

Functional Vocabulary in the Language of the Law. A Corpus-driven Analysis of the European Union Written Declarations

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Introduction

The following paper will provide a corpus-driven analysis of some specific aspect of the functional vocabulary and performative verbs characterising the language of the law in English and techniques for their translation into Italian, through the compilation of a parallel unidirectional corpus of European Union (EU) written declarations. These official documents, printed and translated in all the official languages of the EU, represent a means to promote and enforce the political action of the European Parliament (EP) and Members of the European Parliament (MEPs). The linguistic features of this text type perform very important pragmatic functions with political and legal implicatures. Nonetheless, when translating such documents, the communicative functions intended in the original text may considerably differ in the final translation, and this phenomenon is particularly evident in a context such as that of the EU, characterized by the coexistence of multilingual stylistic registers deriving from the various Member States' legal traditions.

The following study will examine such implications through the analysis of specific functional terms and expressions typical of legal English, namely archaic adverbs, prepositional phrases and performative verbs, and their corresponding Italian translations. The purpose will be that of providing a classification of these important aspects of legal English and a description of the corresponding translation strategies into Italian, in order to identify the main problems related to the translation of functional vocabulary and performative verbs from English into Italian, and analyse the most successful translational strategies currently applied by professional translators in such cases.

1 EU Written declarations: definition and translational procedures

Written declarations are short texts submitted by a group of up to five MEPs in order to “launch or re-launch a debate on a matter falling within the EU’s sphere of activities” (EP website 2008). In accordance with Rule 116 of the Rules of Procedure¹, written declarations must be printed and distributed in all the official languages of the EU, by including them in a public register located outside the entrance to the Chamber or in other locations determined by appointed institutions. Written declarations can also be consulted on the EP website. In order to be adopted and consequently notified to the EP, written declarations must be signed by a majority of MEPs, and the signatories’ names must be indicated in the register. When a declaration is adopted, it is included in the minutes of the sitting in which it is announced and discussed. However, if a written declaration remains in the register for over three months without being signed by at least half of the MEPs, its adoption procedure expires.

These official documents therefore represent a means of the highest importance in the development and promotion of the political action of the EP and MEPs, and that is why their translation entails both political and legal responsibilities. The translation service of the EP is highly organized and is made up of approximately 700 in-house translators based in Luxembourg (EP website 2008) and a specialized group of lawyer-linguists for the drafting and translation of its most technical legal documents (Wagner *et al.* 2002). Moreover, the EP may also avail of professional freelance translators and external translation agencies for the translation of non-priority texts (EP website 2008). The translation service of the EP provides a comprehensive service of translation from and into all the linguistic combinations of the EU in order to “guarantee the transparency and accessibility of Parliament’s work” and the principle of multilingualism, which is considered to be a fundamental means “for the success of the EU’s democratic system” (EP website 2008). The EP is particularly concerned about the application of this principle, since it has to “ensure the highest possible degree of multilingualism” (EP website 2008) in order to allow EU citizens direct reference to legislation in the language of their country of origin. However, the management of such a complicated translational service entails several problems relating not only to the organization of all the possible linguistic combinations², but also to serious implications in a more strictly cultural and linguistic domain, such as:

- the non-transferability of concepts across national legal traditions (Common Law vs. Civil Law) or between supranational legal systems, such as that of the EU and the legal systems of the Member States;

- the quality of the texts to be translated (which are often written through collective drafting or through the system of relay languages, and may thus contain several linguistic interferences between languages, registers etc.);
- the use of specific linguistic terms or expressions (such as the use of specialised terminology or linguistic structures, including the use of culture-specific functional vocabulary, political slogans, puns etc).

The following analysis will focus precisely on this latter implication, considering in particular the use of functional terms and performative verbs and their corresponding translations into Italian, in order to describe the main implications and the most effective strategies involved in the translation of this type of vocabulary.

2 Functional vocabulary and performative verbs: definitions and translational implications

As affirmed by Alcaraz Varó and Hughes (2002: 165), the expression “functional vocabulary” indicates all those terms “used to interrelate the major linguistic elements, or blocks of meaningful elements, in a text”. According to the above authors, every *Language for Specific Purposes* is characterized by a functional vocabulary with specific features which, in the case of legal English, can be subdivided into two main categories:

- the adjectival/adverbial group;
- the conjunctions and prepositional phrases³.

In the vast majority of cases, these terms represent “antiquated” or “fossilized” expressions, which contribute in conferring and preserving the “conservative nature” (Alcaraz Varó and Hughes 2002: 165) characterizing the register of legal English. Similar structures and expressions are not commonly used in Standard English, since they are associated with a high level of formality and obscurity. Notwithstanding their complexity, the occurrence of such “old-fashioned syntax” and “antiquated vocabulary” (Alcaraz Varó and Hughes 2002: 7) responds to a precise need of legal discourse: that of avoiding ambiguity of terms (due to phenomena of semantic change) in order to preserve the certainty of legal concepts and procedures throughout time, particularly in the context of Common Law. In fact, the principles of Common Law are based on the notion of traditions and on the set of decisions taken by courts. Traditions and decisions form a body of legal precedents to which judges have to refer to when passing judgment. If a crime is not contemplated in the legal tradition of the system, then judges have the power and the duty to create new precedents, thus contributing to further developing and refining the set of applicable laws of

the country. While Civil Law systems are based on legislative statutes, and written codes and laws are constantly determined through the executive action of Governments, the Common Law ones need to refer back to precedents and traditions (Van Caenegem 2003). Consequently the linguistic register of Common Law systems is characterized by high densities of old technical terms and expressions, including archaic adverbs, adjectives and prepositional phrases. Common law principles represent the foundations of the Anglo-American legal systems and, since the emergence of English as a *lingua franca* in the global geo-political arena, this terminology has also expanded into international legal contexts and institutions, such as the EU. However, as Fiorito (2005) observed, the use of English as a *lingua franca* has undergone a process of standardization in recent years, particularly in the field of international law and under the influence of the EU. The English language has been “refined by law experts, with the aim of introducing civil law notions in the language and of creating neutral terms which do not refer explicitly to Anglo-Saxon legal definitions” (Fiorito 2005). This phenomenon has been particularly evident at the lexical level concerning the terminology specifically relating to legal concepts, but has not influenced the typical functional vocabulary of legal English to the same extent.

As previously mentioned, another principal characteristic of legal texts (both in English and other languages) is the high frequency of performative verbs. In speech act theory, performative expressions are those by which a speaker performs an action simply through the very fact of uttering a sentence. Basing his remarks on Austin’s theory, Searle (1992: 48) defines such expressions as “illocutionary acts”, which are performed *in saying something* and which are identified by an explicit performative verb, such as: *to affirm, to describe, to order, to demand, to approve* etc. Illocutionary acts are strictly linked to the concept of “perlocutionary act” (Searle 1992: 50), referring to the act performed *by* or *as a result of saying something*. The perlocutionary act is a non-linguistic act, determined by the consequences and effects produced on the audience’s actions, thoughts and beliefs. According to Garzone (2008) the principle of performativity applied to the analysis of legal discourse can be further completed by taking into account the concept of *constitutiveness*, a notion developed in the philosophy of law, which entails the property of creating new juridical situations or modifying pre-existing ones through the utterance of specific words, such as the words pronounced in the wedding formula, in judicial sentences or in legislative texts.

From a translational point of view, the use of archaic adverbs, prepositional phrases and performative verbs in legal texts may lead to a

series of equivalence problems between the source and target languages concerned, mainly related to the level of:

- conceptual equivalence;
- terminological equivalence;
- stylistic and genre equivalence.

As noted by Visconti (2002) the development of legal language is influenced by the nature of the source language (SL) involved and by the context of production of the text. This means that the translator of legal texts must both be a skilled linguistic expert and have a deep knowledge of the source and target culture legal systems in order to achieve a pragmatic equivalence between source text (ST) and target text (TT), thus reproducing the sense of the ST “beyond the textual level” (Baker 1992: 217). The concept of pragmatic equivalence refers to the way in which a translation has to reproduce the meaning of a ST “not as generated by the linguistic system, but as conveyed and manipulated by participants in a communicative situation” (Baker 1992: 217), by considering the conceptual relations underlying the surface of text, the participants’ knowledge of the world and their ability to interpret the text and its explicit or implicit implicatures.

As will be subsequently described in the analysis, all these implications can be applied also to the specific case of the EU written declaration since, when translating these official documents from English into Italian, translators have to achieve a pragmatic equivalence between ST and TT both at conceptual and stylistic level, by finding equivalent concepts and genre conventions between the linguistic traditions of the two different legal systems (those of Common Law and Civil Law) and by contemporary considering the international context of the EU (its international legal values, its internal stylistic procedures etc.).

3 The European Union Written Declaration corpus: description and analytical procedure

The European Union Written Declarations corpus (EUWD) is a parallel unidirectional corpus⁴ composed of a selection of current and approved written declarations published during the 2004-2009 EU Parliamentary term. The texts were selected in the following way: first, those declarations originally written in English, as indicated in the reference code of the document (see Figure 1 below) were downloaded from the dedicated EP on-line archive; then the corresponding Italian translations were selected.

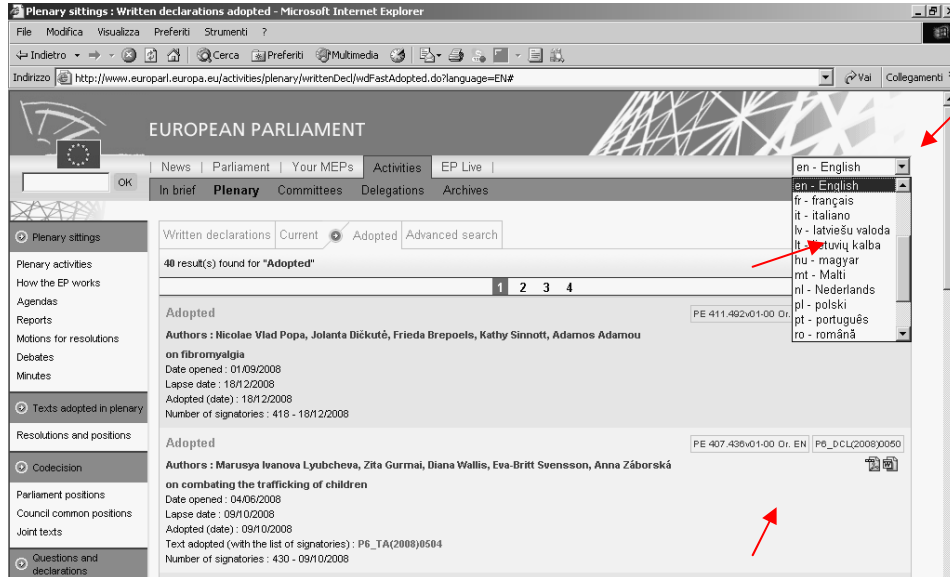


Figure 1: a screenshot of the EP web-page in which the adopted written declarations are published

The analytical tool used for the analysis was the Wordsmith Tools suite and, in particular, three of its specific programs: Wordlist⁵, Concord⁶ and Viewer⁷. The corpus comprises approximately 31,000 words (tokens: 30,756; types: 4,926).

First, the analysis was carried out by retrieving a complete list of all the words of the English STs through the Wordlist application, and then by carefully selecting the most frequent and significant instances of archaic adverbs, prepositional phrases and performative verbs and checking their uses and concordancing patterns by way of the Concord tool. Finally, the Viewer tool allowed the comparison of STs and TTs in order to analyse the translational procedures of the specific terms selected.

3.1 Analysis

The following tables contain the results of the analysis and show the most recurrent and significant archaic adverbs, prepositional phrases and performative verbs in English, their frequency and their corresponding Italian translations retrieved from the EUWD corpus:

Table 1: Archaic adverbs and corresponding Italian translations in the EUWD corpus

Archaic adverbs	Frequency	Italian translation	Frequency
1) FORTHWITH	1	IMMEDIATAMENTE	1

Table 2: Prepositional phrases and corresponding Italian translations in the EUWD corpus

Prepositional phrases	Frequency	Italian translations	Frequency
2) ACCORDING TO	3	- SECONDO - SULLA BASE	2 1
3) DESPITE	3	- NONOSTANTE	3
4) DUE TO	2	- A CAUSA DI - A SEGUITO DI	1 1
5) IN ADDITION TO	2	- OLTRE A	2
6) IN ORDER TO	7	- AL FINE DI - ALLO SCOPO DI - E - IN MODO DA - PER	2 1 1 1 2
7) IN THE EVENT OF	2	- NEL CASO DI - QUALORA	1 1
8) PURSUANT TO	48	- PRESENTATA A NORMA	48

Table 3: Performative verbs and corresponding Italian translations in the EUWD corpus

Performative verbs	Frequency	Italian Translations	Frequency
1) ACKNOWLEDGES	1	- RICONOSCE	1
2) ACKNOWLEDGING	3	- RICONOSCENDO - CONSIDERANDO	2 1
3) APPRECIATING	1	- RITENENDO	1
4) ASKS	1	- CHIEDE	1
5) CALLS FOR	3	- CHIEDE - RICHIEDE	2 1
6) CALLS ON	62	- INVITA - CHIEDE	46 16
7) CALLS UPON	11	- CHIEDE - ESORTA - INVITA	4 3 4
8) COMMENDS	1	- ELOGIA	1

9) CONDEMNNS	1	- CONDANNA	1
10) CONFIRMS	1	- CONFERMA	1
11) CONSIDERING	2	- CONSIDERANDO	2
12) CONSIDERS	4	- RITIENE	2
		- REPUTA	1
		- not translated	1
13) DECLARE	1	- DICHIARANO	1
14) DECLARES	1	- DICHIARA	1
15) EXCLUDES	1	- ESCLUDE	1
16) EMPHASISES	1	- RIBADISCE	1
17) HIGHLIGHTS	2	- FA NOTARE	1
		- SOTTOLINEA	1
18) INSTRUCTS	44	- INCARICA	44
19) NOTES	2	- PRENDE ATTO	2
20) NOTING	6	- CONSTATANDO	1
		- NOTANDO	1
		- RILEVANDO	4
21) PROPOSES	1	- PROPONE	1
22) PROVIDES FOR	1	- PREVEDE	1
23) PROVIDES	3	- CONTRIBUISCE	1
		- FORNISCE	1
		- PREVEDANO	1
24) RECOGNISES	1	- CONSIDERA	1
25) RECOGNISING	2	- RICONOSCENDO	1
		- VISTI	1
26) REMAINS	1	- PERMANE	1
27) REQUESTS	6	- CHIEDE	6
28) SHOWING	1	- DIMOSTRA	1
29) SHOWS	3	- È DIMOSTRATO	1
		- EMERGE	1
		- EVIDENZIANO	1
30) STRESSES	1	- SOTTOLINEA	1
31) SUGGESTS	1	- SECONDO VARIE TESTIMONIANZ E	1
32) SUPPORTS	2	- SOSTIENE	2
33) UNDERLINES	1	- SOTTOLINEA	1
34) URGES	5	- ESORTA	2
		- ESORTA	1
		- VIVAMENTE	1

		- INSISTE - RACCOMANDA	1
35) WELCOMES	2	- ACCOGLIE CON FAVORE	2
36) WELCOMING	2	- PLAUDENDO - RICORDANDO	1 1

Even after summary observation of the above tables, the scarce amount of archaic adverbs, in contrast to the large number of performative verbs, is striking. Another salient feature is the variety of translational options retrieved, resulting in as many as five different target language (TL) terms.

In the majority of cases, the translations into Italian achieve a conceptual and terminological equivalence, by translating the English terms through equivalent TL expressions. But there are also several instances of translation through the techniques of:

- periphrasis (or expansion), which entails the expansion of the syntactic elements or structure of a sentence in order to avoid ambiguity (Alcaraz Varó and Hughes 2002);
- transposition, which involves “the substitution of one grammatical category for another having a similar or equivalent ‘semantic density’” (Alcaraz Varó and Hughes 2002: 181), for example the substitution of a verb with a noun, a pronoun with a noun, a noun with an adjective and so on;
- modulation, which entails the “changes of semantic categories or even alteration of the processes by which thoughts are expressed” (Alcaraz Varó and Hughes 2002: 185), and which does not concern the grammatical function of terms as the technique of transposition does;
- simplification, which is expressed through the use of a simplified language. This can result in shorter sentences and in the alteration of the punctuation from weaker to stronger marks, etc. (Baker 1996). It may include the use of simpler TL synonyms, or “the omission of redundant or repeated information” and the “shortening of complex collocations” (Olohan 2004: 99).

Finally, the EUWD corpus also contains several instances of inaccurate or missing translations, which will be described in the following paragraphs.

3.2 Analysis of archaic adverbs

As can be observed from Table 1, the entire EUWD corpus contains only the English archaic adverb *forthwith*: no more than one instance in a corpus formed by 4,926 types. This may be due to the standardization of English in the field of international law which, as previously mentioned, is transforming legal English into a more neutral lingua franca, characterised by the introduction of legal concepts and procedures not strictly part of the Anglo-Saxon traditions and linguistic register, in order to be more suitable to the global communicative context of international law and political institutions. Nonetheless, the presence of traditional expressions typical of common law style could be still retraced, even if in such a limited amount.

The translation strategy applied in the Italian 'TT' resorted to the technique of simplification through the choice of a less formal adverb in the TL. Thus, the translation of the archaic adverb *forthwith* resulted in the choice of the term *immediatamente* [immediately], a word which has a similar meaning in Italian, but which fails to provide the same level of formality characterizing the term *forthwith* in the SL.

example 1)

ST:

1. Calls on the Chinese Government to consider (...), initiating a countrywide ban forthwith (...).

TT:

1. Invita il governo cinese a prendere in considerazione (...), introducendo immediatamente un divieto in tutto il paese (...).

[back-translation: calls on the Chinese government to consider (...) introducing immediately a countrywide ban (...)].

3.3 Analysis of prepositional phrases

As shown in Table 2, the English section of the EUWD corpus offered a wide selection of prepositional phrases typical of legal discourse. Their translation into Italian consisted mainly of semantically equivalent TL expressions, conferring the same level of formality displayed in the STs, as in the examples below:

example 2)

ST:

A. whereas according to US State Department research (...)

TT:

A. considerando che, secondo una ricerca del Dipartimento di stato americano (...)
[back-translation: considering that, according to a research of the US state Department(...)];

example 3)

ST:

F. noting that despite genetic similarities (...)

TT:

F. rilevando che nonostante le similitudini genetiche (...)
[back-translation: noticing that notwithstanding the genetic similarities(...)].

Another translational strategy, that can be observed in the EUWD corpus is the technique of transposition, as can be seen in the following example, in which the adjectival element of the expression *due to* has been substituted with the noun *causa* [cause, reason] and transposed into the expression *a causa di* (meaning *because of*):

example 4)

ST:

C. whereas national authorities (...) are still not acting efficiently (...) due to insufficient cross-border cooperation (...)

TT:

C. considerando che le autorità nazionali (...) non agiscono ancora in modo efficiente (...) a causa dell'insufficiente cooperazione transfrontaliera(...)
[back-translation: considering that national authorities (...) are still not acting in an efficient way (...) because of the insufficient cross-border cooperation (...)].

Furthermore, some prepositional phrases have been translated into Italian with the technique of periphrasis, as shown in the concordance line below (example 5), in which the elements of the SL expression have been rearticulated into a longer sentences in the TT, in order to provide the same solemn and formal register intended in the ST:

example 5)

ST:

WRITTEN DECLARATION
pursuant to Rule 116 of the Rules of Procedure (...)

TT:

DICHIARAZIONE SCRITTA
presentata a norma dell'articolo 116 del regolamento(...)
 [back-translation: written declaration/presented in
compliance with article 116 of the regulation (...)];

In the translations of these prepositional phrases, a case of mistranslation has emerged, reported in the example below, in which the expression *in order to* has been wrongly translated as the conjunction *e* [*and*]:

example 6)

ST:

1. Calls on the Commission to implement effectively cultural protection (...) with regard to karsts and caves (...), in order to ensure that measures to promote them are embodied (...)

TT:

1. invita la Commissione ad attuare (...) un'efficace protezione culturale delle aree carsiche e delle grotte, (...) e ad accertarsi che le misure destinate a rivalutare tali aree siano integrate (...)

[back-translation: Calls on the Commission to implement (...)effective cultural protection of karsts and caves, and to ensure that measures aimed at reevaluating these area are integrated (...)].

This type of mistranslation might not seem to be such an important mistake, but in this case the use of a conjunction fails to highlight the relation of consequence intended in the ST, thus partially distorting the expressive communicative function⁸ of the author of the text and conveying a different message to the translation addressees, a situation which, in political and legal texts such as written declarations, might influence their approval process and express misleading political messages to the citizens.

3.4 Analysis of performative verbs

As previously mentioned, one of the fundamental features of legal texts is represented by the use of performative verbs. This characteristic has been thoroughly retrieved also in the EUWD corpus, which contains a large amount of performative verbs, as shown in Table 3 above. This phenomenon can be explained by considering that the characteristics of performative verbs are particularly suitable to the function of written declarations, which is that of encouraging and stimulating the activities and the decision-making process of the EP, thus corresponding to the achievement of a perlocutionary act.

From a morphological perspective, most of the English performative verbs in the EUWD are expressed in the indicative mood, present tense, 3rd person singular, and have been translated using equivalent Italian terms and verbal moods, as shown in the concordance lines below:

example 7)

ST:

The European Parliament (...)

1. Declares that deafblind people should have the same rights (...)

TT:

Il Parlamento Europeo (...)

1. dichiara che le persone sordo-cieche dovrebbero godere degli stessi diritti (...)[back-translation: the European Parliament (...) declares that deafblind people should benefit of the same rights (...)];**example 8)**

ST:

The European Parliament (...)

1. Strongly condemns all forms of racism (...)

TT:

Il Parlamento Europeo (...)

1. condanna vivamente ogni forma di razzismo (...)[back-translation: the European Parliament (...) strongly condemns every form of racism (...)];**example 9)**

ST:

The European Parliament (...)

3. Instructs its President to forward this declaration (...)

TT:

Il Parlamento Europeo (...)

3. incarica il suo Presidente di trasmettere la presente dichiarazione (...)[back-translation: the European Parliament (...) instructs its President to transmit this declaration (...)].

Furthermore, the EUWD corpus includes also an instance in which the indicative mood of the performative verb has been translated into a passive form:

example 10)

ST:

E: whereas evidence shows that, if energy-efficient household products (...)

TT:

E: considerando che è dimostrato che se i prodotti più efficienti sul piano energetico (...)[back-translation: considering that it is demonstrated that if the most energy efficient products (...)].

The above translation represents also an example of modulation, since the structure and the semantic dimension of the original sentence have been altered through the substitution of the active sentence *evidence shows* with the passive sentence *it is demonstrated*, in which the subject *evidence* is not explicitly mentioned and can only be inferred in the connotative meaning of the verb *to demonstrate*.

Besides the above example, the Italian translations of the EUWD corpus include other translational strategies, such as:

- the technique of expansion, as in the following sentence, in which the verb *to welcome* has been translated with the addition of the adverbial expression *con favore* [*favourably*]⁹;

example 11)

ST:

The European Parliament (...)

2. Welcomes the initiative by the German, Danish and Spanish Governments (...)

TT:

Il Parlamento Europeo (...)

2. accoglie con favore l'iniziativa dei governi tedesco, danese e spagnolo (...)[back-translation: the European Parliament (...) welcomes favourably the initiative by the German, Danish and Spanish Governments (...)];

- a high degree of variation on the lexical level through the choice of several TL synonyms for the translation of a single performative verb, at times combined with techniques of simplification (example 13) and expansion (example 14 and 15) as shown in the concordances below:

example 12)

ST:

The European Parliament (...)

1. Calls on Member States to introduce (...)

TT:

Il Parlamento Europeo (...)

1. invita gli Stati membri a introdurre (...)

[back-translation: the European Parliament (...) invites Member States to introduce (...)];

example 13)

ST:

The European Parliament (...)

1. Calls on the Commission to consider (...)

TT:

Il Parlamento Europeo (...)

1. chiede alla Commissione (...) di valutare (...)

[back-translation: the European Parliament (...) asks the Commission (...) to evaluate (...)]

example 14)

ST:

The European Parliament (...)

1. Urges the Commission (...)

TT:

Il Parlamento Europeo (...)

1. esorta vivamente la Commissione (...)

[back-translation: the European Parliament (...) exhorts strongly the Commission];

example 15)

ST:

The European Parliament (...)

1. Urges the Commission (...)

TT:

Il Parlamento Europeo (...)

1. insiste affinché la Commissione (...)

[back-translation: the European Parliament (...) insists so that the Commission (...)]

example 16)

ST:

The European Parliament (...)

3. Urges Member States to devise (...)

TT:

Il Parlamento Europeo (...)

3. raccomanda agli Stati membri di elaborare (...)

[back-translation: the European Parliament (...) recommends Member States to elaborate (...)].

In addition to the indicative mood, several performative verbs of the EUWD corpus are expressed through present participles, which can be

used in English to introduce active subordinate clauses in complex phrases (Thomson and Martinet 1987). In Italian, a similar use of the present participle is not contemplated, since present participles are associated with an adjectival or nominal function rather than an active verbal role as in English. In similar subordinate constructions, the Italian language resorts to the use of gerunds or past participles, and these are also the solutions retrieved in the Italian translations of the EUWD corpus, as shown in the examples below:

example 17)

ST:

The European Parliament (...)

A. acknowledging the importance of an efficient 112 for all citizens (...)

TT:

Il Parlamento Europeo (...)

A. riconoscendo l'importanza di un numero 112 efficace per tutti i cittadini (...)

[back-translation: the European Parliament (...) recognising the importance of an effective 112 number for all citizens (...)];

example 18)

ST:

The European Parliament (...)

F. noting the conclusions of the recent report of the Agency (...)

TT:

Il Parlamento Europeo (...)

F. notando le conclusioni della recente relazione dell'Agenzia (...)

[back-translation: the European Parliament (...) noting the conclusions of the recent report of the agency (...)];

Finally, the EUWD corpus also included numerous instances of incorrect (example 19) or missing translations (example 20). The examples below are just some of the most evident ones, and they demonstrate how an inaccurate translation can strongly alter or not even convey the message and the communicative functions intended in the ST.

example 19)

ST:

The European Parliament (...)

C. welcoming the acknowledgement by eminent Traditional Chinese Medicine Practitioners (...)

TT:

Il Parlamento Europeo (...)
 C. ricordando che eminenti praticanti di medicina
 cinese tradizionale riconoscono (...)
 [back-translation: the European Parliament (...)
remembering that eminent traditional Chinese medicine
 practitioners acknowledge (...)];

example 20)

ST:

The European Parliament (...)
 2. Considers that this regulation should not have an
 impact (...)

TT:

Il Parlamento Europeo (...)
 2. Il presente regolamento non dovrebbe avere
 conseguenze (...)
 [back-translation: The European Parliament (...) 2. This
 regulation should not have any consequence (...)];

Conclusion

The implications and the difficulties relating to the translation of official documents for international organizations require the application and the combination of several translation strategies and, above all, a further extra-linguistic competence in order to identify the differences across national legal systems, to find the most adequate solutions and to adapt them to the international legal framework in which international organizations operate.

In order to describe the above implications, this paper has attempted to provide a quantitative and qualitative classification of some of the most significant archaic adverbs, prepositional phrases and performative verbs – and of the associated strategies of translation from English into Italian – characterising the EUWD corpus. The results obtained have confirmed the main linguistic features of legal English (its conservative nature, use of highly specialized terminology, complex syntax etc.) and they have also shown a tendency towards a process of standardization, particularly in relation to the use of archaic adverbs. Concerning the Italian translations, the analysis has outlined the application and combination of several translational techniques which, in the majority of cases, have managed to achieve the aim of creating a pragmatic equivalence between ST and TT. However, the analysis has also shown considerable presence of inaccurate translations which, in a context as that of legal translation, should ideally never occur.

In conclusion, translators working with international legal texts should always bear in mind that the aim of legal translation is that of producing on the target reader “an equivalent effect to that produced by the ST” (Alcaraz Varó and Hughes 2002: 178), by “seeking dynamic rather than literal equivalence” (Alcaraz Varó and Hughes 2002: 179), by providing texts which could be considered “accurate natural and acceptable” (Alcaraz Varó and Hughes 2002: 180) in the target culture and by avoiding superficial and inaccurate solutions, even when concerning the translation of apparently simple terms such as adverbs, verbs or prepositions.

Notes

- ¹ The European Parliament's Rules of Procedure are a series of rules regulating the functioning and works of the EP. They are published in the *Official Journal of the European Union*, as well as periodically in booklet form, and represent an important source of reference and warranty for the democratic functioning of the EP (EP website 2008).
- ² It is widely recognized that, as a general and ethical rule, translators should translate only into their mother tongue. However, due to the latest enlargements of the EU and the increase in the number of possible language combinations (23 official languages which can be translated into 22 others), the translation service of the EU has had to recur to a system of 'relay' languages, in order to ensure the translation of texts also into the minor languages of the Union. Through this system, a text is first translated into one of the most widely used languages of the EU (English, French or German) and from there into all the other languages spoken in the EU (EP website 2008).
- ³ For instance, the adjectival/adverbial group may include:
- compound adjectives such as: *aforesaid, aforementioned* etc.;
 - archaic adverbs such as: *forthwith, on grounds* etc.;
 - adverbs "based on the simple deictics 'here', 'there', 'where' and so on, often referring to the text or document in which they appear or to one under discussion" (Alcaraz Varó and Hughes 2002: 9) such as: *hereinafter, hereby, thereby, therefore, whereby* etc.
- Concerning the use of conjunctions, English legal texts abound with double (even triple) conjunctions such as: *if, and only if...*; *if, as and when...*; *when and so long as...* etc. Finally, typical prepositional phrases used in legal English include expressions such as: *pursuant to...*, *subject to...*, *notwithstanding...*, *without prejudice (to)...* etc.
- ⁴ A parallel corpus is composed of a set of "STs in one language and their respective translations in another language" (Zanettin 2000: 106). Parallel corpora can be unidirectional (STs in language A and TTs in language B) or bidirectional (STs in language A and TTs in language B, plus STs in language B and TTs in language A) (Olohan 2004: 24-25).
- ⁵ The Wordlist tool allows the creation of a list comprising all the words or word-clusters of a text, set out in alphabetical or frequency order (Scott 1998: 7).
- ⁶ Concord is a concordancing program with which it is possible to retrieve and analyse any word or phrase in context in all the text files chosen. It presents a concordance display, and gives access to information about collocates of the search word (Scott 1998: 10).
- ⁷ Viewer allows the production of a copy of a text file with numbered sentences or paragraphs and the alignment of two versions of a text, showing alternate paragraphs or sentences of each text (Scott 1998: 11).
- ⁸ The expressive function of a text refers to "the senders' attitude towards the objects and phenomena of the world" (Nord 1997: 41). It is expressed through all those linguistic elements which serve to convey the sender's stance towards the object of the communication, such as the expression of individual feelings, the evaluation of a problem etc.
- ⁹ In this example, the application of the technique of expansion manages to better reflect the rhetorical meaning of the verb intended in the ST, thus avoiding any semantic ambiguity which could have possibly arisen in the TL.

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