner (2014: 45-52) discusses issues related to precision of defining and inclusion of encyclopaedic information in monolingual dictionaries of legal terms focusing on the sources, content and volume of encyclopaedic information, and underscoring the fact that well selected quotations can ‘lend a greater degree of scholarly reliability to the dictionary’ (ibid.: 49). Focusing on the role of encyclopaedic

information in the entries of bilingual dictionaries of legal terms, van Lear (2014: 75-76) holds that some useful information that helps the translator to distinguish among the suggested equivalents and select the right one is provided only in very few dictionaries. The scholar also emphasizes the role of definitions and usage notes in establishing the meaning of legal concepts as well as the necessity to identify the degree of equivalence for the equivalents provided in bilingual dictionaries of legal terms. Chroma (2014: 130-131) points out the essential microstructural elements of an entry of a bilingual dictionary compiled to meet the needs of legal translators: definitions and explanations presenting the necessary encyclopaedic information, various types of target language (TL) equivalents, various types of sense indicators and labels (e.g. grammatical, geographical, metalinguistic). Special attention has also been paid to the choice of metalanguage that would meet the needs of the intended users (e.g. in Chroma, 2014: 130-131) and its direct link with the various functions of specialized dictionaries where a particularly important role is played by the native tongue of the target user group (Bergenholtz and Tarp (eds.), 1995: 20-26).

Dictionary users and their needs is an important aspect that has to be considered before compiling any type of specialized lexicographic resource, and bilingual dictionaries of legal terms in particular, since the target groups of these dictionaries may vary in various respects. Sandrini (2014: 144-145) distinguishes among three major groups of users who have to deal with legal texts written in a foreign language: translators who have to translate such texts, legal professionals who have to understand a legal text written in a foreign language, as well as any lay person who has to read and understand a legal document in another language. It is also stressed that if the legal systems behind both languages vary, the task is more difficult for all of these groups. Chroma (2014: 130) distinguishes among two groups of potential users of bilingual law dictionaries with different needs – translators and (comparative) lawyers. The translators would be interested in TL equivalents that are ready to be inserted in the TL text, while the lawyers would more likely be interested in the comparison of the legal concepts of both legal systems presented in both languages of the bilingual dictionary.

BILINGUAL LEXICOGRAPHIC RESOURCES PROVIDING LATVIAN-ENGLISH-LATVIAN LEGAL TERMINOLOGY

The analysis of the existing lexicographic resources providing Latvian-English-Latvian legal terminology for translation purposes will start with a brief review of the print and online lexicographic resources of legal terminology with a special focus on the scope of microstructural elements found in these dictionaries and terminology databases.

Four Latvian-English-Latvian print dictionaries of legal terms have been published in Latvia since 1993 (Condrell, S. O. and Condrell, W. K. (eds.), 1993;

Apinis (ed.), 2009; Eglītis, 2006; Daugavvanags and Kļimoviča, 2008). The first two are bidirectional (Latvian-English/English-Latvian) and the latter two are unidirectional (English-Latvian) dictionaries. There is only one medium-sized dictionary of legal terms comprising nearly 40 000 headwords, the rest of them are fairly small. Moreover, considering the years of publication, they are already quite obsolete. Only one of these dictionaries (Apinis (ed.), 2009), first published in the year 2000, has undergone a repeated edition in 2009 (only the latter edition has been analysed in this study, though the microstructure of both editions is nearly the same). Only one of the four print dictionaries can also be accessed in digital format (Eglītis, 2006). It should be noted that the present study focuses on the digital format of this dictionary (Eglītis, n.d.: Online). The analysis of the entry structure of Latvian-English-Latvian print dictionaries of legal terms reveals a fairly broad scope of microstructural elements: headword, secondary headwords, various types of TL equivalents, definitions, various types of labels, glosses, explanatory notes, usage examples; however, most of these microstructural elements are encountered only in the monodirectional English-Latvian dictionaries, thus revealing that only this direction of the bilingual dictionaries of legal terms compiled for the language pair of Latvian and English has been further developed. The entry structure of the bidirectional dictionaries comprises only lists of TL equivalents and definitions (that have not been provided consistently). It could be explained by the fact that both dictionaries are very small; moreover, one of them (Condrell, S. O. and Condrell, W. K. (eds.), 1993) was published shortly after the collapse of the Soviet Union and the regaining of independence (see Karpinska (2018, 2019) for a more comprehensive review of these dictionaries and their microstructural peculiarities).

Despite the fact that most of these print dictionaries are small, obsolete and marred by limitations of the print medium, the microstructure of both English-Latvian dictionaries largely corresponds to the list of microstructural elements highlighted in the theory review of the present study.

Four major electronic lexicographic resources of Latvian-English-Latvian legal terminology have been selected for analysis in this study – the dictionary portal *Letonika.lv* (*Letonika*, Online) comprising general English-Latvian and Latvian-English dictionaries enriched by terminology from various fields, as well as providing access to the terminological database *EuroTermBank* (ETB) (*ETB*, Online); the *Latvian National Terminology Portal* (LNTP) (*LNTP*, Online) comprising nearly 100 term collections representing various fields; and the *Interactive Terminology for Europe* (IATE) database (*IATE*, Online) encompassing more than 8 million terms from various fields. All of these multilingual lexicographic resources are freely accessible and comprise terminology from various fields including law.

The analysis of the microstructure of these electronic lexicographic resources reveals that trying to cater for the needs of Latvian users, both directions

(English-Latvian (EL) and Latvian-English (LE)) of the bilingual dictionary available at *Letonika* present different sets of microstructural elements: field labels, various sense indicators, equivalents, translated collocations, and sources of the entry (LE direction); pronunciation, part of speech and field labels, various sense indicators, equivalents, translated collocations, and sources of the entry (EL direction). The entry structure of the terminological dictionaries attached to these entries comprises the following microstructural elements: labels identifying the languages, synonyms, field labels, equivalents, and the sources of the entries. The basic elements of the microstructures of the ETB and the LNTP terminological databases are very similar, comprising labels for the selected languages, synonyms, equivalents, sources of the entry. Examples and definitions can be accessed when the entry is expanded, however, this information is not provided consistently. A more extended set of microstructural elements can be found in IATE database, though, apart from such essential microstructural elements as field labels, labels identifying languages, definitions and their sources, equivalents, collocations, and illustrative examples, its entries also comprise such specific information types as, for instance, the internal encoded ID of the term, language level notes and term notes, the creation and modification date of the term (see Karpinska and Liepiņa (2022) for a more detailed description of these electronic lexicographic sources and their microstructural peculiarities).

Most of the above microstructural elements are shared by general and terminological dictionaries, while some are characteristic only of terminology databases. Since one of the tasks of the present study is to suggest the possible microstructure of a dictionary of legal terms in digital format that would help learners, legal professionals, translators and interpreters in the process of acquiring legal terminology for translation purposes, only the microstructural elements useful for this type of dictionary will be selected. It should also be noted that since the entries of the terms presented in the above lexicographic resources tend to accumulate information from various sources, their structure can be quite fragmented and some information types can overlap, which can make them less user-friendly.

PRESENTATION OF THE TERM *LĪGUMS* IN ELECTRONIC LEXICOGRAPHIC RESOURCES

The *Latvian National Terminology Portal (LNTP, Online)* has amalgamated the sources published and lists 24 entries for the term *līgums* providing its equivalents in several languages and indicating the source – in most cases these are print dictionaries published some time ago. The following list of English equivalents for the term *līgums* can be found in the numerous sources provided in this terminology portal: *agreement, contract, treaty, accord, covenant, deed, pact, convention*. Though it should be noted that it is not legal terminology only in

the strictest sense of the word (the sources listed in the portal are also related to such fields as economics, energetics, tourism, customs, politics, etc.). Some of the sources also provide definitions and examples illustrating the contextual use of the terms, however, it is not done consistently.

The rest of this section presents a more detailed analysis of the presentation of the Latvian term *līgums*, some of its synonyms and their English equivalents, from the electronic dictionary portal *Letonika.lv* (*Letonika*, Online). It lists the following English equivalents for the term *līgums* – *agreement, contract, deed, covenant, treaty, pact* without providing examples of their usage in context. A similar list of equivalents is given for the Latvian term *vienošanās* – *agreement, contract, treaty, understanding, settlement*.

The Latvian-English-Latvian dictionary available at *Letonika* provides more information about the listed equivalents: *deed* is given as an equivalent for the Latvian words *darbība, rīcība, varoņdarbs*. However, the meaning of a *deed* as ‘any written instrument that is signed, sealed, and delivered and that conveys some interest in property’ given by *Black’s Law Dictionary* (BLD) (2009: 475) has been omitted altogether. As concerns the word *covenant*, *Letonika* gives the meaning of an agreement and lists it as a synonym for the Old and New Testament. The meaning given for the legal term by BLD (2009: 419) ‘A formal agreement or promise, usu. in a contract or deed, to do or not do a particular act’ has been left out even though it is used in the designation of one of the most important human rights instruments – the International Covenant on Civil and Political Rights – an international human rights treaty adopted by the United Nations in 1966 (Online 1). The same can be said about the term *pact* (‘An agreement between two or more parties; esp., an agreement (such as a treaty) between two or more nations or governmental entities (BLD, 2009: 1217)). Even though it is in the title of one of the legal documents that was crucial for the future of Latvia and Europe – the Molotov-Ribbentrop Pact (Online 2) – *Letonika* gives it only as a term used in customs.

There are three other legal terms – *concordat, accord, compact* – designating very specific agreements and found in the titles of various legal documents. The term *konkordāts* – *concordat* is listed in *Letonika*; however, without any more detailed information although it has a very specific meaning: ‘An agreement between a government and a church, esp. the Roman Catholic Church’ (BLD, 2009: 330).

The term *accord* means ‘An amicable arrangement between parties, esp. between peoples or nations’ (BLD, 2009: 18). It has been used in the designation of several significant documents in the banking sector – ‘The Basel Accords are a series of three sequential banking regulation agreements (Basel I, II, and III) set by the Basel Committee on Bank Supervision (BCBS)’ (Online 3). The term *accord* has also been used in the title of Dayton Accords, according to the *Encyclopaedia Britannica*, it is ‘a peace agreement reached on Nov. 21, 1995, by the presidents

of Bosnia, Croatia, and Serbia, ending the war in Bosnia and outlining a General Framework Agreement for Peace in Bosnia and Herzegovina' (Online 4).

The term *compact* meaning 'An agreement or covenant between two or more parties, esp. between governments or states' (BLD, 2009: 318) cannot be bypassed, in particular in the context of US history as it is found in the title of the first historical document drawn by Pilgrims from the Mayflower in the winter of 1620 before disembarking where they set the rules for self-governance to be followed to ensure their survival (Online 5).

MICROSTRUCTURE OF AN ELECTRONIC DICTIONARY OF LEGAL TERMS

The proposed microstructure of a free-access bilingual dictionary of legal terms in digital format compiled to meet the needs of learners, legal professionals, translators and interpreters should comprise microstructural elements that might be helpful in the process of acquiring legal terminology for translation purposes. It has been designed to help the user in the process of selection of the appropriate equivalent. The general microstructure of the dictionary would comprise the following microstructural elements (this is the list of elements of the abstract microstructure of the dictionary, though the concrete microstructures of various types of entries may not include the whole set of elements):

- headword
- equivalent(s)
- definitions
- various types of labels (e.g. field, geographic, register)
- various types of sense indicators
- various types of notes
- illustrative examples
- translated collocations.

A sample entry has been compiled to illustrate the structure and contents of the bilingual entry for the term *līgums*. Due to the restricted volume of the present study, only an illustrative fragment of the entry has been presented here. The sample entry illustrates the Latvian-English part of the dictionary that attempts to cater for the needs of Latvian users, though it should be noted that considering the anticipated English language proficiency level of the target users, English has been selected as the metalanguage for presentation of definitions and usage notes. The English equivalents of the Latvian term *līgums* presented in this sample entry are taken from the set of equivalents provided in the above analysis of the Latvian-English-Latvian lexicographic sources. The definitions of the equivalents given in the sample entry have been taken from *Black's Law Dictionary* (BLD, 2009), though, if necessary, the scope of the sources of definitions (as well as examples) might be considerably expanded. Where required, notes (explanatory or usage) have been provided comprising some additional encyclopaedic

or linguistic information. The examples provided in this sample entry have been selected from the set of authentic examples of use selected from a multi-billion web corpus applying the corpus search tool *SKELL* (Sketch Engine for Language Learning) (*SKELL*, Online 6). In order to avoid overextended entries hindering the look-up process, in the digital version of the dictionary the list of collocations supplemented with their TL equivalents would appear in an expandable section entitled *Collocations*. The referencing system applied in the sample entry has been adapted to research purposes, however, it might be modified and generalized when the material is presented in an online dictionary.

ligums

- agreement

DEFINITION: 'A mutual understanding between two or more persons about their relative rights and duties regarding past or future performances; a manifestation of mutual assent by two or more persons.' (BLD, 2009: 78)

USAGE NOTE: 'The term *agreement*, although frequently used as synonymous with the word *contract*, is really an expression of greater breadth of meaning and less technicality. Every contract is an agreement; but not every agreement is a contract.' (BLD, 2009: 78)

EXAMPLES:

- 'Either Party may terminate this Agreement by written notification to the other Party.' (*SKELL*, Online 6)
- 'This Agreement is valid for a period of one (1) year and is automatically renewed unless canceled by either party upon written notice thirty (30) days prior to expiration of the Agreement.' (*SKELL*, Online 6)

COLLOCATIONS:

- binding agreement – saistošs ligums
- breach of agreement – liguma pārkāpums
- a gentlemen's agreement – "džentlmeņu" vienošanās
- a handshake agreement – mutiska vienošanās veikt darījumu

- covenant

Definition: 'A formal agreement or promise, usu. in a contract or deed, to do or not do a particular act.' (BLD, 2009: 419)

EXAMPLES:

- 'If an insurance company violates that covenant, the insured person (or "policyholder") may sue the company on a tort claim in addition to a standard breach of contract claim.' (*SKELL*, Online 6)
- 'While mortgage assistance programs increase home ownership opportunities, most come with restrictive covenants.' (*SKELL*, Online 6)

COLLOCATIONS:

- inviolable covenant – nepārkāpjama vienošanās
- irrevocable covenant – neatceļama vienošanās

- treaty

Definition: 'An agreement formally signed, ratified, or adhered to between two nations or sovereigns; an international agreement concluded between two or more states in written form and governed by international law.' (BLD, 2009: 1640)

EXPLANATORY NOTE: 'Conventions, agreements, protocols, and exchange of letters or notes may all constitute treaties. A treaty must be governed by international law and is normally in written form.' (*Treaty Handbook*, 2006: 65)

EXAMPLES:

- 'The parliament also ratified 40 international treaties and conventions during its term.' (SKELL, Online 6)
- 'The European Ombudsman was established by the Maastricht treaty, the treaty establishing the European Union.' (SKELL, Online 6)

COLLOCATIONS:

- bilateral treaty – divpusējs līgums
- multilateral treaty – daudzpusējs līgums
- unequal treaty – nevienlīdzīga vienošanās

CONCLUSIONS

The general trends prevailing both in the study process and translation practice confirm a marked movement towards the application of lexicographic resources available in the digital format. Since this format also offers considerable advantages in designing lexicographic resources in respect of their content, volume, structure and allows the compilers to make them more user-friendly, digital format would be most appropriate for developing a bilingual dictionary of legal terms aimed at providing support in the process of acquiring legal terminology for translation purposes. The model dictionary proposed in this study would be an electronic free-access bilingual dictionary of legal terms. The proposed dictionary is bilingual, but potentially it could be transformed into a multilingual dictionary with an option to select a particular language pair. Some sections of the microstructure of the dictionary could be made expandable to avoid overcrowded entries, thus ensuring the user-friendliness of this lexicographic resource. It should be underscored that in order to enhance its quality this lexicographic project should involve close collaboration among legal professionals, terminologists and lexicographers. The microstructure of this dictionary should include such elements as labels, sense indicators, definitions, notes, illustrative examples, etc., giving additional information about legal terms and helping the users distinguish among the TL equivalents presented in the entries in the dictionary, thus providing important information for its intended users – learners, legal professionals, translators and interpreters.

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