

THE RELEVANCE OF THE STUDY OF ENGLISH LEGAL TERMINOLOGY

Recently the study of language has become extremely relevant in the aspect of its interaction with the culture. The development of linguistic and cultural areas is due to the desire to comprehend the phenomenon of culture as a specific form of human existence and the society in the world. Translation in this case is a mediator in the process of comprehension and understanding of different cultures, in the implementation of contacts and communication between them.

English is not only a means of international communication, and legal activities. The use of English in professional work requires knowledge of the basic concepts, realities and phenomena in the field of law, as of a national system, and also the legal system of English-speaking countries. The integration process facilitates the penetration of the terminological part of the Russian and Ukrainian languages the words denoting the phenomenon not only existing in our reality, and phenomena inherent in the legal systems of purely English-speaking countries. The integration process facilitates the penetration into the terminological part of the Russian and Ukrainian languages of the words denoting the phenomenon not only existing in our reality, and phenomena inherent only to the legal systems of English-speaking countries. The process of borrowing is also due to the need to differentiate close in meaning, yet distinct concepts. Their entry into the vocabulary of the Ukrainian language reflects the adaptation of a concept in our reality. Thus, knowledge of basic legal concepts, key words, and key phrases is connected with the study of the national legal system and legal concepts of the UK, the US etc.

The dictionary is the main source of effective communication, so the study of the English legal vocabulary is necessary for its expansion and full understanding of the entire scope of the phenomena. The expansion of cultural relations, scientific and technological progress, international relations leads to the interpenetration of the legal systems and the emergence of the Ukrainian words that reflect the realities of European legal systems. Multiple stages of «take-off» in popularity of foreign language terminology are related to social phenomena in different historical periods. Update of a literary and spoken language is in direct proportion to the degree of development of the society. The ongoing changes in society, breaking the old and the emergence of a new relationship gives, as a rule, a push to similar processes in the area of language development.

The answer to the question of the intensity of the interaction of legal systems may be obtained in the analysis of lexical borrowing for their degree of adaptation. Many studies in this area show that most of the words are fully adapted to the Ukrainian language, indicating rapid and intense process of interaction of cultures and languages as well, hence the need to study foreign terminology, both by scholars and law students.

A lot of studies in this area show that most of the words are fully adapted in Ukrainian, indicating rapid and intense process of interaction of cultures and languages as well, hence the need to study foreign terminology, both scholars and law students.

The need to the study of the English legal terminology is explained by the fact that currently there are many sources of information (radio, TV, newspapers and the foreign press, the Internet), which provide the latest information as a mother tongue and foreign language; it can be also explained by the legal processes that occur in the world. Crime situa-

tion in society is reflected in the neologisms of the 90s 'hacker' (хакер), 'cybergangster' (кібергангстер), 'hijacker' (хайджекер), 'phreaking/ phreaker' (фрікінг, фрікер) etc.

Knowledge of foreign legal terms and latest English borrowings and their study in a course in English and Ukrainian is, of course, a prerequisite in order to be aware of the changes and developments of the world, the ability to operate the basic key concepts of theory and practice.

Legal language is considered the main, the most informative layer of law vocabulary contributing to the formulation of precise and clear legal regulations. A social possession of knowledge of legal norms, legal terminology, and judicial procedure systems plays leading role in the mastery of legal vocabulary. Legal text is one of the most important forms of the existing expression in the sphere of law. A legal document, other written translations of legal information possess text features and peculiar linguistic expression. Translation skills of any legal text require the ability to compare the national languages, and thus cultural concepts. To achieve adequate translation is necessary to know the specifics of the concepts the nations between which communication is carried out.

Therefore, at present the knowledge of the English language is of particular importance. Social order in the educational field of «foreign language» involves ensuring ownership of foreign language experts as a means of intercultural and professional communication. This job requires knowledge of legal jurisprudence taking into account international law. Thus, the English language is designed not only to develop thinking and outlook of students, but also to promote the systematic mastery of professional legal English. Therefore, the study of the English legal terminology is one of the primary tasks of teaching. However, as practice shows, the special difficulties and problems appear in the study of the legal terminology as law operates complex, multi-faceted and specific concepts that are expressed via respective special terminology, are mono-semantic, have functional stability and are divided into filed legal terms, cross-sectoral and common.

As you know, law in its British variant reflects the more conservative side of the relationship in human society. In the UK still there are laws that haven't been changed for six centuries. Therefore there is nothing surprising in the fact that the English legal terminology contains many archaic expressions and words that in other areas of linguistics are considered hopelessly obsolete. That is why the style is full of archaisms, and all sorts of contracts, business letters, agreements and other legal documents. It's all about not the stagnation of lawyers thinking, but about the fact that the language of these documents is committed to the maximum extent to meet the language in which British laws are written. An important feature of the English legal terminology is its accuracy and specificity. There should be no place for inaccuracies that may distort the meaning of the term due to the fact that the verdict and the sentence is up to them.

Students should be aware that in modern English Latin legal terms with little or no change in their spelling patterns are widely used. Many of these words have been taken directly from the source language in different historical periods: *credo*, *forum delicti*, *votum separatum*, *habeas corpus*, *memorandum*, *mandatum*, *veto*. A lot of ideas came into English through French: congress, constitution, legislature, parliament, president, representative. Sometimes a common Latin term has different meanings through the various languages. Thus, the Latin adjective 'legalis' (legal) has the form of 'legal' (directly from Latin), 'leal' (from the Anglo-Norman), 'loyal' (from Old French). The legal texts use both modern and Roman expressions.

A positive factor in the mastery of legal terminology is the possibility of intercultural perspective of usage of Latin borrowings that belong to the so-called international vocabulary, which are repeated in the languages of many nations, united between by common features of the cultural and social development. That is why the principles and basic concepts of international law are set out in Latin: *res judicata* (legal precedent), *lis alibi pendens*

(consideration of civil cases by courts of different states), *utendi et abutendi* (right to enjoy and use) etc.

Here are a few of the cultural and legal realities, which places most Ukrainian lawyers in terminological impasse.

Prosecutor (attorney): there is no any direct correspondence between the Ukrainian prosecutor and American one, all the more the British one. The positions of Minister of Justice and Attorney General (Attorney) are combined in the United States. There is even worse situation with the concept of Ukrainian «Ministry of the Interior» that doesn't correspond in any way to the Department of the Interior in the USA. The latter is a Cabinet-level agency that manages America's vast natural and cultural resources and is not engaged in the fight against crime. Therefore, a combination of a direct translation, «the US Department of the Interior» shall not be out of context information and, moreover, can be misleading.

American concept of plea bargaining can be interpreted as «the negotiations with the defendants on the deal of the plea/ admission of guilt.» One of the conditions of such a deal may be an admission of guilt for at least one crime in exchange for the removal of some most serious points of accusation. In addition, the prosecution can make a commitment to speak in court about the commutation of the sentence (in the majority of criminal cases).

This range can be extended. The concepts 'tort', 'privacy' and many others can be given a very rough translation. The famous 'Miranda warning' which can also be referred to as the *Miranda rights* (a right to silence, warning given by police in the United States to criminal suspects in police custody (or in a custodial interrogation) before they are interrogated to preserve the admissibility of their statements against them in criminal proceedings; immediate and mandatory declaration of unconditional right to the apprehend him) was once translated as «rule of Miranda» instead of 'Miranda ruling'. American JD degree was added to a cohort of «doctors,» despite the fact that it is the first law degree. In the biography of blues star of the 40s Billie Holiday there was a sentence of probation, assigned by the court for excessive passion for drugs, which was directly translated as «test» time.

Special linguistic specificity of Ukraine, the de facto bilingualism makes the problem more relevant in the context of English and Russian-Ukrainian translation. But on the other hand, the bilingualism in the work on vocabulary provides a comparison of the meaning volume in both languages and identifies the national specifics of a lexical unit. Practice shows that such an approach leads to the assimilation of the language in intercultural perspective. In this regard, finding the Ukrainian conformance to the terminated vocabulary is one of the most important educational objectives.

Law in practice requires the fullest authenticity, as they say in international instruments. But is it possible? In some cases, the complete transfer of meaning without any damage is possible. However, the law in general is different from many other spheres of human activity by known conservatism and archaic style. (This is especially true for common law where lawyers are still using legal terms the 400-year-old, obscure for an ordinary person). Translation, as paradoxically sounds, creates a problem, and does not remove them. This primarily refers to the language Ukrainian reality. At the same time the movement to Europe, globalization involves the assimilation of civilized legal traditions that have emerged over the centuries.

One of the important tasks is the development of professional competencies through the mastery of legal terminology in the English language, which is a complex and multifaceted process. Difficulties arising in the course of its study, of course, are not limited to those described above problems. However, we hope that the competence and complex approach and intercultural perspective of the material will undoubtedly facilitate deeper, meaningful and creative learning English legal terminology.

References:

1. English for legal professionals / Andrew Frost. – OUP, 2010.-96p.
2. Frost, Andrew. English for Legal Professionals. – Oxford University Press, 2009. – 96 p
3. International Legal English: a course for classroom or self-study use/ Amy Krois-Lindner. – Cambridge University Press, 2007. – 317 p.
4. Introduction to international legal English: a course for classroom or self-study use/ Amy Krois-Lindner, Matt Firth. – Cambridge University Press, 2007. – 155 p.
5. Джейси Чо Д. Функционирование неологизмов в языке газеты [Электронный ресурс] / Дж. Джейси Чо // Russian Language Journal / Русский язык Vol. 58, Special Issue: Language Culture in Contemporary Russia. – 2008. – pp. 133-157 . Режим доступа до ресурсу: https://www.jstor.org/stable/43676589?seq=1#fndtn-page_thumbnails_tab_contents.
7. Ажнюк Б.М. Англiцизми в сучасних українській, російській та польській мовах // Мовознавство. – 2008. – №2-3 – ст.190-207
8. Дьолог О. С. О. С. Процесс адаптации новітніх англійських запозичень у сучасному українському мовленні [Електронний ресурс] / О. С. Дьолог О. С.// Ученые записки Таврического национального университета им. В.И. Вернадского. Серия «Филология. Социальные коммуникации». – 2011. – Том 24 (63). 2011– г. No4. Часть 2., С .118-121. – Режим доступа до ресурсу: http://sn-philolsocom.crimea.edu/arhiv/2011/uch24_42fn/018.pdf.

УДК 81+82(063)

ББК 81+83я43

М 74

Мова та література у полікультурному просторі: Матеріали міжнародної науково-практичної конференції: м. Львів, 10-11 лютого 2017 р. – Львів: ГО «Наукова філологічна організація «ЛОГОС», 2017. – 160 с.

Видається в авторській редакції. Редакційна колегія Наукової філологічної організації «ЛОГОС» не завжди поділяє погляди, думки, ідеї авторів та не несе відповідальності за зміст матеріалів, наданих авторами для публікації.

У виданні зібрані тези, подані на міжнародну науково-практичну конференцію «Мова та література у полікультурному просторі».

УДК 81+82(063)

ББК 81+83я43