

## SPECIFIC FEATURES OF LEGAL VOCABULARY IN SIMULTANEOUS INTERPRETATION

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### **Abstract**

This article is devoted to the peculiarities of the legal text in the process of legal translation. Although jurists in all languages deal with similar issues, they do so in unique ways due to the fact that they are written in different languages and the cultural differences of the societies in question and their legal systems. In this regard, legal translation skills are required from them. Legal translation is a complex process that relies on many factors, the most important of which is to render the linguistic and legal interpretation of a legal text in its entirety in a suitable equivalent text in another language.

**Key words:** juridical vocabulary, practice of translation, legal translation problems, neologisms, Anglo-Saxon system of law, Latin expressions, clichéd nature, interpretation principles.

### **Annotatsiya**

Ushbu maqola yuridik tarjima jarayonida yuridik matnning o'ziga xos xususiyatlariga bag'ishlangan. Garchi barcha tillardagi huquqshunoslar o'xshash masalalar bilan shug'ullansalar ham, ular turli tillarda yozilganligi hamda ko'rib chiqilayotgan jamiyatlar va ularning huquqiy tizimlarining madaniy farqlari tufayli buni o'ziga xos usullar bilan amalga oshiradilar. Shu munosabat bilan ulardan yuridik tarjimonlik mahorati talab etiladi. Yuridik tarjima ko'plab omillarga tayanadigan murakkab jarayon bo'lib, ulardan eng muhimi yuridik matnning to'liqligicha boshqa tildagi mos ekvivalent matnda lingvistik va huquqiy talqinini berishdir.

**Kalit so'zlar:** yuridik lug'at, tarjima amaliyoti, huquqiy tarjima muammolari, neologizmlar, anglo-sakson huquq tizimi, lotincha iboralar, klich tabiat, talqin qilish tamoyillari.

### **Аннотация**

Данная статья посвящена особенностям юридического текста в процессе юридического перевода. Хотя юристы на всех языках занимаются схожими вопросами, они делают это уникальными способами из-за того, что они написаны на разных языках, а также из-за культурных различий рассматриваемых обществ и их правовых систем. В связи с этим от них

требуются навыки юридического перевода. Юридический перевод – сложный процесс, зависящий от множества факторов, наиболее важным из которых является передача лингвистического и юридического толкования юридического текста в целом в подходящий эквивалентный текст на другом языке.

**Ключевые слова:** юридическая лексика, практика перевода, проблемы юридического перевода, неологизмы, англосаксонская система права, латинские выражения, клише, принципы толкования.

The growth of international cooperation, trade, tourism and emigration arouses the interest of both linguists and legal experts in the theory and practice of legal translation. The existing difference in the laws of countries, basic features typical of Russian and English legal discourse should be taken into account when dealing with juridical texts. The issue of adequate transfer of the content of legal documents is one of importance when translating from one language to another. To identify the basic features typical of the English juridical vocabulary and to offer a methodology for solving the problems occurring when translating juridical texts, the authors implement the methods of syntactic, vocabulary, comparative and comparative translation analysis. The studied material is certain lexemes (commonly used words, terminology, professionalisms, Latinisms, abbreviations and idioms), legal texts (court rulings, legal contracts, official business documents) taken from the authentic British and American legal sources as well as examples from the authors’ translation and teaching practices. The authors believe that a retrospective analysis of conditions contributing to Legal English historic development will facilitate sufficient comprehension of subject areas constituting legal discourse. The findings indicate that the difference between the Russian and English juridical lexemes is conditioned by both linguistic and extra-linguistic factors.

Currently, one cannot overstate the importance of the theory and practice of translation, specialized legal documentation, legislative acts and literature in particular. The relevance of the research is associated with the rapid growth of international contacts at the individual and public levels both in the professional environment (business communication, negotiations, lawsuits and cases involving foreign individuals or legal entities), and in the domestic sphere (tourism, emigration). Accordingly, the legal translation problems constantly require an in-depth study and systematization due to its complexity consisting in the discrepancy between the Anglo-Saxon and post-Soviet systems of law, and consequently, in the formation of gaps and neologisms in translation. The novelty of the study is the categorizing of the English legal vocabulary sources as well as English legal vocabulary characteristics classification based on both linguistic and extra-linguistic criteria. The so-called “legal English” was developed at the intersection of three layers of cultures - ancient Latin

(the roots of modern legal systems in Roman law, the rule of the Roman Catholic Church at a certain historical stage), archaic English (lexical units taken from “the grand style” and ancient linguistic forms), modern (clichéd and connected with other fields of knowledge). The study considers some distinctive features of each of the above-mentioned fields.

Old English archaisms are the second most important source of legal vocabulary in the English language. Historical, political, legal and religious documents such as the Habeas Corpus Act (1679), Bill of Rights (1689), King James Version Bible (1611) played a great role in lexical borrowings. They remain significant cultural monuments as well as current legislation in some cases. However, Old English archaisms definitely have limitations in use. Thus, there is a tendency to reduce their use frequency in the modern legal field (especially the American one). Burukina points out that “despite the obvious advantage of using archaic words in legal documents their functionality is a matter of debate. Some terms and definitions that are no longer in use are an obstacle to a full understanding of the text. For this reason, for a reader who does not understand the peculiarities of juridical vocabulary, the text will seem difficult to understand”. The current state of the English juridical field is characterized by a high level of clichés, contextuality, and even some departure from traditional norms.

The contextuality of English legal terminology is expressed in the situational nature of certain phrases or individual words meanings. For example, the phrase “courts and tribunals” in the legal sphere should not be translated literally, such as “judicial institutions”, “judicial authorities”. The adjective-prepositional phrase “subject to” has nothing to do with literal “subjectivity” but expresses a variety of semantics: “undergo”, “serve”, “have the right”, “be dependent on”, “be conditioned by”, “be under the authority”. According to E. S. Maksimenko, “the translation of phrases with “subject to” has some difficulties and is not deduced from those correspondences given in various dictionaries. This phrase acts in two functions: as an adjective as part of a nominal predicate or as a phrase preposition” (Maksimenko, 2003). The author gives the following example when the phrase “subject to” acquires unexpected contextual meanings in legal and economic texts: “subject to any damages which may be due” in a particular contract means “retaining the right to compensation for any possible losses”.

Another important characteristic of English legal texts is their clichéd nature. It should be noticed that a phrase or sentence is actually an integral lexical unit, therefore, it is unacceptable to change it by omitting some elements – the translator transfers the cliché using unique equivalents. For example, “to adjudicate (not “make decisions”) in disputes”; “at the discretion (not “at the consideration”) of the court”; “formation process” (not “the process of making a contract”), etc. The English commercial and business spheres are also characterized by fixed “subject-object” pairs, where the main

semantic distinguisher is not the word root, but the suffix: “drawer” (the person writing a cheque to tell the bank to pay some amount of money to somebody) – “drawee” (the person or company that accepts and pays the amount of money written on a bill of exchange), “endorser”( the person that signs the back of a cheque, bill of exchange, written out to them to give permission for it to be paid to somebody else) – “endorsee” (the person whose name is written on the back of a cheque, bill of exchange, etc. so that they can get the money from it instead of the person it was originally written for), “employer” (a person or organization that employs people) – “employee” (somebody who is paid to work for somebody else). In some cases, the discrepancy between Russian and English legal clichés is observed both at the lexical and syntactic levels. In particular, the phrase “hereinafter referred as” means “a term that is used to refer to the subject already mentioned in the remaining part of a legal document”; “this agreement is made effective on ...” means “the date of signing the contract”; “with effect from the date hereof” means “go into effect from the current date”.

To conclude, legal translation in international law is a highly specialized field, demanding an interdisciplinary approach from the translator which takes into consideration the specifics of legal science, especially the findings of international and comparative law, as well as the peculiarities of legal language. Translators are increasingly perceived as expert intercultural communicators. Additionally, because of multilingual systems adopted in such institutions, legal translation is heavily based on interpretation principles.

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