

SEMANTIC WAY OF TERM FORMATION IN ENGLISH AND UKRAINIAN LEGAL TERMINOLOGY

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Statement of the problem. The primary goal of comparative linguistics is to classify the languages of the world, to sort them out and to assign to genetic families. The uninterrupted use of the languages throughout the generations of speakers may be attested or supposed, according to whether it is based on historical data or on a credibly substantiated hypothesis.

The tasks of comparative linguistics are set and solved on different language levels. However, it should be noted that linguists working in such direction pay special attention to the problem of comparing the grammar and phonetic phenomena of two languages.

As to the vocabulary, it is a very complicated and vast part of the language, from which the apparent features of the system are missing. When we speak about vocabulary, we should take into account the whole complexity of the word's semantic structure, connected with its logical and subjective content, representing the reflection of objective reality, its lexico-grammatical combination and correlated links of words with all the semantic system of the dictionary [3, p. 20-21].

Comparison of different terminological systems is an extremely **relevant** problem of contemporary comparative linguistics, as far as one and the same terminological system has a number of identical and different features in the contrasted languages. These features can be observed in term formation semantic processes, functioning of terminological units etc.

A number of modern works touch the problem of semantic processes in the special vocabulary. The systems of terminological meanings are mainly examined in separate well - organized terminological systems, features of the lexical - semantical modifications of terminological units, that are carried out by the analysis of the semantic structure of special lexemes, exposure of integral semantic signs and different components of meaning.

The research of lexical - terminological formation of terms enables linguists to expose subtypes of terminological vocabulary connected with different kinds of reinterpretation, define the role of motivational semantic signs, features of metaphorical and metonymical transfers, to set directions of forming and development of terminologization in a language, and also some regularities of the use of semantically formed terms and their functional loading.

The **aim of our paper** is to disclose the peculiarities of semantic way of term formation in the English and Ukrainian legal terminological systems in comparison. In our investigation semantic analysis of terms is especially urgent in the sense of acquiring new special meaning by the terms already existing in other special languages, and those

which were formed as a result of reconsideration of generally used words. This phenomenon is called the semantic way of term formation, or terminologization.

Semantic way of term formation means the emergence and adaptation of new terms in the language by semantic transformation of already existing words. As the thinking obtains new data on the reality through the known stock of information, there appears a situation, in which a certain scientific concept due to its similarity with the common concept can be designated by the same sign as the latter instead of a specially formed term. Thus the second use of lexical units accompanied by the reconsideration of their semantics is observed.

In the system of the English language there exist a constant bilateral connection between the scientific terminology and the common language vocabulary [6, p.67]. Any word or word-combination can become a term in case its meaning is included into a certain system of concepts which concerns a certain systematized field of knowledge. A common language word entering the terminological system “preserves its sound form, but acquires another semantic meaning starting to denote a special concept” [5, p. 58].

Findings and discussion. The object of the analysis of our paper are the English and Ukrainian legal terms and their terminological and common language meanings taken from the terminological and explanatory lexicographical sources. In our language material there are words, which, by getting a specific meaning which corresponds to the definite notion in the special field of knowledge, get the status and the characteristics of terms and become the components of the legal terminological system. This process takes place without the change of the primary meaning of the term in the common vocabulary. The indicated words underwent the process of terminologization, if they got a special definition, and found their place in the system of particular terminology science [4, p.15]. The change of meaning of a word which becomes a term, results in the changes in its semantic relations, losses of connection with common language synonyms and antonyms and so on.

In the English language there exist some common language lexical units, which having acquired specific meaning in the terminology of law became the components of this terminological system. This process occurs without the change of the initial meaning in common lexis. Such words become terminologized if, having received a special definition, they occupy their place in the system of terminology of law. The semantic analysis of our English language material showed that semantic way of term formation is one of the most spread ways of term formation in the English terminology of law.

We have arrived at the conclusion that in the English legal terminology interaction between common and special meaning is closely connected with two basic ways of secondary nomination: metaphor and metonymy. In terminology a metaphor is a means which provides a vivid expression of “concrete scientific idea with the help of a certain picture known for us from the previous experience and stimulates our thoughts in the necessary direction by these means” [2, p.13]. The initial stage of using metaphors in terminology is the “verification of identity of the properties of objects, in the process of establishment of new referent relations, which are regulated by the laws analogical to those set before” [1, p.16].

The basis of metaphORIZATION of an English common language word that becomes the term of law is the likeness between the objects. For example, the term *answer* is understood in law as *a paper submitted by a defendant in which he/she responds to and/or denies the allegations of the plaintiff; the usual response to a complaint or petition* [7]. In common language this term is used in several meanings: 1) *something you say when you reply to a question that someone has asked you*; 2) *something that you write or say in reply to a question in a test or competition*; 3) *a written reply to a letter, invitation, advertisement etc.*; 4) *a way of dealing with a problem*; 5) *if you get an answer when you call someone on the phone, they pick up the phone and talk to you* [8]. In our opinion the special meaning has developed on the basis of the fourth meaning with reference to legal concept.

Terminological unit *deceit* in legal terminology is characterized by the following definition *when one person deliberately misleads a second person with a statement which causes the second person to do something that causes them damage* [7]. The explanatory dictionary treats this word as having the meanings: 1) *behaviour that is intended to make someone believe something that is not true*; 2) *to give someone a wrong belief or opinion about something* [8]. The terminological meaning is closely connected with the second common language meaning.

On the basis of likeness of features the legal term *front* was formed from the common language word: *front – (legal) cover for criminal activity, front (common language) the surface of something that faces forwards* [9]. On the basis of similarity to animals the law term *shark (customs official* [7]) was formed from the common language lexeme *shark (a large sea fish with several rows of very sharp teeth that is considered to be dangerous to humans* [8]). The similarity to the name of object or place (*a place where a lot of people go for holidays* [8]) was the basis for creation of the legal term *resort (thieves nest* [7]).

The metonymic transfer of meaning is performed on the basis of connection between the process and result (*report – a published volume of federal, state, or regional judicial decisions and recording of proceedings; life as life and life imprisonment*), process and person (*bag-steal – stealing of a bag and the thief who specializes in bag stealing*), process and object (*controversy – legal dispute and the subject of dispute, succession inheritance and property which passes by inheritance*), a part and the whole (*argument evidence and evidence presentation*).

The accelerated development of the semantics of words in the English legal terminology is caused by specialization of meaning after incorporation of a common language word into the legal semantic field. For example, in common language *instrument* is “*a tool or piece of equipment*” [8] and in legal terminology *instrument* denotes “*a legal document*” (*inchoate instrument, negotiable instrument, statutory instrument*) [7].

Terminologization of common language words in the Ukrainian terminology of law is based on the likeness between the objects. For example, the legal term *обов'язок* is used in the legal context in the meaning *the measure and kind of the necessary behaviour of the subject in accordance with the law (передбачені правом міра й вид необхідної*

поведінки суб'єкта) [11]. In the explanatory dictionary this word is explained as *something that should be strictly followed to, that we should perform flawlessly according to the requirements of society or on one's own conscience (те, чого треба беззастережно дотримуватися, що слід безвідмовно виконувати відповідно до вимог суспільства або виходячи з власного сумління)* [10].

The word *інкубатор* in common language denotes *apparatus for artificial breeding of young specimen from eggs of the farm poultry, eggs of fish and so on (апарат для штучного виведення молодняка з яєць сільськогосподарських птахів, з ікри риб і т. ін.)* [10]. The analysis has showed that on the basis of likeness this meaning was transferred into the special legal one defining the term *бізнес-інкубатор* as *the organization that provides under certain conditions specially equipped premises and other assets to small and medium enterprises that start their activities in order to facilitate them in gaining financial independence (організація, яка надає на певних умовах і на певний час спеціально обладнані приміщення та інше майно суб'єктам малого та середнього підприємництва, що розпочинають свою діяльність, з метою сприяння у набутті ними фінансової самостійності)* [11].

The legal term **захисник** is used to denote *a participant in the criminal process, authorized in the manner prescribed by law to protect the rights and legal interests of the suspect, defendant, convicted and acquitted (учасник кримінального процесу, уповноважений у передбаченому законом порядку здійснювати захист прав і законних інтересів підозрюваного, обвинуваченого, підсудного, а також засудженого та виправданого)* [11]. The explanatory dictionary explains the word **захисник** as *the person who protects, defends, somebody or something from an attack, hostile, dangerous actions and so on (той, хто захищає, обороняє, охороняє кого-, що-небудь від нападу, замаху, удару, ворожих, небезпечних і т. ін. дій)* [10].

The medical and biological term **імунітет** meaning *nonsusceptibility of an organism to infectious diseases, poisoning; resistance against infection, poisoning (несприйнятливість організму до збудників заразних хвороб, до отруєння; стійкість організму проти зараження, отруєння)* [10], in our opinion, could have laid the semantic basis for the terminological meaning *the legal right not to obey some general laws given in some cases to the states, international organizations, individuals that occupy a special place in the country (юридичне право не підкорятись деяким загальним законам, надане в окремих випадках державам, міжнародним організаціям, особам, що посідають особливе місце в державі)* [11].

Conclusions. Semantic analysis of the English and Ukrainian legal terms showed that semantic way of term formation is the way of term formation that is applied for formation of terminological units in both languages. In the English terminological system it is used more often than in the Ukrainian one. It can be accounted for the fact that the Ukrainian terminological system contains a greater number of borrowed terms and the ones formed by other ways of term formation. The analysis of the language material enabled us to make the conclusion that in the English legal terminology interaction between common and special meaning is closely connected with two basic ways of secondary nomination: metaphor and metonymy whereas in the Ukrainian one

metaphorization of Ukrainian common language words prevails what means that the common language word becomes the term of law on the basis of likeness of features of the nominated concepts.

Terminological meanings of these words were fixed to the language signs starting from the development of law as a system of scientific knowledge, emerging either as a result of semantic reconsideration of lexical units in new functional systems or being reused, i.e. in the acts of secondary nomination. The problem of terminologization affects the whole complex of important questions, which determine a necessity of functional-semantic approach, bringing in new ways and research methods, analysis of deep processes that are going on in the semantic structure of a word.

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Резюме

Стаття присвячена порівняльному дослідженню юридичної терміносистеми в англійській та українській мовах. Автор розглядає семантичний спосіб термінотворення у юридичній терміносистемі двох мов. У статті утворення термінів вивчається через призму взаємодії термінологічної та загальноживаної лексики.

DIGIMODERNISM – THE NEW LEVEL OF POSTMODERN?

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Postmodern interpretation of culture, which has dominated arts and philosophy for decades since the turn of the nineteenth century, seems to have become too broad and too vague towards the 1980s with the emergence of digital technology. New inventions, such as Web 2.0 applications and the new possibilities these technologies allowed to manifest in cultural products have inspired new thoughts. The new reality cannot be fully and precisely described along the coordinate system of postmodern criticism and philosophy. The objective of this paper is to describe how textuality and narrative can be viewed in digimodernism that have the potential to expand postmodernist interpretation of the world vis-à-vis digital technologies.

According to postmodernism, there is no objective truth. What we consider true or real is just the construct of our brain. Culture, morals, religion, even language, science and arts are mere social constructs. Implementation of digital technologies in production of documentary films created a situation in which imagined reality can vindicate the right to be called documentary – a genre that declares to document the real, the valid and the scientifically proven. The answer might possibly be found in digimodernism.

The postmodern is dead. David Rudrum and Nicolas Stavris in their Introduction for the anthology titled *Supplanting the Postmodern* compare postmodernism to the breadth of a river which has become too broad, has slowed down and dispersed. What we may observe is the raise of a series of views, approaches, standpoints and formulations that all have the potential to become dominant in our century alone or in combination with one another and replace the stagnating postmodernism. Remodernism, performatism, hypermodernism, automodernism, renewalism, altermodernism, digimodernism, and metamodernism all try to depict a new paradigm and replace the too all-inclusive definitions of postmodern. The key word in this evolution is reality. We seem to move towards a wider definition of reality that goes beyond the postmodern interpretation of the world based on relativism and irony.