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TRANSLATION PECULIARITIES OF LEGAL LANGUAGE FROM ENGLISH INTO RUSSIAN

Alimbaeva A.T., *jasik_alimbaeva@mail.ru*
(KazNU after al-Farabi, Almaty, Kazakhstan)

Keywords: globalization, legal language, terminology

In this paper we consider the special translation in the field of law. In the age of globalization it is one of the fundamental questions, because the accuracy of legal language should be on the first place. Legal English has its own character features and rules of execution of documents. Attention is made on some peculiarities of legal English, which can complicate the work of translators and interpreters.

Key words: legal language, translation, globalization, terminological units, phrasal verbs.

Nowadays the language of law is crucial not only for justice workers but also for every citizen. Translation of legal texts is of a great necessity for relations between representatives of different languages and cultures. Actually, it is conditioned by the process of, in the context of which any relations between countries should be on the global scale and need to be legally formed. We can see that our communication goes beyond territorial and linguistic boundaries, therefore legal translations are in a big requirement nowadays. Also nobody would deny the fact that we need to prepare specialists, who are able to translate legal documents competently, feel the specificity of source language and the uniqueness of every legal system.

Many prominent scientists devoted their works to the study of the language of law. Among them Rupert Haigh, Charrow V., Gelding M., Tirsma P., Vlasenko S., Pigolkin A., Ivanova L. In Kazakhstan science different aspects of legal language were considered by Aimagambetova T., Izimuly M., Ahmetov R., Beisenov Zh., Grigorev V. and others [1, 25].

In our work we base on the concept according to which the language of law is the language for specific purposes, language of legal documents and justice workers. The core of this language is legal terms which are officially accepted and institutionalized.

Terminology is the basis and distinguishing feature of any language for specific purposes. Legal English also has its own stratum of terminological units. Mostly they are presented by classical terms, which have correlates in other languages (legislature – законодательная власть, punishment – наказание, defendant – ответчик, plaintiff – истец), terms which have semantic and structural equivalents, that show their international character (criminal – криминальный, contract – контракт, administrative – административный, act – акт), Latin words and expressions (versus – напротив, status quo – существующие положение, ad hoc – специальный, inter alia – в числе других, de jure – по закону).

In addition we deal with legal terminological units that have purely professional meanings and often are not known to most of speakers (quitclaim – отказ от права, stipulator – договаривающаяся сторона; лицо, оговаривающее условия, voidance – аннулирование признание недействительным, estoppels – лишение стороны права ссылаться на какие-либо факты или отрицать какие-либо факты) and terms which are presented mainly by the words of common vocabulary (human rights – права человека; lawyer – юрист; bribery – взяточничество; penalty – наказание). It must be admitted that there are a number of words which in legal and in ordinary language have different meanings. For example, the word *dictate* means the contract which is imposed (навязанный договор), in colloquial speech it means demand or call (веление); the word *dissolution* as a legal term of art refers to the abrogation of something (расторжение, прекращение договора), in ordinary English means thawing of snow or ice (таяние снега или льда).

The next peculiarity of legal English is its extensive vocabulary. One word may have several meanings and definitions in the dictionary. It is explained by the fact that English language is a composition of different linguistic traditions. For example, if you want to say, that something is legally permissible, you could use the Old Norse, Scandinavian-derived word, *lawful*. Alternatively, you could use the Latin-derived word, *legitimate*. Or, if you want a more emotive word, you could use the Old English word, *right* [2, 3]. Only a small group of words may have a similar meaning both in the legal and spoken English. We can name such terms of contract law as *condition* – условие, оговорка, *date* – дата, срок, *disclosure* – обнаружение, раскрытие, *implemmentation* – выполнение, осуществление, *indemnification* – возмещение ущерба, вреда; компенсация, *lack* – отсутствие, *liability* – юридическая ответственность, *notice* – уведомление. To the notion *legal language* itself corresponds such words as *language of the legal profession*; *legalese*; *legal jargon* (language, parlance); *legal speak*. But the terms *legalese* and *legal speak* are used when we talk about professional language.

Here it is appropriate to note that the style of English law is less strict, and even allows to use phraseology. For example, expression *catch someone red-handed* or *catch someone flat-footed* means *witness or find someone doing something illegal*, the other expression *on all fours* means *the facts of a case that correspond exactly to the facts of a previous case*, *Philadelphia lawyer* denotes *a resourceful, clever lawyer*. There are such expressions as *three strikes law*, *three strikes justice*, *three strikes offender*, which are not documented in modern English dictionaries and their translations require cultural commentary. Phraseology and idioms are not frequently used in the language of law, but it should be better to know them in order to give an appropriate interpretation.

The phrasal verbs which should be learned individually can be considered as the peculiarity of English for legal purposes. There is a tendency of more frequent usage of phrasal verbs in legal documents. They are very popular in legal vocabulary and widely used because it is phrasal verbs which make legal style more precise and important. For example, such stable expression of legal language as *to opt in* – *принимать участие* can be replaced by the verbs *to take part* or *to participate*, instead of verb *to press for* (*требовать*) we can use such ordinary verbs as *to demand* or *to require*. But these combinations of verb and preposition or adverb do not follow the strict grammatical rules. Besides, literal and real idiomatic meanings of phrasal verbs are significantly different.

The problem of polysemanticism can also be applied to the English phrasal verbs. Even in legal English, we have to select the appropriate translation of several proposed meanings. For example, the phrasal verb *to strike out* can get four meanings depending on the context: in the sentence *The judge ordered that the case be struck out as an abuse of process* the verb means *to suspend or to adjourn*, in a sentence *You should strike out all unnecessary words from the document* the verb is translated as *to delete*, in this sentence *He left the firm and struck out on his own* the verb has a meaning *to act on one's authority*, in the sentence *He struck out with his fist* the verb should be translated as *to strike a blow*.

We have considered 94 phrasal verbs, commonly used in the legal environment. They were presented in the book «Legal English» by Rupert Haigh. An interesting fact is that, in contrast to the legal terms, phrasal verbs used in this area do not have marks in dictionaries. People have to choose from a general list of translations. In addition, not all labeled as phrasal verbs, although they are presented by combination of verb and preposition or adverb. Mostly, phrasal verbs are taken from everyday vocabulary and in legal texts they have an appropriate value. There are also verbs that are used only in professional speeches and often seem unfamiliar. Here are some of them: *to revert to* – *переходить к прежнему*, *to abide by* – *соблюдать условия соглашения*, *to accede to* – *присоединяться*, *to adhere to* – *строго придерживаться чего либо*, *to appertain to* – *относиться*.

In legal English there are also standard words and phrases which usage is very interesting, because they present in ordinary English but in unusual contexts. For example, *arising out of* (resulting from), *as per ...* (in accordance with), *capacity to enter into and perform* (legal right to sign a contract so that it becomes legally enforceable and carry out the obligations it contains), *to furnish with* (to provide to someone), *legally binding* (legally enforceable).

Consequently, we should point out, that the main difficulty is the essential difference between legal English and our everyday speech. Legal English is characterized by its lexical layer and distinctive legal style. We can assign four main points, which can show originality of the language of law. They are legal terminology, extensive vocabulary, the usage of idioms and functioning of phrasal verbs. Legal English is a language for special purposes and translators, who work in this field, should set themselves severe tasks. The work in the sphere of jurisprudence demands a big responsibility, comprehensive education and rigorous preparation. In this connection linguistic and subject knowledge, especially linguistic culture of non linguists should be developed very much. According to this the fact of the wealth of English language becomes obvious. And this abundance of words should be used and interpreted correctly, especially in such domain as science of law.

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5. Oxford Advanced Learners Dictionary / Oxford University Press, 2011. – 1296 p.

STRUCTURE AND COMPONENT PARTS OF DICTIONARY TEXT

Shakahanova Z.O., zama_90_90@mail.ru
(KazNU after al-Farabi, Almaty, Kazakhstan)

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In a dictionary compiling when the selection of the dictionary entries, the contents and structure of the entries, their order of arrangement are decided upon, the lexicographer is to settle upon this or that structure of the dictionary. In spite of the great variety of linguistic dictionaries their composition has many features in common. Nearly all of them may be roughly divided into three unequal parts. Apart from the dictionary proper, that make up the bulk of the word-book, every reference book contains some separate sections which are to help the user in handling it – an *Introduction* and *Guide* to the use of the dictionary. This prefatory matter usually explains all the peculiarities of the word-book, it also contains a key to pronunciation, the list of abbreviations used and the like.

It is very important that the user of a dictionary should read this prefatory matter for this will enable him to know what is to be found in the work-book and read amount of information the dictionary affords. Appended to the dictionary proper there is some supplementary material valuable for language learners and language teachers. This material may be divided into one of linguistic nature, pertaining to vocabulary, its development and use, and the other pertaining to matters distinctly encyclopedic.

In explanatory dictionaries the appendixes of the first kind usually include addenda or/and various word-lists: geographical names, foreign words and expressions, forenames, etc., record new meanings of words already entered and words that have come into existence since the compilation of the word-book. The educational material may include a list of colleges and universities, special signs and symbols used in various branches of science, tables of weights and measures.

In translation dictionaries a supplementary material is in some respects different from that in explanatory dictionaries, e.g. The Russian-English dictionary referred to above does not only include a list of geographical names, standard abbreviations pertaining to the public, political, economic and industrial life, but also contains the rules of English and Russian pronunciation as well as brief outlines of English and Russian grammar.

The structure and content of the entry in learner's dictionaries also have some peculiar features. Chief among these is marked attention to the ways words are used in speech, e.g. Oxford Advanced Learner's Dictionary points out which nouns, and in which of their meanings, can be used with the indefinite articles (the symbols [C] and [U] stand for "countable" and "uncountable"). It also indicates the patterns in which verbs can be used. They are presented with the help of the pattern preceding the definition of each meaning. All the patterns are listed in A Summary of the Verb Patterns. The dictionary also