

Translation of Legal Terms: Bilingual Dictionary vs Parallel Corpus

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Summary. The article explores the use of bilingual dictionaries and parallel corpora for translating special texts. The specifics of translation of a legal term from Ukrainian into English with the help of traditional dictionaries (component analysis) and text corpora (corpus analysis) is studied. The author proves that only a large array of examples of the use of the word provides the translator with sufficient material for a deep semantic analysis of the related language units and making the right translation decision.

Keywords: *bilingual dictionary, parallel corpora, translation, legal term, equivalent.*

Introduction. Today, many scientific fields suffer from a lack of up-to-date relevant dictionaries. It stems from the fact that some industries are developing very fast and the urgent needs of science are outracing the special lexicography. The parallel corpus demonstrates its versatility for any user – it can be used as a practical tool by a translator, as a source of theoretic data by a researcher, and by a nonexpert for various purposes. Is there any difference between using a bilingual traditional dictionary and a parallel corpus?

A brief overview of publications on the topic. Corpora Linguistic is quite a new tool for researchers and translators. Recently, studies on various aspects of this new scientific field have appeared. There are some works in parallel corpora (Y. Adesam [1], T. McEnery & R. Xiao [2], W. Teubert [3] and other) and their use in translation (M. Baker [4], L. Bowker [5], R. Marcinkevičienė [6] and other). However, most of the issues have not been adequately explored yet and need to be developed in detail. One of the issues that need to be studied and that is analyzed in this article is the use of a parallel corpus for the translation of special (in our case, legal) texts.

The **purpose of the research** is to compare the effectiveness of a bilingual dictionary and a parallel corpus while translating legal texts, and to check the quality of texts translated with the help of the bilingual dictionary and the parallel corpus.

Materials and Methods. For a long time, traditional dictionaries were the only the source of linguistic information for a translator. The intensified processes of computerization, migration, informatization and, as a result, widespread globalization have expanded the range of such tools to completely atypical sources. Today, diversification processes are observed in all translation activities, which is facilitated, among other things, by the expansion of sources of reference information engaged by translators in solving linguistic problems. One of such sources is a computer database consisting of the aligned sentences from the texts in the source language and their translations in the target languages.

One of the main characteristics of any text corpus is functioning of each language unit in a certain context. Some traditional dictionaries (explanatory ones in particular) also contain examples of the use of a word or a construction in texts. But the analysis of these examples demonstrates a rather one-sided representation of genres, and examples often turn out to be dead, frozen in the past. For example, the Ukrainian explanatory dictionary con-

tains three illustrative examples for a legal noun *адвокат*:

– *З мене адвокат – он який вийде! (Панас Мирний, V, 1955, 170); – Рятуй мене, Насте! ..Піди до адвоката, заплати йому, що хоче (Михайло Коцюбинський, I, 1955, 76); Марко Черемшина.. усе життя заробляв собі хліб як селянський адвокат у глухому містечку (Петро Козланюк, Відродження.., 1950, 79) [7, p. 19].*

Obviously, that these and similar text fragments are of no value for the translator of modern, especially professional, texts, since they contain texts that are outdated and nonterminological. The first example is from the comedy “Peremudryv” by Paras Myrnyi written in 1886, the second example is from the short story “Fata morgana” by Mykhailo Kotsiubynskyi written in 1904, and the third one is from the book “Vidrodzhennia narodu” by Petro Kozlaniuk published in 1950. Not only the years of writing of these texts cause doubts on their relevance in the modern dictionary, but also the fact that the terminological units are illustrated with non-professional texts puts into doubts the validity of the approach to selection of the illustrative material itself. As we see, two of these examples are from the fiction books and do not give any additional professional extralingual information for understanding the exact rendering and the idea behind the term. So, the selection criteria and the appropriateness of these examples in dictionary entries is of big question.

As for the Ukrainian-English traditional bilingual legal dictionaries, we have not found a single dictionary containing examples of the use of terms and terminological constructions in the texts. All this makes it impossible to demonstrate the functioning of a language unit in a wide range of contexts, that is, the bilingual dictionary offers just contextless equivalents. For example, translation of a legal term *адвокат* in the Ukrainian-English legal dictionary:

адвокат: “*attorney, counsel, lawyer*” [8, p. 5].

For a more accurate understanding of the equivalence of the unit being analyzed, we can check it in the reverse order, i.e. in the English-Ukrainian dictionary with the nouns containing a word *адвокат* as an equivalent for other units:

an advocate: “*адвокат, захисник*” [9, p. 27; 10, p. 52];

an attorney: “*2) повірений (у суді); юрист, адвокат*” [9, p. 54]; “*уповноважений, уповноважений; повірений, адвокат; юрист; прокурор; чиновник органів юстиції; аторней*” [10, p. 96];

a counsel: “3) *адвокат*, який бере участь у справі; *баристер*” [9, p. 128]; “консультант; юрисконсульт, представник захисту; прокурор; представник обвинувачення; *адвокат*, який бере участь у справі; *баристер*, *адвокат*, який має право виступати в найвищих судах” [10, p. 246];

a jurist: “юрисст, вчений-юрисст; знавець із правових питань; цивіліст, публіцист” [9, p. 278]; “юрисст, учений-юрисст, законознавець, правознавець, правник, цивіліст, фахівець із цивільного права; суддя; *адвокат*” [10, p. 577];

a lawyer: “юрисст, *адвокат*, консультант із питань права, юрисконсульт” [9, p. 293]; “юрисст, *адвокат*; законознавець; юрисконсульт, консультант з питань права; правник, правознавець” [10, p. 595].

So, the Ukrainian word *адвокат* is proposed as a translation equivalent for all these terms. But from this data it is almost impossible to understand the difference between synonyms to use in the translation. The situation is complicated by the fact that the boundaries between synonyms and shades of their meanings in different languages do not match. So, which of the units can be translated into English for *адвокат* and in which contexts? To evaluate the semantic content of each participant in the synonymic chain and choose the equivalent with the necessary shades of meaning, the translators appeal to explanatory dictionaries. For example:

адвокат – “юрисст, що захищає обвинуваченого або веде якусь справу в суді, а також дає поради з правових питань; захисник, оборонець” [7, p. 19].

After clarifying the lexical meaning of a unit of the source language, the translator goes through the same procedures with the units proposed by the bilingual dictionary as translation equivalents:

an advocate: “one who pleads the cause of another in a court of law; one who defends, vindicates, or espouses a cause by argument; a pleader in favor of something; intercessor” [11, p. 26];

an attorney: “a legal agent who represents a client in legal affairs; a lawyer; one who is legally appointed or admitted in the place of another to transact any business for him” [11, p. 102];

a counsel: “a lawyer engaged in a court trial or managing a case in court; a lawyer appointed as an advisor” [11, p. 363];

a jurist: “a lawyer, a judge; one versed in law; esp. civil law; a writer on law” [11, p. 821];

a lawyer: “a person trained in the law; one whose profession is to conduct lawsuits in a court or to give legal advice and aid; attorney-in-law” [11, p. 849].

The component analysis of the definitions shows the following logical (overlapping) relations between the units being studied:

Table 1. Comparative analysis of the semantic components of the nouns *адвокат* and *an advocate*.

<i>адвокат</i>		<i>an advocate</i>	
different semes	related semes		different semes
<ul style="list-style-type: none"> ▫ юрисст; ▫ дає поради з правових питань 	<ul style="list-style-type: none"> ▫ захищає обвинуваченого; ▫ веде справу в суді; ▫ захисник; ▫ оборонець 	<ul style="list-style-type: none"> ≈ ≈ ≈ 	<ul style="list-style-type: none"> ▫ one who defends; ▫ one who pleads the cause of another in a court of law; ▫ a pleader in favor of something ▫ vindicates; ▫ espouses a cause by argument; ▫ intercessor

Table 2. Comparative analysis of the semantic components of the nouns *адвокат* and *an attorney*.

<i>адвокат</i>		<i>an attorney</i>	
different semes	related semes		different semes
<ul style="list-style-type: none"> ▫ захищає обвинуваченого; ▫ веде справу в суді; ▫ захисник; ▫ оборонець 	<ul style="list-style-type: none"> ▫ юрисст; ▫ дає поради з правових питань 	<ul style="list-style-type: none"> ≈ ≈ 	<ul style="list-style-type: none"> ▫ a lawyer; ▫ a legal agent who represents a client in legal affairs ▫ one who is legally appointed or admitted in the place of another to transact any business for him

Table 3. Comparative analysis of the semantic components of the nouns *адвокат* and *a counsel*.

<i>адвокат</i>		<i>a counsel</i>	
different semes	related semes		different semes
<ul style="list-style-type: none"> ▫ захищає обвинуваченого; ▫ захисник; ▫ оборонець 	<ul style="list-style-type: none"> ▫ юрисст; ▫ веде справу в суді; ▫ дає поради з правових питань 	<ul style="list-style-type: none"> ≈ ≈ ≈ 	<ul style="list-style-type: none"> ▫ a lawyer; ▫ engaged in a court trial or managing a case in court; ▫ a lawyer appointed as an advisor

Table 4. Comparative analysis of the semantic components of the nouns *адвокат* and *a jurist*.

<i>адвокат</i>		<i>a jurist</i>	
different semes	related semes		different semes
<ul style="list-style-type: none"> ▫ захищає обвинуваченого; ▫ веде справу в суді; ▫ дає поради з правових питань; ▫ захисник; ▫ оборонець 	<ul style="list-style-type: none"> ▫ юрисст 	<ul style="list-style-type: none"> ≈ 	<ul style="list-style-type: none"> ▫ a lawyer ▫ a judge; ▫ one versed in law; esp. civil law; ▫ a writer on law

Table 5. Comparative analysis of the semantic components of the nouns *адвокат* and *a lawyer*.

<i>адвокат</i>		<i>a lawyer</i>	
different semes	related semes	different semes	different semes
<ul style="list-style-type: none"> ▫ юрист; ▫ захищає обвинуваченого; ▫ захисник; ▫ оборонець 	<ul style="list-style-type: none"> ▫ веде справу в суді; ▫ дає поради з правових питань 	<ul style="list-style-type: none"> ≈ ≈ 	<ul style="list-style-type: none"> ▫ one whose profession is to conduct lawsuits in a court or to give legal advice and aid ▫ a person trained in the law; ▫ attorney-in-law

Comparison of the seme structure of these terms allows to identify the overlapping points of the term *адвокат* word with the equivalents proposed by the dictionaries.

Table 6. Comparison of the seme structure of the terms being analyzed.

	<i>адвокат</i>					
	<i>юрист</i>	<i>захищає обвинуваченого</i>	<i>веде справу в суді</i>	<i>дає поради з правових питань</i>	<i>захисник</i>	<i>оборонець</i>
<i>an advocate</i>		*	*		*	*
<i>an attorney</i>	*			*		
<i>a counsel</i>	*		*	*		
<i>a jurist</i>	*					
<i>a lawyer</i>			*	*		

The analysis shows that the best equivalent, according to the component analysis and the dictionary data, for the term *адвокат* is *an advocate* (4 semes (67%) of 6 are similar). But even such a detailed component analysis does not give the full range of information needed by a translator, as all these relations can be proved only by text examples, which bring additional information for the analysis of the term, namely: grammar functions, distributional environment, intracontextual and intercontextual links, syntactic relations, etc. For example, English nouns *a jurist* and *a lawyer*:

“The task, however, of administering justice in the state as well as national courts, from the new and peculiar relations of our system, must be very laborious and perplexing; and the conflict of opinion upon general questions of law, in the rival jurisdictions of the different states will not be less distressing to the philosophical jurist, than to the practical lawyer” [12, p. 14].

“Without the client's informed consent, a lawyer may not act as advocate in an adjudicatory proceeding in which another lawyer in the lawyer's firm is prohibited by paragraphs (a) or (b) from serving as advocate. If the lawyer to be called as a witness could not also serve as an advocate under this Rule, that lawyer shall not take an active role before the tribunal in the presentation of the matter” [13];

and Ukrainian nouns *юрист* and *адвокат*:

“Звичайно, юрист, що має відповідне адвокатське свідоцтво, може працювати за наймом у юридичній службі суб'єкта господарювання. Однак такий юрист в рамках своїх трудових обов'язків не може реалізувати професійні права адвоката” [14, p. 43-44].

After sampling the vocabulary data followed by a detailed component analysis of dictionary units, thorough examination of the available texts containing the unit being translated, the translator receives a sufficient array of information data to make the correct translation decision. However, such complex, energy-intensive and time-consuming operations cannot be used when working with translation texts and make the work of the translator near-impossible.

So, not a single dictionary can convey additional shades of meaning that are provided, including, by non-verbal components, like the speaker's intentions, the contextual environment of the unit, etc. All these factors can be taken into account by the parallel corpus, which contains contemporary texts that makes it an actual source of lexical and semantic information for most modern scientific fields, and “a parallel corpus of a reasonable size contains more knowledge about translational equivalence than any bilingual desk dictionary” [3, p. 249]. Most researchers agree that “the corpus-aided translations were of higher quality in respect to subject field understanding, correct term choice, and idiomatic expression” [5, p.631]. Corpus analysis helps translators understand and even feel “how the idea in one language is conveyed in another language” [2, p. 22]. This method has been actively developed over the past decades and provides unique integrated solutions for many research and practical tasks.

There are different types of text corpora which can be used for translation. In general, three types of corpora are considered to be the most effective for translation purposes: a parallel (“original, source language-texts in language A and their translated versions in language B” [4, p. 230]), a comparable (“two separate collections of texts in the same language: one corpus consists of original texts in the language in question and the other consists of translations in that language from a given source language or languages” [4, p. 234]), and a multilingual (“sets of two or more monolingual corpora in different languages, built up either in the same or different institutions on the basis of similar design criteria”) [4, p. 232] corpus.

Unfortunately, today there are no full and reliable Ukrainian-English corpora of special (including legal) texts. For this research, we use fragments of special texts organized and aligned in the corpus order, obtaining primary but sufficient for research purposes corpus data.

Table 7. Fragment of the Ukrainian-English parallel legal corpus (units with the root *-адвокат-*).

Ukrainian [15]	English [16]
У разі виникнення обставин несумісності, встановлених частиною першою цієї статті, адвокат у триденний	Within three days of the occurrence of the circumstances of incompatibility set out in part 1 of this Article an advocate

<p>строк з дня виникнення таких обставин подає до ради адвокатів регіону за адресою свого робочого місця заяву про зупинення адвокатської діяльності.</p>	<p>shall submit an application for suspension of the practice of law to the regional bar council in the place of his/her work.</p>
<p>Керівником стажування може бути адвокат України, який має стаж адвокатської діяльності не менше п'яти років. В одного адвоката можуть проходити стажування не більше трьох стажистів одночасно. Рада адвокатів регіону може призначити керівника стажування з числа адвокатів, адреса робочого місця яких знаходиться у відповідному регіоні.</p>	<p>The traineeship may be supervised by an advocate of Ukraine who has been practicing law for at least five years. One advocate may supervise traineeship of not more than three trainees simultaneously. The regional bar council may appoint a traineeship supervisor from among advocates whose official work place address is in the respective region.</p>

Our study proves that often, the translations contained in the corpus do not coincide with any of the dictionary equivalents of the translation of the word, since “prototypical equivalents are not usable in most of the contexts” [6, p.53]: the derivatives from the root *-адвокат-* are translated not only with the dictionary equivalents: *advocate, bar, law*.

So, only a large array of examples of the use of the word provides the translator with sufficient material for a deep semantic analysis of the related language units and making the right translation decision. If before the translators used to search for as many as possible equivalents of a particular word or structure proposed by various dictionaries, now they work not with the word but with the contexts in which every unit operates, and can choose and compare the equivalents offered by dictionaries, corpora, texts.

Results and their Discussion. The very idea of using not dictionaries, but parallel corpora for translation changes both the approach to the so-called vocabulary work of the translator preceding the translation and the procedure for such work. With the help of the corpus, the translator can go beyond the language and analyze extralingual information. At the same time, the corpus provides the translator with the material for critical perception of not only the proposed successful translation decisions, but also of the moments of misunderstanding and mistranslation of the unit being worked on by the translator, translated by other translators in other contexts, which also gives grounds for crystallizing the meaning and choosing the most appropriate variants. In cases where more than one equivalent can be used for translation and there is a need to choose, the parallel corpus organizes records in the order of frequency of use of each equivalent, which allows to choose the best variant from the possible. All these facts necessitate further study of the relationship between the translation equivalents contained in the dictionary and the equivalents offered by the parallel corpus.

Conclusions. Of course, the database of the parallel corpus of any language can be composed of works of classic literature, traditional scientific, technical, official, business, and other texts with their translations. We see this pattern in traditional dictionaries. But for the representativeness of the text corpus, it is also important to constantly and quickly replenish them with new and up-to-date texts with high-quality translations. Obviously, texts created in bilingual countries or bilingual communities are of the highest quality for creating parallel corpora. Such texts provide perfect verbal material. In Ukraine, most texts created in Ukrainian and Russian can be considered as such. As for other languages (including English), today we are lack of sources of reliable and verified data. This is the subject of a further search for solutions to this problem.

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