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**Viktoria Sokolova**

Research supervisor: **Oksana Halych**

Doctor of Philology

Full Professor

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КУРСОВА РОБОТА

З ПЕРЕКЛАДУ

СТРУКТУРНО СЕМАНТИЧНІ ОСОБЛИВОСТІ ПЕРЕКЛАДУ  
ЮРИДИЧНИХ ТЕРМІНІВ В АНГЛІЙСЬКІЙ ТА УКРАЇНСЬКІЙ МОВАХ

**Соколова Вікторія**

Студентка групи Па 17-20

Керівник курсової роботи \_\_\_\_\_

(підпис)

Доктор філологічних наук, професор

**Оксана Галич**

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## Introduction

The relevance of this study is driven by the growing need for qualified translators of legal texts due to international integration and globalization. Legal documents such as contracts, laws, regulatory acts, and court decisions often require translation from English to Ukrainian and vice versa. This requires not only a deep understanding of linguistic structures but also knowledge of the legal systems of both languages. Incorrect translation of legal terms can lead to serious legal consequences, making it essential to study the structural and semantic features of these translations.

**The object** of the study is legal texts translated from English to Ukrainian and from Ukrainian to English. These may include contracts, laws, decrees, court decisions, and other official documents.

**The subject** of the study is the structural and semantic features of translating legal terms in these texts. This includes the analysis of syntactic structures, semantic meanings, stylistic features, and compliance with the legal norms of both languages.

**The aim** of the study is to identify and analyze the structural and semantic features of translating legal terms from English to Ukrainian and vice versa, as well as to determine the main difficulties that arise in this process. Achieving this goal will improve the quality of legal text translations and reduce the likelihood of errors.

To achieve this aim, the following tasks are set:

1. To study the theoretical foundations of translating legal terms, including the main principles and methods of translation.

2. To identify and analyze the structural and semantic features of legal terms in English and Ukrainian.

3. To analyze existing methods of translating legal terms, identifying their advantages and disadvantages.

4. To assess the impact of the legal systems of Ukraine and English-speaking countries on the process of translating legal terms.

5. To develop recommendations for translators of legal texts aimed at improving the accuracy and adequacy of translations.

**The methods** of the study include comparative analysis of legal texts, translation analysis methods, content analysis, semantic analysis, and synchronous and diachronic analysis methods. Comparative analysis will help identify differences and similarities between Ukrainian and English legal terms. Content analysis will determine the frequency of use of certain terms and their translation variants. Semantic analysis will focus on studying the meanings of legal terms in context.

**The structure** of the work consists of an introduction, two chapters, conclusions, a list of references, and appendices. The first chapter covers the theoretical foundations of translating legal terms, including the definition of key concepts and principles. The second chapter analyzes the structural and semantic features of legal terms in both languages based on specific examples. It also presents practical recommendations for translators based on the conducted analysis and suggests methods for improving translations.

Thus, this study will contribute to a deeper understanding of the features of translating legal terms and help improve the quality of translations in this important field, thereby enhancing the level of legal protection and interaction between English-speaking and Ukrainian-speaking entities in legal relations.

## **Chapter 1 Theoretical aspects of translation of legal terms**

### **1.1 Linguistic phenomena of translation**

A linguistic phenomenon is any phenomenon or phenomenal aspect that occurs in language or speech and is the subject of linguistic study. This can include a wide range of phenomena such as phonetics (the sound system of a language), morphology (the structure of words), syntax (the structure of sentences), semantics (the meaning of words and sentences), pragmatics (the use of language in specific situations), stylistics (the way language is used to achieve a particular effect) and many other aspects that are studied within the field of linguistics.

For example, linguistic phenomena may include such concepts as gender grammar (gender-specific word declension), linguistic dialects (variants of a language used in different regions), affixation (formation of new words by means of prefixes and suffixes), language adaptation (changes in speech influenced by other languages or cultures), linguistic variation (variants of language depending on the social status of the speaker) and many other phenomena studied by linguists to understand the structure and functioning of language.

It is also possible to consider some linguistic phenomena in more detail.

#### **1. Phonetics and phonology**

- Phonetics studies the sounds that are pronounced in speech, their physical properties and methods of production.

- Phonology studies the system of sounds in language, including phonemes (sound units that distinguish word meanings) and phonetic rules that determine which sounds can appear in specific positions.

#### **2. Morphology**

- Morphology studies the structure of a word, its parts (morphemes) and the ways in which they are combined to form words.

- Morphemes can be root (carriers of the main meaning) or affixes (prefixes, suffixes, endings), which are added to the root to form new words or change the meaning.

### 3. Syntax

- Syntax is the study of sentence structure and the ways in which words and phrases combine to form meaning.

- Syntactic phenomena include rules of word order (for example, the order of subject, predicate and object in a sentence), syntactic constructions (for example, passive or active state of a sentence) and relationships between different parts of speech.

### 4. Semantics

- Semantics studies the meaning of words, phrases and sentences.

- Semantic phenomena include synonymy (different words with the same meaning), antonymy (words with the opposite meaning), polysemy (words with several meanings) and lexical fields (groups of words related by meaning).

### 5. Pragmatics

- Pragmatics studies the use of language in specific communicative situations and takes into account the context, the goals of speech and other aspects of communication.

- Pragmatic phenomena include the use of polite forms, expressions of irony, contextual understanding and adaptation of language to the audience.

### 6. Stylistics

- Stylistics studies the effective and expressive use of language to achieve certain goals or effects.

- Stylistic phenomena include the use of figures of speech (metaphor, alliteration), rhetorical figures (antithesis, oxymoron, false dilemma) and other stylistic devices.

These linguistic phenomena are the basis for understanding the structure and functioning of language as a system, as well as for the study of various aspects of speech, translation, learning foreign languages and other linguistic studies.

## **1.2 Problems of translating legal terms into English and Ukrainian**

The translation of legal terms is a complex and multifaceted task that involves a number of problems related to various aspects of legal, linguistic and cultural differences. The main problems of translating legal terms from English into Ukrainian and vice versa include the following: differences in legal systems, lack of equivalents, polysemy and homonymy, differences in legal terminology, cultural differences, lexical and stylistic differences, differences in legal traditions, terminological inconsistencies and specificity of legal documents. Let us now consider each point separately.

### **1. Differences in Legal Systems**

The Anglo-American legal system (based on common law) significantly differs from the Ukrainian legal system (based on civil law). This leads to difficulties in translating terms that reflect legal concepts and institutions that do not have a direct equivalent in the other system. For example, the English term «equity» does not have a direct counterpart in Ukrainian law.

### **2. Lack of Equivalents**

Many legal terms do not have exact equivalents in another language. This forces translators to use descriptive translation or find the closest terms in meaning. For example, the English term «consideration» in contract law does not have a precise equivalent in Ukrainian and is often translated as «зустрічне задоволення» or «винагорода».

### **3. Polysemy and Homonymy**

Legal terms can have multiple meanings depending on the context (polysemy) or be homonyms of commonly used words. For example, the English word «case» can mean both «випадок» and «судова справа,» creating complexities in translation.

### **4. Differences in Legal Terminology**

Legal terms often have specific meanings in different areas of law. For example, the term «liability» can mean «відповідальність» in civil law and



«зобов'язання» in accounting. Translators must be familiar with these differences to avoid inaccuracies.

## 5. Cultural Differences

Legal terms may reflect specific cultural or social realities that do not have a direct counterpart in another language or culture. This can complicate translation and require additional explanations or comments. For example, the term «common law marriage» requires explanation in the Ukrainian context.

## 6. Lexical and Stylistic Differences

Legal texts often have complex syntactic structures and specialized vocabulary. They may contain archaisms, Latin expressions, and other elements that complicate translation. For example, the use of Latin phrases like «habeas corpus» or «ex parte» requires the translator to have deep knowledge of Latin and corresponding legal terminology.

## 7. Specifics of Legal Documents

Legal documents have a specific format and structure that may differ in different legal systems. Translators must be familiar with the requirements for formatting such documents in both languages to ensure the translated text complies with legal standards.

## 8. Terminological Inconsistency

The lack of unified terminological standards can lead to different translations of the same term in different documents, creating confusion and complicating legal communication.

## 9. Differences in Legal Traditions

Each legal system has its unique traditions and principles that may not have direct analogs in another system. Translators must consider these differences and choose terms that most accurately reflect the content of the original within the framework of another legal culture.

Knowledge of these issues and understanding of their essence allows translators to solve the tasks related to the translation of legal texts more effectively, ensuring accuracy and adequacy of the translation, which is critical for legal communication and mutual understanding between legal systems.

Some terms may be specific to one language and cultural environment, which requires adaptation in translation. For example, the Ukrainian language may have its own unique terminology for legal concepts and procedures.

Legal terminology often reflects the cultural and historical background of countries, which can affect its translation and understanding. For example, the term «common law» has different connotations in the English and Ukrainian legal systems.

Taking these structural features into account helps to ensure that legal terms are translated more accurately, appropriately and understandably between English and Ukrainian.

### **1.3 Basic principles of translation of legal terms into English and Ukrainian**

The translation of legal terms is an extremely complex task that requires a number of principles to be taken into account to ensure accuracy and compliance with the legal systems of both languages. The main principles of legal term translation include the following aspects: the principle of equivalence, the principle of legal compliance, the principle of accuracy, the principle of consistency, the principle of avoiding calquing, the principle of using acceptable legal terms and the principle of contextuality.

Each aspect will now be discussed in more detail.

#### 1. The principle of equivalence.

This principle is to find the exact or closest equivalent of the term in the target language. A legal term must convey the same legal meaning as in the original language. It is important to note that equivalents can be absolute or relative:

- Absolute equivalence: when the term in the target language is exactly the same as the term in the source language in terms of meaning and usage. For example, «contract» — «КОНТРАКТ».

- Relative equivalence: when there is no direct equivalent, but there is a term that is as close as possible in meaning. For example, «consideration» in English law can be translated as «зустрічне задоволення», although there is no direct equivalent in Ukrainian law.

#### 2. The principle of legal compliance

The translator must take into account the differences between the legal systems of the countries whose languages are being translated. This means that the translator must have a good understanding of both legal systems and choose terms that best suit the legal realities of each.

#### The principle of accuracy

Legal texts require a high level of accuracy and specificity. Inaccuracies in translation can lead to misinterpretation of legal provisions or concepts. Therefore, translators must carefully check each term and its relevance to the context.

#### The principle of consistency

It is important to use consistent translation for the same term throughout the document. This ensures clarity and unambiguity in legal texts. For example, the term «claim» should consistently be translated as «ПОЗОВ» or «ВИМОГА» and should not vary depending on the context.

#### The principle of avoiding calculation

Calculation or literal translation can distort the meaning of a term in the target language. A translator should strive for an adequate translation that takes into account the cultural and legal peculiarities of the target language. For example, the term «equity» should not be translated as «ЕКВІВАЛЕНТНІСТЬ» as there is no direct equivalent in Ukrainian law.

#### Principle of using acceptable legal terms

If there is no equivalent term in the target language, the translator may use a descriptive translation or adopt a new term that is understandable in the legal context. This is often used for terms that have unique legal meanings.

#### The principle of contextuality

Context plays a crucial role in choosing the correct translation of legal terms. The translator must consider not only the individual term but also the overall context of the document, including legal, social and cultural aspects.

Applying these principles helps to ensure that legal translations are accurate, adequate and understandable, which is essential for legal communication between countries and legal systems.

### **1.4 The concept of legal discourse**

The concept of discourse is key in modern linguistics, sociology, philosophy and other humanities. It covers various aspects of language and communication, including the social, cultural and political contexts in which language is used.

Discourse can be defined as a set of statements or texts united by a common theme, context, or communicative purpose. It is a broader concept than just speech or text, as it includes not only linguistic structures but also social practices, contexts and interactions.

### **The main characteristics of the discourse:**

#### 1. Contextuality:

- Discourse always occurs in a certain context, which includes the situation, participants in communication, their roles and relationships, cultural norms and values.

#### 2. Interactivity:

- Discourse involves interaction between the participants of communication. It can be both direct communication (conversation) and indirect (reading a text).

#### 3. Social significance:

- Discourse forms and reflects social relations, ideologies and power structures. It can be a tool of influence, persuasion and manipulation.

#### 4. Structuredness:

- Discourse has a certain organization and structure, which includes genre features, thematic blocks, stylistic techniques and rhetorical strategies.

### **Types of discourse:**

#### 1. Political discourse:

- Includes speeches by politicians, legislative texts, political rhetoric and debates. Forms and reflects political ideologies and power relations.

#### 2. Media discourse:

- Includes journalistic articles, news, television programs and other media texts. Influences public opinion and popular culture.

### 3. Scientific discourse:

- Includes scientific articles, reports, textbooks and other academic texts. Reflects specific norms, styles and methods of scientific knowledge.

### 4. Legal discourse:

- Includes legal documents, laws, court judgments and other legal texts. Reflects legal norms and power structures.

### 5. Everyday discourse:

- Includes daily communication, conversations, correspondence. Reflects everyday social practices and interpersonal relationships.

In linguistics, the concept of discourse is studied within the framework of discourse analysis, which includes:

- Thematic analysis: Studying the topics and content of the discourse.
- Rhetorical analysis: Study of rhetorical techniques and strategies.
- Pragmatic analysis: Studying the functions and purposes of communicative acts.
- Critical Discourse Analysis: The study of how discourse reflects and shapes social hierarchies, power, and ideologies.

For example, climate change discourse can include scientific articles, political speeches, media reports, and activist campaigns. All these texts are united by a common theme, but each of them can have its own specificity, target audience and communicative goals.

The concept of discourse encompasses a complex analysis of speech in its social context. This allows for a deeper understanding of how language is used to shape knowledge, influence people's thoughts and behaviors, and structure society.

Legal discourse is a set of language practices, texts, and expressions used in the legal field to create, interpret, apply, and enforce laws. This includes various types of legal texts, such as laws, court decisions, contracts, legal documents, lawyers' speeches, and other forms of legal communication.

### **The main characteristics of legal discourse:**

### 1. Formality and structure:

- Legal texts are characterized by a high level of formality and a strict structure. They often have specific formats and templates to ensure clarity and precision.

### 2. Accuracy and certainty:

- Legal texts should be as precise and unambiguous as possible to avoid ambiguous interpretation. This is achieved through the detailed definition of terms and the use of specialized legal vocabulary.

### 3. Normativeness:

- Legal discourse has a normative character, that is, it establishes rules of conduct, obligations and rights. Laws, contracts and other legal documents regulate various aspects of social life.

### 4. Intertextuality:

- Legal texts often refer to other legal acts, judicial precedents, doctrinal sources. This creates a complex network of relationships between different texts.

### 5. Authority:

- Legal discourse has a high degree of authority and legitimacy, as it is supported by the legal system and institutions of power.

## **Types of legal discourse:**

### 1. Legislative discourse:

- These are the texts of laws, resolutions, decrees and other normative acts. They are created by legislative bodies and have a normative character.

### 2. Judicial discourse:

- Includes court decisions, verdicts, minutes of court sessions, speeches of lawyers and prosecutors. These texts reflect the processes of justice and the interpretation of laws.

### 3. Lawyer discourse:

- Includes legal consultations, contracts, claims, appeals and other documents prepared by lawyers to protect the interests of clients.

#### 4. Academic legal discourse:

- Includes scholarly articles, textbooks, monographs, and other scholarly texts investigating and analyzing legal issues.

#### Linguistic features of legal discourse:

##### 1. Legal vocabulary:

- Use of specialized terms, often of Latin origin (for example, habeas corpus, prima facie). This vocabulary often has no analogues in common language.

##### 2. Long complex sentences:

- Legal texts often contain complex, multi-level sentences to include all necessary conditions and exceptions.

##### 3. Passive constructions:

- Frequent use of the passive voice to achieve neutrality and objectivity (for example, «The law was passed», «The contract is concluded»).

##### 4. Modality:

- Use of modal verbs (eg «must», «can») to express obligations, permissions or possibilities.

#### Example:

##### 1. Legislative text:

- «This law enters into force from the day of its publication in the official publication.»

##### 2. Court decision:

- «The court decides: to partially satisfy the lawsuit. To declare the lease agreement dated January 1, 2020 invalid.»

##### 3. Legal contract:

- «The parties undertake to fulfill the terms of this contract in accordance with current legislation.»

Legal discourse is an important tool for the functioning of the legal system. It ensures clarity, precision and unambiguity of legal norms and decisions, and also reflects social relations and power structures. Understanding the peculiarities of legal discourse is key to the effective application and interpretation of law.

### **Conclusions to chapter 1**

In this section, we have considered various aspects of translation of legal terms between English and Ukrainian in terms of their structural and semantic specificity.

In the linguistic phenomenon of translation, polysemy and synonymy are the main linguistic phenomena that complicate the translation of legal terms. Cultural and legal differences also affect the choice of equivalents and interpretation of terms in different contexts.

Preserving equivalence, formality and accuracy are key principles in translating legal terms to ensure adequate translation. Also, the importance of using clear and unambiguous terms should not be overlooked to avoid differences in interpretation. Lexical gaps, multiple meanings, and syntactic differences create translation challenges that require a careful approach by the translator. The main challenges of translating legal terms are to choose the right equivalent and preserve the structure of the original text.

Formality, normativity and authority are characteristic features of the discourse of legal terms that should be preserved during translation. But no less important are intertextuality and the specificity of legal speech, which require careful consideration when translating.

Thus, the first section has highlighted the complexity and importance of correct translation of legal terms, and has emphasised the basic principles and challenges that a translator will face in this area.



## **Chapter 2 Structural and semantic features of translation of legal terms in English and Ukrainian**

### **2.1 Analysis of the translation of legal terms from English into Ukrainian**

Translation analysis involves considering whether the translation of the original term is appropriate in the Ukrainian legal context. The most important aspects are semantic accuracy, structural consistency and contextual adequacy.

Semantic accuracy means that the translated term should convey the same semantic essence as the original.

In terms of structural consistency, the translated term must be consistent with the grammatical and structural basis of the language into which it is being translated.

And contextual adequacy should take into account the peculiarities of the legal context and include terminological nuances.

The theoretical aspects of translation include many examples: equivalence, transliteration, descriptive translation, and calques.

Equivalence involves finding a Ukrainian term that most accurately reflects the meaning and essence of an English term.

Transliteration is used to render foreign words using letters or graphemes that reflect their sound form.

Descriptive translation is used in cases where there are no equivalent terms, a descriptive translation is used that uses phrases or phrases to convey the essence of the term.

Calculation involves the use of a direct linguistic copy, where a term is transferred from one language to another without changing its form or meaning.

Now let's look at some examples of translating legal terms from English into Ukrainian using these theoretical aspects.

### **Adjudication**

- English term: Adjudication
- Industry: Procedural law
- Ukrainian translation: судові рішення
- Type of translation: Tracing paper

Analysis: «Adjudication» refers to the process of making a court decision. The Ukrainian term «судові рішення» is a copycat and fully corresponds to the meaning of the original, reflecting the process of making a decision by a court.

### **Affidavit**

- The English term: Affidavit
- Industry: Document
- Ukrainian translation: Аффідевіт (письмова присяга)

- Type of translation: Transcription and clarification

Analysis: «Affidavit» is a written statement made under oath. The Ukrainian translation of «Аффідевіт (письмова присяга)» Adjudication

- English term: Adjudication

- Industry: Procedural law

- Ukrainian translation: Court decision

- Type of translation: Tracing paper

Analysis: «Adjudication» refers to the process of making a court decision. The Ukrainian term «судове рішення» is a copycat and fully corresponds to the meaning of the original, reflecting the process of making a decision by a court.

Examples:

### **Affidavit**

- The English term: Affidavit

- Industry: Document

- Ukrainian translation: Affidavit (written oath)

- Type of translation: Transcription and clarification

Analysis: «Affidavit» is a written statement made under oath. The Ukrainian translation of «affidavit» uses the transcription with the addition of the qualifier «письмова присяга», which makes the term understandable for the Ukrainian reader while retaining the specificity of the original.

### **Bailment**

- English term: Bailment

- Industry: Contract law
- Ukrainian translation: договір позики
- Type of translation: Equivalence and clarification

Analysis: «Bailment» means the transfer of property for temporary use or storage under a contract. The Ukrainian translation of «договір позики» accurately conveys the essence of the term, adding the necessary clarification for a complete understanding of the context.

### **Chattel**

- The English term for a loan agreement: Chattel
- Industry: Property law
- Ukrainian translation: рухоме майно
- Type of translation: Descriptive translation

Analysis: «Chattel» refers to movable property that can be moved, as opposed to immovable property. The Ukrainian translation «рухоме майно» is descriptive and accurately conveys the meaning of the term.

### **Caveat Emptor**

- The English term: Caveat Emptor
- Industry: Principle of law
- Ukrainian translation: Нехай покупець буде обережний
- Type of translation: Transliteration and translation

Analysis: «Caveat Emptor» means that the buyer is responsible for checking the goods before purchasing. The Ukrainian translation of «нехай покупець буде

обережний» conveys the essence of the term, using both transliteration and translation for full understanding.

## **2.2 Ways to overcome the difficulties of translating legal terms**

Translation of legal texts from English to Ukrainian can be difficult due to the specifics of legal terminology and differences between legal systems.

Using terms that have a similar meaning in both languages. This allows you to ensure the text is understandable for the target audience. However, sometimes a direct analogue may not be available, then descriptive translations are used.

- Example:

- English term: Arbitration

- Ukrainian translation: Арбітаж

- Type of translation: Equivalence

Adding explanations or comments to terms that help reveal their meaning in the context of another legal system. This is especially useful for terms that do not have exact equivalents.

- Example:

- English term: Affidavit

- Ukrainian translation: Аффідевіт (письмова присяга)

- Type of translation: Transcription and refinement

Direct transfer of a term from the source language to the target language. This can be an effective way to convey specific legal terms that have no counterpart in the target language. Borrowing allows you to preserve the original form and sound of the term.

- Example:
- English term: Amicus Curiae
- Ukrainian translation: Amicus Curiae (друг суду)
- Type of translation: Transliteration and translation.

A method of translation where the structure and meaning of a term is literally transferred from one language to another. Tracings can help to create new terms that do not yet exist in the target language, but their necessity is determined by the context.

- Example:
- English term: Caveat Emptor
- Ukrainian translation: Нехай покупець буде обережний
- Type of translation: Transliteration and translation

These methods ensure accurate and adequate translation of legal terms, preserving their legal essence and meaning in the relevant context.

### **2.3 Semantics of legal terms in English and Ukrainian**

Translation structure includes the organisation and planning of the process of transferring text or information from one language to another with maximum preservation of its content, style and effective transmission of the language message.

In addition, the translation structure includes the effective management of time, resources and the use of translation tools, which contributes to the productivity and quality of translation.

Translation semantics is defined as the process of transferring the meaning and sense of a text from one language to another with maximum accuracy and reproduction of the semantic shades and context of the original.

In general, translation semantics is aimed at accurately reproducing the meaning and context of the original text in the target language, taking into account all linguistic, cultural and contextual features.

Structural and semantic features of legal terms include a number of aspects that are important to consider when translating specific vocabulary and expressions related to the legal field. Here are some of the features worth considering:

1. Accuracy and unambiguity:

- In legal documents, the accuracy and unambiguity of terms are of great importance. The translator must ensure that the translation of terms is as accurate as possible and leaves no room for misinterpretation.

- «Intellectual property» was translated as «ІНТЕЛЕКТУАЛЬНА ВЛАСНІСТЬ» because this term accurately conveys the essence of the concept, which includes copyrights, patents, trademarks, etc. The term «Intellectual property» in Ukrainian law has the same legal status as «Intellectual property» in English law.

2. Strict lexical equivalence:

- In many cases, especially for legal terms, it is important to maintain lexical equivalence between languages. This means using the appropriate terms and phrases to keep the semantics accurate.

- «Legal guardian» is translated as «Правовий опікун» because in Ukrainian law the term «guardian» is used to refer to a person who is entitled to be responsible for the legal interests of another person, especially if that person is a minor or disabled.

3. Grammatical correctness:

- In legal documents that contain specific rules and regulations, it is important to maintain grammatical correctness and structural consistency between the original and the translation.

- «Motion to dismiss» is translated as «Подання про відхилення позову» because «motion» in Ukrainian law is used to refer to a document that is submitted to a court or other legal authority for consideration. «Відхилення позову» accurately conveys the meaning of «dismiss» in this context.

#### 4. Consideration of legal systems:

- The translator should carefully study the legal systems of both languages, as they may have different approaches to terms and concepts. For example, a common law system and a code system (civil law) may use different terms for the same concepts.

- «Precedent» in English has different meanings depending on the legal system. In the common law system, it is a court decision that can be used as an example in future court cases. Therefore, the term «Правовий прецедент» is used in the translation for the common law system, and «Legal example» for the civil law system to convey this semantic difference.

#### 5. Reproduction of semantic connotations:

- In some cases, terms have semantic connotations that are important to consider when translating. For example, different aspects of legal liability may have different terms that need to be conveyed correctly.

- «Tort law» is translated into Ukrainian as «Цивільне право» in a general context, or as «право деликтів» for a more specific term. «Civil law» covers a wider range of issues, including contract law, while «tort law» focuses on negligence and damage.

#### 6. Contextual adaptation:

- The contextual meaning of terms and expressions also plays an important role in translation. The translator must take into account the context in which the terms are used to accurately reflect their meaning.



- «Court order» is translated into Ukrainian as «судове рішення» in a broad context, as it is a general name for any court decision. However, when referring to a specific type of court document, «судовий наказ» may be used to more accurately reflect the meaning.

These features help to ensure that legal terms are translated from the source language into the target language in a high-quality and appropriate manner, while maintaining their accuracy and relevance to the context.

### Mandamus

- English term: Mandamus
- Industry: Procedural law
- Ukrainian translation: судовий наказ
- Type of translation: Transliteration and descriptive translation

### Analysis of the original:

The term «mandamus» comes from Latin and means «we order». In the legal context, it is a court order issued by a higher court to a lower court or public authority that obliges them to perform or refrain from certain actions. It is a means of enforcing the duties of public authorities.

### Translation analysis:

The Ukrainian term «судовий наказ» conveys the general meaning of the original. However, since «mandamus» has a specific meaning in English law that does not always correspond exactly to the concept of «court order» in Ukrainian law, clarification is necessary. The use of the transcription «mandamus» with the additional explanation «судовий наказ» allows preserving both the form and the essence of the term.

### 1. Structural features:

- Mandamus: It is a singular term used as a noun in English law and has a clear and specific meaning.

- Court order: This term is also a noun, but has a more general meaning and can include different types of court orders in different contexts.

## 2. Semantic features:

- Mandamus: It has a precise and narrow meaning in English law, requiring a particular state institution to perform a specific action.

- Court order: This is a broader term that can include different types of orders, not necessarily limited to a specific action by public authorities.

## Comparison:

The term «mandamus» on the one hand and its translation «судовий наказ» on the other reflect different levels of precision and specificity. The original term has a clear legal meaning that directly refers to judicial control over the activities of state bodies. The translation «судовий наказ» retains the general idea, but loses the specificity of the original. Thus, for a more accurate translation, it is necessary to use additional explanations or even leave the term in its original form with an explanation, as is done in the case of «mandamus».

## Misfeasance

- English term: Misfeasance

- Ukrainian translation: неправомірне діяння

- Type of translation: Descriptive translation

## Source analysis:

«Misfeasance» means misconduct or abuse of power, when a person or body acts legally but in violation of the rights of others.

Translation analysis:

The Ukrainian term «неправомірне діяння» conveys the general meaning, but does not reflect all the nuances of the original term. This is an example of how a descriptive translation can lose some of its specificity.

Moot Court

- An English term: Moot Court
- Ukrainian translation: симуляційний суд
- Type of translation: Descriptive translation

Analysis of the original:

«Moot Court» is an educational event in law schools where students conduct mock trials.

Translation analysis:

The term «симуляційний суд» accurately conveys the meaning of the original, explaining that it is an educational event. The descriptive translation ensures clarity for the Ukrainian audience without losing the essence of the original.

A comparison of translations of legal texts reveals that the main goal of translation is to preserve the accuracy and legal essence of terms. Various methods are often used in translation, such as equivalence, descriptive translation, transliteration and borrowing. Each method has its own advantages and disadvantages, and the choice of a particular method depends on the context and the specifics of the term.

## **2.4 Anglo-Saxon and Romano-Germanic legal systems have an important influence on the translation of legal texts due to their specificities and features.**

1. Specifics of the Anglo-Saxon and Romano-Germanic legal systems:

- Anglo-Saxon system:

- Case law: One of the main characteristics of the Anglo-Saxon system is the recognition of court decisions as an important source of law. This means that court decisions form legal principles and are binding on other courts in the future. It is important for translators to understand this context, as the definition and interpretation of terms may depend on previous court decisions.

- Romano-Germanic system:

- Codified law: In this system, the main emphasis is on laws and codes that have predetermined rules and regulations. Here it is important to take into account the text of the law and its interpretation, because it can be decisive in defining legal concepts.

## 2. Representation of legal concepts in translation:

- Adaptation to context: Translators need to adapt terminology and approaches to the context of each legal system. For example, where case law is used in the English legal system, it is important to consider court decisions and their impact on the interpretation of terms.

- Accuracy and legal substance: The translation should not only convey the words, but also the legal substance of the terms. This means that the translator must understand legal concepts and the meaning of terms in the context of each legal system.

- Adequacy of terminology: The use of correct terminology is a key aspect in reflecting legal concepts in translation. An incorrect or incorrect translation can lead to misunderstandings and incorrect application of the law.

In general, understanding the peculiarities of the Anglo-Saxon and Romano-Germanic legal systems helps translators accurately and adequately convey legal concepts in an international context.

Let's look at the impact of the legal system on translation with the help of examples:

## Obligation

- English term: Obligation
- Ukrainian translation: зобов'язання
- Type of translation: Equivalence
- Influence of the legal system: In the Romano-Germanic system, where the emphasis is usually on codified rules, an equivalent translation helps to preserve the accuracy and legal essence of the term.

## Perjury

- English term: Perjury
- Ukrainian translation: лжесвідчення
- Type of translation: Equivalence
- Influence of the legal system: In the Anglo-Saxon system, where a lot of attention is paid to litigation, an equivalent translation helps to preserve the accuracy and legal essence of the term.

## Probate

- The English term: Probate
- Ukrainian translation: засвідчення заповіту
- Type of translation: Descriptive translation
- Influence of the legal system: In the Romano-Germanic system, where the meaning of terms may depend on the text of the law, descriptive translation allows to convey the essence of the term.

## Quasi-Contract

- English term: Quasi-Contract

- Ukrainian translation: квазі-договір

- Type of translation: Transliteration and descriptive translation

- Influence of the legal system: Transliteration allows preserving the original form of the term, and descriptive translation allows conveying its essence to the Ukrainian reader.

#### Rescind (English system)

- English term: Rescind

- Ukrainian translation: анулювати

- Type of translation: Equivalence

- Influence of the legal system: The Romano-Germanic system uses a similar term «annul», so an equivalent translation helps to preserve the accuracy and essence of the legal concept.

#### Replevin (Romano-Germanic system)

- English term: Replevin

- Ukrainian translation: відновлення володіння

- Type of translation: Descriptive translation

- Influence of the legal system: The Romano-Germanic system focuses on laws and their interpretation, so a descriptive translation allows you to convey the essence of the term in the Ukrainian language.

#### Statute (English system)

- The English term: Statute

- Ukrainian translation: закон, статут

- Type of translation: Equivalence

- Influence of the legal system: The term «statute» in the Romano-Germanic system has a similar meaning, so the equivalent translation retains legal accuracy.

These examples show that the specificity of legal systems (Anglo-Saxon and Romano-Germanic) influences the choice of translation strategy for terms, in particular, the choice between descriptive translation, equivalent translation and other methods of reflecting legal concepts.

### **Conclusions to chapter 2**

Thus, “Structural and semantic features of translation of legal terms in English and Ukrainian” provides important conclusions and generalisations regarding the practical aspects of translating legal terminology.

This section provides examples of translations such as «Rescind» and «Replevin», which demonstrate the importance of choosing the appropriate translation depending on the context and semantics of the term. The comments and explanations of translation decisions emphasise the need for a deep understanding of legal concepts to accurately reflect them in translation.

This section makes it clear how important it is to use analogies, explanations, borrowings and calques to overcome difficulties in translation. These methods not only help to find a suitable translation, but also help to maintain semantic accuracy and consistency of legal terms.

Comparing the original and the translation helps to identify structural and semantic features that may affect the accuracy and comprehensibility of the translation. This is important to ensure that the translation of legal texts is of a high quality and appropriate to the legal context.

The chapter on the influence of the legal system emphasises the need for a thorough understanding of the context and specifics of each legal system in order to accurately reflect legal concepts in translation. The specifics of the Anglo-Saxon and Romano-Germanic legal systems require not only language skills, but also knowledge of legal terminology and appropriate translation strategies.

In general, Chapter 2 provides important practical guidance and recommendations for successful translation of legal terms, emphasising the importance of a thorough knowledge of not only the language but also legal concepts to achieve accuracy and consistency in translation.



## **Conclusions**

The study of the structural and semantic features of the translation of legal terms into English and Ukrainian has led to several important conclusions.

The study has shown that translating legal terms is a complex task that requires not only language skills but also a deep understanding of legal concepts. It is important to take into account the context in which the term is used and its semantic connotations to ensure accurate translation.

The structural and semantic features of translating legal terms include choosing the appropriate equivalent or descriptive translation, analysing the context and legal discourse, and taking into account the specifics of legal systems. Some terms have

specific connotations that may differ from country to country, so it is important to maintain legal accuracy and relevance to the legal context in translation.

In order to achieve high-quality translation of legal terms, it is recommended that you have a thorough knowledge of the terminology and concepts of the legal field you are working with. Analyse the context in which the terms are used to accurately reflect their semantics. Use a combination of equivalent translation and descriptive explanations to best convey the meaning of a term and take into account the specifics of legal systems and cultural peculiarities when making translation decisions.

Such approaches will help translators achieve greater accuracy and consistency in the translation of legal terms, which is important for ensuring the quality of legal language and the comprehensibility of texts for the audience.

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## ANNEX

№	Англомовні юридичні одиниці	Тип	Переклад українською мовою	Прийом перекладу
1	Abatement	Правовий термін у податковому праві та	Зменшення	Еквівалентність

		адміністративном у праві.		
2	Adjudication	Процесуальне право	Судове рішення	Калька
3	Affidavit	Документ	Транскрипція та уточнення	Аффідевіт (письмова присяга)
4	Amicus Curiae	Латинський термін, процесуальне право	Транслітерація та переклад	Друг суду
5	Arbitration	Альтернативне вирішення спорів	Еквівалентність	Арбітраж
6	Assumpsit	Контрактне право	Обіцянка (у договірному праві)	Описовий переклад
7	Bailment	Контрактне право	Договір позики	Еквівалентність та уточнення
8	Chattel	Майнове право	Рухоме майно	Описовий переклад
9	Caveat Emptor	Принцип права	Нехай покупець буде обережний	Транслітерація та переклад
10	Collateral	Фінансове право	Застава	Еквівалентність
11	Consortium	Комерційне право	Консорціум (об'єднання)	Транслітерація та уточнення.
12	Contravention	Адміністративне право	Порушення	Еквівалентність
13	Covenant	Контрактне право	Угода, договір	Синонімічний переклад.
14	Decree	Адміністративне право	Постанова, указ	Еквівалентність
15	Deed	Майнове право	Нотаріальний акт	Описовий переклад
16	Detainer	Кримінальне право	Утримання	Еквівалентність
17	Domicile	Цивільне право	Місце проживання	Еквівалентність
18	Easement	Майнове право	Сервітут	Транслітерація
19	Embezzlement	Кримінальне право	Розтрата	Еквівалентність
20	Encumbrance	Майнове право	Обтяження	Еквівалентність
21	Escheat	Майнове право	Перехід майна до держави	Описовий переклад
22	Estoppel	Процесуальне право	Принцип заборони суперечливих заяв	Описовий переклад



23	Forfeiture	Кримінальне право	Конфіскація	Еквівалентність
24	Garnishment	Цивільне право	Арешт зарплати	Описовий переклад
25	Habeas Corpus	Процесуальне право	Судовий наказ про надання тіла	Транслітерація та описовий переклад
26	Indemnity	Страхове право	Відшкодування	Еквівалентність
27	Injunction	Процесуальне право	Судова заборона	Еквівалентність
28	Lien	Майнове право	Право утримання	Описовий переклад
29	Litigation	Процесуальне право	Судовий процес	Еквівалентність
30	Mandamus	Процесуальне право	Судовий наказ	Транслітерація та описовий переклад
31	Misfeasance	Цивільне право	Неправомірне діяння	Описовий переклад
32	Moot Court	Освітнє право	Симуляційний суд	Описовий переклад
33	Nuisance	Цивільне право	Перешкода, неприємність	Еквівалентність
34	Obligation	Контрактне право	Зобов'язання	Еквівалентність
35	Perjury	Кримінальне право	Лжесвідчення	Еквівалентність
36	Probate	Майнове право	Засвідчення заповіту	Описовий переклад
37	Quasi-Contract	Контрактне право	Квазі-договір	Транслітерація та описовий переклад
38	Quid Pro Quo	Контрактне право	Щось за щось	Транслітерація та переклад
39	Rescind	Контрактне право	Анулювати	Еквівалентність
40	Replevin	Майнове право	Відновлення володіння	Описовий переклад
41	Statute	Законодавство	Закон, статут	Еквівалентність
42	Subpoena	Процесуальне право	Судова повістка	Транслітерація та описовий переклад. Транслітерація терміну додатковим

				поясненням його значення
43	Tort	Цивільне право	Делікт (цивільне правопорушення)	Еквівалентність. Використовується термін з аналогічним значенням.
44	Trust	Майнове право	Довірча власність	Описовий переклад. Використовується описова фраза для передачі значення.
45	Usury	Фінансове право	Лихварство	Еквівалентність
46	Venue	Процесуальне право	Місце проведення судового процесу	Описовий переклад. Використовується описова фраза для передачі значення.
47	Vicarious Liability	Цивільне право	Відповідальність за дії підлеглих	Описовий переклад. Використовується описова фраза для передачі значення.
48	Voidable	Контрактне право	Може бути анульований	Описовий переклад. Використовується описова фраза для передачі значення.
49	Waiver	Контрактне право	Відмова від права	Еквівалентність. Використовується термін з аналогічним значенням.
50	Writ	Процесуальне право	Судовий наказ	Еквівалентність. Використовується термін з аналогічним значенням.

## РЕЗЮМЕ

Тема курсової роботи: «Структурно-семантичні особливості перекладу юридичних термінів в українській та англійській мовах». Ця робота присвячена дослідженню основних принципів та аспектів перекладу юридичних термінів між українською та англійською мовами з урахуванням їхньої структурно-семантичної специфіки. В роботі розглядаються такі питання, як семантична відповідність та еквівалентність термінів, структурні особливості та їх вплив на переклад, правова специфіка та культурні відмінності використання юридичної термінології в обох мовах.

Робота базується на аналізі наукової літератури, яка включає в себе дослідження українських та англійських авторів з лінгвістики та правознавства, а також використання прикладів із практики перекладу юридичних текстів. Особлива увага приділяється теоретичним аспектам перекладу, які допомагають зрозуміти сутність та складнощі перекладу юридичних термінів та понять.

В результаті дослідження встановлено, що переклад юридичних термінів є складним та відповідальним завданням, що вимагає високого рівня мовних навичок, а також глибокого розуміння правових систем та культурних особливостей кожної мови. Отримані результати можуть бути використані для покращення якості перекладу юридичних текстів між українською та англійською мовами.