

# CHARACTERISTICS, METHODS AND CHALLENGES OF TRANSLATING LAW TERMINOLOGY

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## ABSTRACT:

The current article discusses basic problems concerning translation in general, and issues related to translating law documents and terminology. The article includes some real life examples from Uzbek language and English language, and data are given in the form of a table, and sample translations from reliable sources.

**KEYWORDS:** law, jurisprudence, transliteration, transcription, collaging, lexical problems, stylistic problems, connotation, equivalent, non-equivalent lexicon

## INTRODUCTION:

Translation is considered to be one of the important conditions in learning foreign languages, which is closely related to all stages of education process, and it helps learners study not only target languages, but also the same categories in their native languages.

Development and scientific-technological revolution which covers all fields of life, international cooperation related to it, expected demographic boom, and other existing significant civilizations brings about vast improvements in inter-country relations and societies among people speaking different languages.

According to A. Fyodorov, the purpose of translation is to get a reader who doesn't know the foreign language closely introduced to the text.

Translation is a complex process. It is not enough to find the suitable words to convey the meaning of the original text, and it is important

to consider grammatical and lexical features, as well.

In linguistic researches conducted in recent years, great deal of attention is being given to translation and problems arising in its process. Scientific research works published in the field of linguistic translation studies also prove our point.

A translator should know the details from people's way of life, history, culture and up to customs and traditions of nation described in the book he/she is translating. This responsibility means comprehending meaning and function of the original, and then completely expressing the idea formed in his/her mind following his/her culture and language rules. Creating translational generalizations requires translator to study means of pairing languages in comparison, to possess idea about aesthetic features of literary texts, units comprising material, emotionally effective, and its symbolic system.

It is crucial to select a suitable word, to segregate the necessary word from multiple synonym words in process of translation. Words are selected according to style of speech, addressee of speech, and purpose of speech: for a public speech strong, effective words in political-philosophical spirit; for a scientific speech terminology related words; and for a literary speech words possessing literary markers, and serving symbolic purposes are usually selected. Translator relies on development level, translating traditions, and experiences of his/her native language, and considers existence of various distinctions.

Nowadays, it is common to observe following occasions in the use of law terminology in Uzbek language:

1. Most terminology are standardized for Uzbek language based on its properties and rules. In this case, some terms are given by their ready-made alternatives in Uzbek language, some are used after being translated, and others are being created according to rules of Uzbek language. For example: auction-kimoshdi, estate agent-dallol, commerce-worker-tijoratchi, etc.
2. Another method is to borrow international terms used in most countries in their original form. Here it is important to note that it is difficult to find Uzbek alternatives to new modern terminology being imported to language. Therefore, majority of these terminology are similarly used in their original form in languages of many countries around the world and this type of utilization is also convenient for lawyers around the globe to communicate. For instance: auditor, aviso, currency, veto, advocacy, jurisprudence.

#### **METHODS:**

It is characteristic for scientific texts to use terminology. Earlier, we analyzed what kinds of lexical units are terminology and new words. Firstly, words and word collocations formed as a result of expressing general literary concepts, identifying incidents or processes, lie under the notion of terminology. When translating terminology into Uzbek language, usually their alternatives are found, and when there are no Uzbek alternative forms for the term, the following methods of translation are used:

1. Transcription
2. Transliteration
3. Collaging

Transcription. Transcription method of translation is widely used, and it is characteristic to give the phonetic form of the word but not its orthographic version.

According to significant distinctions between Uzbek and English phonetic systems, this type of transmission is somewhat conditional and creates some similarities and differences of English pronunciation.

Generally, when translator uses transcription he/she can't help using elements of transliteration.

All set aside, elements of transcription and transliteration are expressed in the following:

1. Transliteration of silent sounds
2. Transliteration of reduced vowel sounds
3. Transliteration of double consonants
4. Transliteration of existing versions, i.e. the closest ones.

We can give following examples for occasions when terms are translated with the help of transcription. New York – Nyu York, Brown – Braun, Brifing – brifing, Amnesia – amneziya, aorta – aorta, bilirubinum – bilirubin, virus – virus, vitaminum – vitamin, habitus – gabbitus, hallicunatio – gallyusinatsiya etc.

Transliteration. This method is named so because when translating using transliteration, sound movements of the word or graphic version of the word from target language is given in the language of translation. Although this mode of translation seems to have nothing to do with translation, if we look at the evidence, finding alternatives instead of particular words to convey meaning is only used for translation purposes. Substitute word is considered to be evidence of target language, and according to this, similar alternatives are used in foreign language, as well.

Generally, this method is widespread in circle of natural language problems and considered one of the oldest ones, it is still of great significance to this day.

In fact, usage of this method is closely connected with many limitations nowadays (language policy, stylistic norms, customs of different sociolinguistic unions, etc.).

Transliteration is a method in which Uzbek letters are given to give the word consisting of English letters. For example: Nickey-Nikkey (Index of valuable papers in Tokyo stock exchange), Inauguration - Inauguratsiya, Benelux – Binelyuks.

Collaging. This method has a particular place among other translation methods, and it equally functions both with translated and non-translated lexicon. Collaging is unchangeable in stability of the word's inner form. Collaging relies on inner lexical properties that languages mutually share among themselves.

Those lexical units are used as construction materials, and serve for reforming borrowed inner form or the word being translated. Collaging is a process, when in word-for-word translation, of forming a close equivalent, by adding up the inner properties of the equivalent itself. Thus, collaging appears only in compound nouns.

For example:

Multicurrency - ko'p valyutalik, interbank - xalqaro bank (bozori) , United Kingdom – Birlashgan Qirollik, United States of America –Amerika Qo'shma Shtatlari, United Nations –Birlashgan Millatlar

The priority of this method is that by translating in this way, we convey the meaning of the equivalent more clearly and precisely.

## RESULTS AND DISCUSSION:

Although, while collaging – equivalent is usually met with word-for-word translation, it makes a text more attractive and catchy when used in briefings and potential term related works (newspapers, public and general scientific works). For instance: «Air bridge» – Havo ko'prigi, «Nuclear umbrella» – yadroviy soyabon etc.

Examples for definitive translation:

«To lobby» – Parlament a'zolariga ya'ni deputatlarga va ularning okruglariga tazyiq o'tkazish uchun delegatlarni jo'natish,

«Deterrent» – Bezash uchun moslama, qurol – yarog',

«Reducdancy» – Shtatlar qisqartmasi bo'yicha lavozimdan bo'shatish,

«Anslide» - Saylovlardagi to'la g'alaba,

«Gimmick» – hiyla, ayyorlik, ayyorona moslashish, hammani diqqatini jalb qilish uchun yo'naltirilgan xiyla,

«Brain drain» – Olimlar immigratsiyasi, malakali kadrlar immigratsiyasi,

«Think Tank» – Izlanish olib beruvchi guruh,

«Brain – washing» - Idiologik tozalash (ongni),

«Low profile» - Kamtarin, bilinar – bilinmas,

«High profile» - Ochiq rangdagi, ko'zga tashlanadigan,

«Runaways» – Boshqa davlat yoki territoriyaga ko'chirilgan korxonalar.

Distinction in semantic systems in different languages is considered to be the source of many challenges. While translating, there appear following problems:

1. Lexical problems. Absence of equivalents of foreign language lexical units in language of translation.
2. Stylistic problems. Existence of some words and word combinations used only in the circly of one genre, in combination with neutral words.
3. Grammatical problems. Absence of some grammatical means in another foreign language.

Particular original work on the basis of speech work created in another language is considered to be the object of translation. When translating, it is necessary to comprehend meaning of the text and to express this meaning with the help of units and means of another language. It is impossible to avoid semantic losses in such conditions.

When working with scientific or law related texts, and translating them into Uzbek, we can come across some nouns not corresponding in number. It is important to note that despite their number in English, they are translated according to the norms of Uzbek language. We can see this in multiple examples:

The horror of Vietnam- Vetnamdagi urush dahshatlari. It is there that anxieties are most pressing - Ayni shu erda qo'rquv ayniqsa kuchlidir.

Non-equivalent lexicon – are such words and word combinations that mean objects, events and existence ideas that formed during language development, and do not have their equivalent in translation. As examples for non-equivalent lexicon, we can take “real Americanisms”, neologisms, etc. For example: selectman-shahar boshqaruvining a'zosi (Yangi Angliya shtatlarida), drugstore- dorixona. When translating non-equivalent lexicon, it is natural to meet problems. We can give some examples of non-equivalent lexicon and their translations here.

Table 1 Non-equivalent lexicon

death penalty	o`lim jazosi
Lawsuit	sud jarayoni
life imprisonment	umrbod ozodlikdan mahrum qilish
Warrant	order, ruxsatnoma
Witness	Guvoh
Disbarment	Istisno
defence statement	himoya nutqi
Heirloom	me`ros
non-refoulement	tazyiq o`tkazmaslik
Writ	chaqiruv qog`ozi

Source: Developed by the author

Translated examples show that translators usually create equivalent words for non-equivalent lexicon in target language. Existence of non-equivalent lexicon is defined by absence of suitable word in target language. For example, the phrase “qora kun” is translated into English as “rainy day”, and absence of

strong equivalent meaning evil ideas, this phrase has to be translated as gloomy thoughts, dark thoughts, evil decision, sinister plans.

Next, appearance of non-equivalent lexicon is demonstrated in the importance of some words and word combinations that are needed to be translated with the help of transliteration or collaging methods. For instance, what kind of equivalent is necessary for the phrase “Davlat dumasi”? In this case, we can only use collaging and translate it as “The State Duma”.

Moreover, there are neologisms created with -dom in most newspapers and magazines: bangdom – uyushtirilgan banditizm, bogdom - hayot to'siqlari, officialdom - rasmiy doira

### CONCLUSION:

In conclusion, nobody can be an exception from orders issued by our head of state. This new era has put new goals before translators and translation researchers along with other educated. These goals vary from creating legal documents according to international standards, and on the other hand, making those laws and documents in standardized language with no fallacies observed.

In addition, agitating law literacy among people, making people aware of laws and other important legal documents involve completing such a responsible job related to culture of speech, that it becomes necessary for lawyers to acquire professional and speech skills.

Laws being developed nowadays require many linguistic clarifications. Yet, are we ready for it? If we were ready, our famous lawyers would not bring out the fact that most laws are firstly written in Russian, and then translated into English.

“Reforms always caused change in laws, and consequently pushed language change. Because of misusing words, creating incorrect phrases, putting punctuation marks incorrectly,

it is almost impossible to find another field of social activity as Legislative organ of the government ” - writes A. Saidov.

No one can deny that all members of our society and their duties are necessary for us. We deeply understand that how much every nation can be proud of their native language heritage in the face of world science and culture. Thus, language is spiritual mirror, flame of enlightenment, key to knowledge, and we can never consider it as a secondary item.

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