Nominative-Expressive and Expressive Nominative Word Combinations in English and Russian Legal Terminology

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Abstract: The article deals with the nominative and expressive functions of stable terminological word combinations. The author compares stable terminological word combinations with phraseological units, using the principle of nominative significance to classify them. Examples of terminological collocations with prevailing nominative and expressive functions are given. The conclusion is made that terminological collocations combine the features of both free word combinations and phraseological units.

Key words: Stable terminological word combinations % Expressive function % Nominative function % Phraseological unit % Connotation % Lexical meaning of terms

INTRODUCTION

As pointed out by Zaro and Truman, the language used in legal and official documents has some common characteristics: it is highly stereotypical, conventionalized and conservative in nature, with a high proportion of set formulae. In addition, it retains morphological, syntactical and lexical features that are no longer used in other types of texts [1].

Due to the recent developments in international economic and political relations the role of contrastive analysis in different legal languages and of methods/techniques in translating legal documents has increased. One of the primary reference sources for legal translators is bilingual law dictionaries which provide equivalent terms in a target language. Most legal terms are to be ascribed to the category of "culture bound-terms" and do not have straightforward equivalents in a target language, therefore, their translation poses special challenges to the dictionary compilers. Even a brisk glimpse at some well-renowned bilingual law dictionaries reveals different strategies employed for translation of the same legal terms. Therefore, it is of particular importance to investigate the ways in which legal substance intersects with language description in them [2].

To compare phraseological units and stable phraseological word combinations it is necessary to analyze the structures of phraseological and terminological meanings. According to Kunin, the contradiction between the integrity of meaning of phraseological units and their divided structure is one of the paradoxes of phraseological nomination [3]. The main function of any term is nominative and to investigate the correlation between terms and phraseological units, one has to study the nominative aspect of phraseological units.

The problem of nominative potential of phraseological units has not been investigated enough. Some scholars believe that they ca not perform a purely nominative function as they exist in language not to nominate but to describe objects and phenomena. The other group of researchers think that any language has a certain amount of phraseological units in which the nominative aspect prevails (*black market, shadow economy, the country of a rising sun).*

W. Koller suggested to classify all phraseological units into simple and complex, the first performing only nominative function and lacking any emotional coloring and the second group possessing additional expressive semes [4]. In Russian linguistics they single out 3 group of phraseological units: 1) nominative-expressive (filling lexical gaps like *black magic);* 2) expressive-nominative (possessing both nominative meaning and a number of connotative semes, the majority of phraseological units belong to this group, foe example *money for old rope, the law of the jungle*); 3) expressive

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phraseological units (interjectional and modal phraseological units, possessing the minimal denotative meaning, for example, *Oh my God*).

Terminological collocations perform nominative function and the combination of semes in their structure is fixed, a change of any seme being impossible. Terminological word combinations are variable, but at the same time fixed formations. Kunin as well as the majority off Russian linguists working in the field of phraseology believes that all stable fixed terminological word combinations with both literal and figurative meanings are part of phraseology.

MATERIALS AND METHODS

We used the methods of comparative typological analysis as well as the method of analyzing dictionary definitions. We applied to explanatory and bilingual printed dictionaries (e-dictionaries being left outside our investigation) [5-21].

The Main Part: In our research we grouped all fixed word combinations in legal terminology of English and Russian into expressive-nominative and nominative-expressive. Here are some examples of word combinations with prevailing nominative function:

C   *A Dutch auction – "aukczion naoborot" (literally "an auction vice versa")*

The collocation is a non-motivated phraseological init. As the other phrases with the component "Dutch" *("to go Dutch, Dutch courage)* it seems to appear in the period of wars between England and Holland and initially had a negative connotation. The Russian term is neutral and is aimed at explaining the essence of nominated notion.

A word combination *tombstone vote* is translated into Russian as "golosovaniye vmesto umershykh" (literally "voting instead of the dead"). The Russian term contains no shift of meaning which can be explained extra-linguistic (absence of traditions of parliamentary democracy) and linguistic (bright images are not typical of terminology in the Russian language) factors.

Judge made law is *"prezcedentnoye pravo" (a law based on precedent).* The English word combination not only nominates the notion, but also reveals its essence,

the attributive component *judge-made* is more understandable for a layman than the corresponding component in the Russian word combination.

Key money is translated as "zadatok kvartironanimatelya" (an advanced payment paid by the renter). Different semes find their expression in English and Russian word combinations: the seme "getting access to a flat" is expressed in English whereas the seme "prepayment" is stressed in Russian.

Turncoat witness is the one who unscrupulously changes his evidence. The entry in terminological dictionary has a loan translation "svidetel oboroten"/ "witness werewolf" preceded by definition.

To strain the law means "dopustit natyazhku v tolkovaninyi zakona" (literally "to allow oneself a strained interpretation of the law"). In English and Russian the semantic shift is based on the same image, the metonymic meaning of the verb to *strain = to take or use something to or beyond the limit of what is acceptable or possible*. However, English and Russian word combinations differ in grammatical structure ($V + N$ in English and $V + N + Prep. + N + N$ genitive in Russian).

As one can see from the previous examples nominative-expressive word combinations perform the function of nominating new notions and phenomena in conditions which are new for native speakers of this or that language. The majority of collocations, in which the nominative function prevails, have the structure $N + N$, *Adj./Participle + N*. The first attributive component is used in figurative meaning (turncoat, Dutch) and the second component is a noun and a term and is used in direct meaning. In verbal stable terminological word combinations formed according to a model $V + N$, the verb is used in figurative meaning. The second component is a noun-term with direct meaning.

In our research we also studied Russian word combinations. For example, "obkhodit zakon" (literally "to get round the law") means to evade the law. In Russian word combination figurative meaning of the verb "oboyti" – "obmanut, perehitrit" (to trick somebody, to deceive) is used. Here semantic shift helps to make the term brief though it nominates a complicated situation with complex system of relations between the notions (using gaps in law to one's benefit).

In Russian they speak about *"smyagcheniye obvineniya" (softening a charge).* The English variant of the term is *charge reduction*. In Russian *smaygcheniye* means leniency shown by prosecution. The analysis of

the meanings of the adjective "myagkiy" proves the presence of positive connotations in semantic structure of the Russian word combination.

In legal language of English speaking nations there are two terms denoting actions aimed at reducing the amount of taxes to be paid: *tax avoidance* presupposes using legal ways to pay less, while *tax evasion* describes illegal activity such as hiding the source of income. It must be noted that the Russian language has no lexeme for *tax avoidance,* one has to speak about *unkoloneniye,* which in fact is the same as tax evasion. The Russian-English dictionary of law translates *uklonyatsya* as to *evade a tax* and to *dodge taxes* and this can be explained by the absence in Soviet command economy of practices to minimize taxes [7].

Now let us study some examples of expressive-nominative word combinations. Very often stylistic connotation which English compound terms possess can not be reflected in the Russian translation. For example, *star witness* turns into just *chief witness ('glavnyy svidetel"),* which is a free word combination, not a stable one. A witness in Russian law can not be "a star" and it is impossible to render the stylistic connotation in the translation process. The most expressive variant in Russian is key witness ("klyuchevoy svidetel"), but not a star witness.

In many cases the semantic shift is based on different images. One of such examples is *slim evidence,* which can be translated only as "nesushchestvuyushchee, slaboe dokazatelstvo" (non-existent, weak evidence). The impossibility to reproduce the image, on which the semantic shift is based, can be explained by the fact the two compared languages are structurally different.

Absence of some traditional practices can also account for very small number of full equivalents among expressive nominative word

combinations. For instance, *left-handed oath* is translated as *"lozhnaya prisyaga" (false oath).* The semantic shift on the same basis is absolutely impossible as the Bible was not used in Soviet court system for giving oath.

Some peculiarities of historical development of the nations can be the reason why this or that phenomenon may be reflected in terminological system of one language in a more positive or negative way than in that of the other. For instance, the English terminological word combination *sea rovers* lacks negative connotation. According to its definition rover is "a person who likes to

travel rather than to be settled in one place", though *pirate* is "a person who attacks and robs other people at sea" [16]. Absence of negative connotation is the result of extra-linguistic factors. It is common knowledge that England has been a sea empire centuries, its whole life being closely connected with the sea. Very often the sea way was the only one and at moments of danger the nation was saved by the sea. The sea became a part of the national spirit of the British and it could not but be reflected in the language. In the 16th century the *sea dogs* under the patronage of Elizabeth I contributed to the development of trade and strengthening of the military power and helped to defeat the Spanish fleet in 1558. The nation could not have a negative attitude towards those who made England a strong power at sea.

The Russian-English dictionaries of Law do not fully reflect the connotative component of meaning. For example, "Русско-английский юридический словарь" by I. Borisenko and V. Saenko marks entries as official, colloquial, jargon, figurative or obsolete. There are also marks indicating the sphere of usage of the term (American English, insurance or international law). We came to a conclusion that only functional-stylistic component is represented, while there are no marks showing emotive or expressive character of word combinations [7].

The following Russian word combinations can be classified as emotive-expressive ones:

Razzhigat/ razduvat nazionalnuyu vrazhdu – to incite/ to inflate/ to tsir up national hostility. The Russian verb has the meaning "to strengthen something very much", its primary meaning being "to kindle".

Many stable terminological word combinations belonging to judicial terms in English are phraseological units. For example, *all fours/ to be on all fours* in the meaning of *"absolute agreement, agreement on all the issues"* must be a case of metonymy originating from the primary meaning *"supported on one's hands and knees"* [16]. The same phenomenon may be observed in phrase *to kiss the Book* which in legal English means "to give an oath", the custom of kissing the Bible being unknown to the representatives of the other cultures.

It is evident that linguists working in the fields of phraseology and terminology face different tasks: a dictionary of terms is to equip its users with the most exact and convenient variant of translation, while phraseology focuses on revealing all the components of meaning in the other language. Phraseological units are

valuable from cultural point of view. They contain important information about reality and represent a part of background knowledge of native speakers of any language.

Special terminological dictionaries of law include a number of idioms conncetd with electoral campaign or reflecting the peculiarities of state institutions, such as *straw vote, inner cabinet, cookie pusher.* Such collocations get stability and become phraseological units by being frequently used in the press. It should be mentioned that not all such idioms are terminological word combinations. Foe instance, "The English-Russian dictionary of law" by S. Andrianov contains *"a straw vote', 'a tombstone vote", "a shadow cabinet", "the inner cabinet".* But it does not have phraseological units describing the government policies such as *"a carrot and stick policy".*

Terminological word combinations, formed according to productive models in the language, are capable of forming phraseological units. In terminology one can find examples of both motivated and non-motivated nomination. An American slang phrase *"frog hair" (money used for electoral campaingns)* is an example of non-motivated nomination.

A conclusion can be made that stable terminological word combinations should be investigated in connection with free collocations and phraseological units. The scholars discuss the basis for treating terminological word combinations as phraseological units and look for the features differentiating compound terms and free collocations, compound terms and idioms. In free collocations the semantic center of the utterance and the grammatical center coincide. But it is difficult to find a word expressing the basic notion in many compound terms. The process of defining semantic centers of compound terms is hampered by their notional homogeneity. From the semantic point of view fixed terminological word combinations are stable and are similar to phraseological units in this respect. But grammatically they are organized as free collocations.

However, phraseological units are aimed at nominating the object of reality as a whole without correlating the structure of the object with the meanings of the words which constitute it. But the majority of stable terminological word combinations are similar to free collocations as their meanings are often equal to the sum of meanings of words which constitute it. The meanings of some terminological word combinations are formed from the sum of the words. For example, the meanings of some terminological word combinations, which are marked as stable, can be obtained from the meanings of their *terminological* components *("living in adultery", "crime against the United States", "to defend a case").* The components of terminological collocations, performing explanatory function, indicate important features of a nominated object and a compound term as a whole terminates the object, which makes determining the semantic center difficult.

Outcome of the Research: Our research has shown that terminological word combinations have an interim status between free collocations and phraseological units. Terminological word combinations lack many features of phraseological units such as fixed word order or impossibility to be translated word for word.

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