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MODELLING COMPREHENSIBILITY IN LEGAL TRANSLATION FROM A COMPUTATIONAL AND EMPIRICAL PERSPECTIVE: HOW PRACTICE MEETS EXPECTATIONS

Keywords: comprehensibility model, expert reception study, binomials, legal language.

ABSTRACT

Despite a number of phraseological studies drawing significantly from novel perspectives (interdisciplinary frameworks, inter-methodological approach, empirical data, advanced statistics) the translation of formulaic legal language, including linguistic binomials (hereinafter referred to as binomials), is still reported as a challenge. The objective of this paper is to present an expert-mediated comprehensibility model for the English/Polish and German/Polish translation of legal binomials that ensures time-effective reception, preventing potential conceptual loss. The representative parallel data for the two language pairs were retrieved from authentic data corpora. The research task was further operationalised via an expert reception study (online survey) which enabled the authors to investigate the comprehensibility level of the actual translation practice patterns. The adequacy assessment data obtained in the online survey were statistically processed for the correlations between structural variables and translation patterns, including a comparative perspective. The expert respondents were professional lawyers; in particular, representatives of the judiciary, Bar Council and Notary Public Council, with a command of English and/or German at a level not lower than B2 CEFR. It was hypothesised that the specific translation output (corpus-derived parallel data) encompasses a number of solutions, and that the translation patterns observed are largely applied inconsistently. Further, the authors hypothesised that the expert adequacy assessment supported by expertise in the target legal system provides an additional perspective which often escapes purely linguistic solutions, and can be treated as an effective guideline for modelling recommended, communicatively effective translation patterns. The results provide expert recommendations for the two language pairs in general, and with regard to structural distinctions. The findings show that the translation of binomials is a complex issue which is significantly affected by their structural profile, specificity in terms of language structure, and the distinctions of the legal systems of a given language community.

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INTRODUCTION

This research project addresses the issue of comprehensibility in legal translation with regard to formulaic language, drawing from corpus data and an expert reception study. The research objective of the project is to analyse translation output with regard to a specific category of contiguous strings of words in the domain of secondary genres of company registration discourse, binomials² (corpus study), and to study empirically how individual patterns in the translation output are received and accepted by an expert target audience (empirical study). The research is intended to provide: (i) reliable corpus data on closed set of binomials used in English/Polish and German/Polish company registration discourse; (ii) empirical data on the *adequacy assessment* of the said corpus material and; (iii) a corpus supported, empirically derived, and expert-mediated comprehensibility model, understood as a set of recommendations to use specific translation solutions formulated on the basis of statistical data. Specifically, the aim is: (i) to conduct corpus analysis with the aim of verifying the operation of *translation patterns* of systematically selected parallel structures, taking into account their structural profile; (ii) to empirically establish the adequacy criteria from the perspective of expert recipients and map them onto the corpus-derived data. With regard to the first point, translation patterns are understood as practices identified in the corpus analysis as having been adopted by translators in reference to binomials. The term *translation patterns* obviously relates to the notion of translation universals (simplification) and a range of translation practice-oriented terms, such as strategy, technique, procedure, and method. Yet in this respect the authors chose to use the term translation pattern in order to signal the binomial-specific context established on the basis of authentic corpus data. This was in order to avoid inconsistent terminology, and to accommodate the categories of translation patterns identified in the corpus analysis that are identified as specific to binomials, and are not necessarily covered as a separate category (in the specific sense used previously) by the relevant typologies (e.g. distorting the structure of binomials by insertion). The reception-related part is based on multiple-choice questions reflecting the variation in the translation output registered in the authentic parallel data. The empirical part aims to identify the quantitative data for the comprehensibility parameter, understood as the choice of translation pattern applied to the translation of binomials, with the intention of developing an optimal comprehensibility model.

In order to ensure the interdisciplinary reliability and validity of the project results, the reception study engages expert respondents. The assessment scores will be compared

² Binomials are most generally defined as semantically motivated coordination of the same grammatical categories (Kopaczyk 2013). The definition covers a number of structural sub-types, such as *binomials proper*, *core binomials*, *prototypical binomials*, *extended binomials*. The predominant labels used in other languages include: *Zwillingsformeln* (Burger 2015, 55; Hudalla 2012, 107–108), *Paarformeln*, *Wortpaare* (Bielawski 2022, 204) or *les expressions binaires* (Gémar and Matilla 2012, 418).

and solutions will be proposed that meet the criteria of the lowest possible contextual complexity, natural comprehensibility fit, and original conceptual integrity.

The problem to be solved may be discussed on two levels: (i) from the more general perspective of adequacy assessment in translation; and (ii) from the perspective of the category of linguistic material subjected to the assessment. The first perspective draws on the concept of comprehensibility research in translation studies (Hansen-Schirra and Gutermuth 2015; Wolfer 2015). In the foregoing, the authors narrow it to the state of optimal, structure dependent, expert-mediated perceptibility of binomials in interlingual communication. They investigate the relevant status quo in practice and establish the conditions for optimal target text reception, both from the point of view of economy of text processing and – most importantly – from the point of view of accurately fulfilling the communicative function. Derivation of the comprehensibility model here is based on the assumption that expert knowledge of the source and target legal systems constitutes an important element in the process of establishing optimal target language equivalents. Specifically, the problem areas are: (i) the operation of translation patterns, related to the concept of *translation universals*; and (ii) their effectiveness and adequacy-conditioned legitimacy on the grounds of the consensus arrived at by mediating expert empirical, corpus-supported reception data on the basis of Plain Language theories, *comprehensibility models*, contextual conditionings and *genre-related restrictions* (Bhatia 2014; Bhatia and Bhatia 2011). The second perspective of the addressed problem area relates to patterns observed with regard to binomials. These units may be said to be somewhat illegitimately simplified (Biel 2014; Trklja 2018) in the Plain Language Movement paradigm, although their communicative function is recognised on the grounds of intertextuality, their conceptual potential, and the significance and performative capacity of legal language. Related studies are fragmentary and restricted to general quantitative data.

The research questions set for this project concern: (i) the scope of translation patterns applied to the translation of binomials for English and German individually, and in a comparative perspective for the two language pairs; (ii) expert adequacy assessment of the translation practice in the said domain and the correlation data among the assessment scores in the structural profile of binomials; and (iii) potential distinctions in the data from a language comparative perspective. The correlations referred to above cover the interdependence scheme between the translation pattern (reduction, insertion and literal translation) against part-of-speech and semantic-motivation variables.

The main hypotheses set for the analysis are: (i) legal binomials are translated using varied patterns, and the empirically retrieved translation output is significantly inconsistent; (ii) expert adequacy assessment data, grounded in discipline-specific expertise, can be successfully correlated with the structural profile of binomials, as the basis of an expert-mediated comprehensibility model; (iii) the expert reception data for the two language pairs differs due to the distinct language structures of the two source languages and different degrees of correspondence between the two related language systems.

The novelty of the research project may be discussed in reference to both the topics addressed and the methodological paradigm. The formulaic language of legal secondary genres proves to be understudied compared to that of prescriptive texts (Trklja 2018; Vigier and Sánchez Ramos 2017). The main strands of legilinguistic studies involving Polish language focus on statutory texts (Gortych-Michalak 2017; Hadryan 2017; Matulewska 2017; Nowak-Michalska 2017) or on the institutional, EU perspective (Biel 2014). The scene is complemented with practice-oriented literature (Kubacki 2012; Gościński 2019). Further, comprehensibility in translation is also reported as not yet having been adequately researched (Hansen-Schirra and Gutermuth 2015). Finally, translation studies, which for the past few years have been worked on to meet the current market demands (Żmudzki 2014, 367–368), have not brought any specific, practice-supported guidelines with regard to translation of formulaic language, specifically in the context of translation into Polish. The need to study binomials is voiced in the literature of the subject (Just 2014). The key examples of the studies concerned involve diachronically-oriented analyses of English material (Kopaczyk 2013), other studies based on comparable corpora (Basaneže 2018; Pontrandolfo 2015) and a range of studies on the semantic and pragmatic profile of binomials, addressing the issue of their linear order in the context of arriving at the most complete possible definition (Donalies 2015; Gawel 2017; Hofmeister 2009, 2010).

The methodological aspect of the research project is to be appreciated for the parallel corpus methodology (Aijmer 2008) and the combination of a corpus analysis with an empirical study, an inter-methodological approach that is extensively recommended (Biel 2013; Wolfer 2015). Such a composition of research perspectives (corpus and empirical methodology), covering the German and English language corpus material, enables us to add a new dimension to the existing findings in that issues that have already been researched separately are to some extent studied here for their mutual correlations, interdependencies, and significance on the grounds of the significantly understudied material, covering authentic parallel data extracted from secondary legal genres. The interlingual comparative objective of the research situates the study in the context of sociolinguistic studies (Coupland 2014; Dodsworth 2014; Więćławska 2019, 2020).

METHODOLOGY

The linguistic material used for the reception study is based on the corpus data, which constitutes a link between the two phases of the project, ensuring the study's relevance and practical applicability of the project results. The parallel corpus analysis involves supervised extraction of the specific structurally prescribed units with the aid of a customized computer query formula. The candidate terms were extracted from the custom-designed German/Polish and English/Polish parallel corpora, and the extraction process was followed by quantitative and qualitative analysis. The relevant translation patterns were identified, quantified and interpreted qualitatively on the basis of relevant explanatory background (cf. translation universals, translation features).

In order to further operationalise the reception task, the authors conducted statistical analysis of the data gathered in the online survey. The respondents were systemically selected from among professional lawyers who know English and/or German at a level that is not lower than B2/Common European Framework of Reference. The respondents were mainly representatives of the judiciary, attorneys-at-law, barristers, and notaries public.

The survey was composed of 18 questions and it was structured according to the dominant schemes of the profile of binomials, as they emerged from the corpus search. In principle, the survey composition follows the 6 + 6 + 6 (2 + 2 + 2) scheme, which means that the 18 questions cover 6 nominal binomials, 6 verbal binomials and 6 mixed part-of-speech group candidate terms, the last category comprising 2 candidate terms qualified respectively as adverbial, adjectival and prepositional binomials. The other variable taken into account was the semantic motivation of the binomials. Here, the authors distinguished two categories: synonymy and complementarity, the latter covering cases of antonymy, grammatical doublets and sequence-of-events formulae. For verbal and nominal binomials the proportions fit the mathematical scheme 3 + 3 (1 + 2), which means that there are 3 cases each of synonymously motivated verbal and nominal binomials, and the three candidate terms reflecting the complementarity-based relations cover one instance of antonymy and two instances of grammatical doublets. For the mixed part-of-speech candidate terms, marked in Tables 3 and 4 as 'Part of speech – group three', the survey scheme follows the 2 + 2 + 2 scheme, with each part-of-speech category representing the synonymy- or complementarity-based relationship. The choice of the part-of-speech and semantic motivation variables, and the proportions in which they are represented in the survey, are determined by the frequency-conditioned profile of the population binomials, as evidenced in the corpora. The variable related to the translation pattern involves the following values: literal translation, reduction, and insertion. Reduction is assumed when binomials are translated as one term. Part-of-speech shift is admissible here. The most prototypical instance of insertion is assumed if a syntactic element is inserted inside the phrase and the continuous phrase structure is thus distorted. The illustrative examples here are: Exhibit 1: PURSUANT TO AND IN ACCORDANCE WITH section 95 of the Companies Act 1985 [...] > 'Zgodnie z postanowieniami zawartymi w sekcji 95 Ustawy o Spółkach oraz na mocy tych postanowień [...]'; Exhibit 2: Man kann es DREHEN UND WENDEN wie man will [...] > 'Można sądzić i można utrzymywać, iż [...]'. The first example can be viewed as a case where the binomial, operating as part of a prepositional phrase, is structurally split with the component forming part of this phrase ('postanowienia', appropriately case-inflected), being inserted inside the prepositional phrase. The German example illustrates a case where a binomial forms part of a complex predicate, and the modal verb ('można'), constituting the second part of this impersonal complex predicate, is repeated and inserted inside the binomial structure, thus distorting the linear, fixed binomial structure.

Other instances of insertion include the part-of-speech shift of one component. The third translation pattern is referred to as 'literal translation' and it consists of employing

two dictionary equivalents of the two phrase components and/or two commonly accepted equivalents of these.

In order to produce a comparative account of the findings, the authors conducted a non-parametric test, which is recommended when the samples are significantly imbalanced, the distribution is not normal, and a variance test is non-homogeneous. Non-parametric tests are also considered to be proper when the data is categorical in nature. In our case, specific qualitative information has been transformed into quantitative values with the aim of better understanding the scale of the phenomena. The measures derived in the statistical processing are: mean, median, mean rank, and standard deviation. In the discussion, the authors refer to three of the measures: mean and median, which are related to the central tendency, and standard deviation, which is a measure of dispersion. The mean rank was used to perform the Mann-Whitney U test.

RESULTS AND DISCUSSION

The respondents were asked to perform a multiple-choice task which consisted of choosing the optimal *translation patterns* for 18 candidate terms. The examples below illustrate the composition of the survey. The suggested multiple-choice options cover, in order of appearance, cases of reduction, literal translation and insertion.

English:

- (1) It is therefore ORDERED AND ADJUDICATED as follows: 1. The marriage between the parties is dissolved.

Sąd niniejszym: 1. Małżeństwo pomiędzy stronami zostaje rozwiązane.

- a) orzeka, co następuje
- b) zarządza i orzeka, co następuje
- c) zarządza co następuje i orzeka

German:

- (2) 1. Man kann es DREHEN UND WENDEN wie man will, die Armut gehört nach wie vor zu den größten sozialen Problemen Europas und die Beseitigung der sozialen Ausgrenzung muss im Mittelpunkt unserer politischen Maßnahmen stehen.

..... ubóstwo pozostaje jednym z największych problemów społecznych, przed jakimi stoi Europa, a redukcja wykluczenia społecznego musi leżeć u podstaw naszych polityk.

- a) Co by nie powiedzieć,
- b) Można rozpatrywać i roztrząsać sprawę dowolnie,
- c) Można sądzić i można utrzymywać, iż

The first step in the analysis was to compare the aggregate statistics for the two languages. Table 1 below comprises the data from an interlingual perspective.

Table 1

Quantitative distribution of translation patterns in comparative perspective: English language data vs. German language data

Group		Reduction (18)	Literal translation (18)	Insertion (18)
ENGLISH	Mean	8.6111	6.3611	2.3056
	Median	9.5000	6.0000	2.0000
	Mean rank	26.31	37.24	28.26
	N	36	36	36
	Standard deviation	4.19713	3.71216	1.80189
	Minimum	1.00	0.00	0.00
	Maximum	17.00	14.00	7.00
GERMAN	Mean	10.9565	2.6087	2.9565
	Median	12.0000	2.0000	2.0000
	Mean rank	35.78	18.67	32.72
	N	23	23	23
	Standard deviation	4.01676	2.18963	2.03332
	Minimum	4.00	0.00	0.00
	Maximum	17.00	8.00	6.00
Total	Mean	9.5254	4.8983	2.5593
	Median	10.0000	4.0000	2.0000
	N	59	59	59
	Standard deviation	4.25220	3.67984	1.90527
	Minimum	1.00	0.00	0.00
	Maximum	17.00	14.00	7.00
Mann-Whitney U		281.000	153.500	351.500
P-value		0.038	0.000	0.321
P (Monte Carlo)		0.036	0.000	0.326

Source: self-prepared material.

It emerges from Table 1 that insertion and reduction are the dominating translation patterns in German/Polish translation, while cases of literal translation outnumber the other translation patterns in English/Polish translation practice. The mean rank index for insertion and reduction, with the quantitatively salient value featuring the German/Polish translation shown first, before the slash, is 32.72/28.26 (mean 2.9565/2.3056; median 2.0000/2.0000) and 35.78/26.31 (mean 10.9565/8.6111; median 12.0000/9.5000) respectively. It needs to be noted that here the result for insertion is not shown to be statistically significant and the interdependence would have to be verified on a larger

data sample. In the case of the literal translation pattern, the score is to the benefit of Polish translationese derived from the English language source texts. The mean rank index here is 37.24/18.67 (mean 6.3611/2.6087; median 6.0000/2.0000).

Such a quantitative distribution shows that literal translation dominates in English/Polish legal translation. Taking for granted the fact that legal translators in Poland for English and German follow the same professional standards and good practices, in view of the unified system of education and professional training, we need to look for arguments justifying these distinctions in the languages themselves and in cultural factors. The fact remains that the German and Polish legal systems belong to the same continental civil law culture, and even if translators come across ritualistic, conventional expressions – binomials being one category of these – it may be easier to identify a concept on the ground of the target language culture they address, proposing a non-binomial target language equivalent. Specifically, Anglo-Saxon legal stylistics may be rich in binomials which are more complex and not so semantically obvious in terms of continental law, so the literal translation practice may seem to be safer, and the only possible solution. Moreover, the existence of far more wide-ranging linguistic pluralism involved in legal communication in English may also be of relevance here. The translation trade is becoming naturally more inconsistent and – at points – restrained, following a predominantly literal translation trend for fear of losing the conceptual load.

The correlation between semantic motivation and translation pattern employed for the translation of binomials reveals further expert recommendations contributing to the comprehensibility model.

Table 2

Comparative account of translation patterns across semantic motivation scheme: English language data vs. German language data

Group Reduction		Synonymy (9)			Complementarity (9)		
		Literal translation	Insertion	Reduction	Literal translation	Insertion	
ENGLISH	Mean	5.1667	2.4722	0.9167	3.4444	3.6111	1.3889
	Median	6.0000	2.0000	1.0000	3.5000	4.0000	1.0000
	Mean rank	31.72	34.00	25.43	22.65	38.54	31.39
	N	36	36	36	36	36	36
	Standard deviation	2.50143	1.81244	1.15573	1.99205	1.96073	1.22539
	Minimum	0.00	0.00	0.00	0.00	0.00	0.00
	Maximum	9.00	6.00	4.00	8.00	7.00	5.00

GERMAN	Mean	4.6957	1.4348	1.7826	6.2609	0.9130	1.1739
	Median	4.0000	1.0000	1.0000	7.0000	0.0000	1.0000
	Mean rank	27.30	23.74	37.15	41.50	16.63	27.83
	N	23	23	23	23	23	23
	Standard deviation	2.16238	1.03687	1.38027	2.13664	1.27611	1.26678
	Minimum	1.00	0.00	0.00	2.00	0.00	0.00
	Maximum	9.00	4.00	5.00	9.00	5.00	4.00
Total	Mean	4.9831	2.0678	1.2542	4.5424	2.5593	1.3051
	Median	5.0000	2.0000	1.0000	4.0000	2.0000	1.0000
	N	59	59	59	59	59	59
	Standard deviation	2.36710	1.62803	1.30771	2.45878	2.16772	1.23532
	Minimum	0.00	0.00	0.00	0.00	0.00	0.00
	Maximum	9.00	6.00	5.00	9.00	7.00	5.00
Mann-Whitney U	352.000	270.000	249.500	149.500	106.500	364.000	
<i>P</i> -value	0.331	0.022	0.007	0.000	0.000	0.418	
<i>P</i> (Monte Carlo)	0.336	0.022	0.006	0.000	0.000	0.426	

Source: self-prepared material.

The statistics confirm the overall domination of literal translation for the English/Polish translation. However, at the same time we find that motivation is a factor that to some extent reverses this general trend. Namely, English binomials prove to be more readily reduced by experts than German ones, provided they are synonymously motivated. The mean rank index is 31.72/27.30 (mean 5.1667/4.6957; median 6.0000/4.0000). Another tendency which contradicts the general trend, as visualised in Table 1, is that English/Polish translation proves to be quantitatively salient for insertion in the case of complementarily conjoined binomials. The mean rank score for this correlation is 31.39/27.83 (mean 1.3889/1.1739; median 1.0000/1.0000). The data shows that the variable of language is not the only factor for the expert perception of translation patterns. In the case of English, simplification is more often recommended, provided the comparative legal analysis of the material undeniably points to synonymy as the motivating force for the candidate term.

In order to address the issue of part-of-speech variable in the context of its impact on the choice of the translation strategy employed, the statistics contrasting the scores for the relevant part-of-speech values for English and German need to be examined. This data is presented separately for the binomials conjoined by synonymy and complementarity. Table 3, below visualises the data set for synonymy and the part-of-speech variable.

Table 3

Comparative account of translation patterns for synonymously conjoined binomials – part-of-speech variable across English language data vs. German language data

Group Verb		Synonymy; Reduction (3)			Synonymy; Literal translation (3)			Synonymy; Insertion (3)		
		Noun	Part of speech – group three	Verb	Noun	Part of speech – group three	Verb	Noun	Part of speech – group three	
ENGLISH	Mean	1.8611	1.7222	1.5833	1.0833	0.8611	0.8056	0.0556	0.3056	0.5556
	Median	2.0000	2.0000	2.0000	1.0000	1.0000	1.0000	0.0000	0.0000	0.0000
	Mean rank	31.39	34.47	27.89	32.56	33.31	31.81	26.61	24.04	31.93
	N	36	36	36	36	36	36	36	36	36
	Standard deviation	1.15022	0.91374	0.93732	1.07902	0.72320	0.70991	0.23231	0.57666	0.77254
	Minimum	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Maximum	3.00	3.00	3.00	3.00	2.00	2.00	1.00	2.00	3.00
GERMAN	Mean	1.6957	1.0870	1.9130	0.6087	0.4783	0.6087	0.3913	1.0870	0.3043
	Median	2.0000	1.0000	2.0000	1.0000	0.0000	0.0000	0.0000	1.0000	0.0000
	Mean rank	27.83	23.00	33.30	26.00	24.83	27.17	35.30	39.33	26.98
	N	23	23	23	23	23	23	23	23	23
	Standard deviation	0.92612	0.84816	1.04067	0.65638	0.59311	0.72232	0.58303	0.90015	0.55880
	Minimum	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Maximum	3.00	3.00	3.00	2.00	2.00	2.00	2.00	3.00	2.00
Total	Mean	1.7966	1.4746	1.7119	0.8983	0.7119	0.7288	0.1864	0.6102	0.4576
	Median	2.0000	1.0000	2.0000	1.0000	1.0000	1.0000	0.0000	0.0000	0.0000
	N	59	59	59	59	59	59	59	59	59
	Standard deviation	1.06317	0.93506	0.98350	0.95943	0.69607	0.71512	0.43449	0.80979	0.70275
	Minimum	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Maximum	3.00	3.00	3.00	3.00	2.00	2.00	2.00	3.00	3.00
Mann-Whitney U	364.000	253.000	338.000	322.000	295.000	349.000	292.000	199.500	344.500	
P-value	0.419	0.008	0.217	0.128	0.043	0.272	0.004	0.000	0.201	
P (Monte Carlo)	0.424	0.007	0.230	0.135	0.052	0.292	0.005	0.001	0.225	

Source: self-prepared material.

It emerges from Table 3 that the main trend related to the dominance of literal translation for English language synonymous binomials is substantially sustained, irrespective of the part-of-speech factor. The part-of-speech variable causes partial deviation from

the main trend in the case of reduction and insertion. At this point only the scores showing deviation from the general trends are referred to. Hence, in the case of synonymous binomials the preference for reduction in favour of English candidate terms is noted for verbal binomials, where the mean rank index is 31.39/27.83 (mean 1.8611/1.6957 median 2.0000/2.0000) and for nominal binomials, showing a mean rank index at the level of 34.47/23.00 (mean 1.7222/1.0870 median 2.0000/1.0000). Further, synonymous English binomials fitting in the category of adjectival, adverbial, or prepositional binomials affected by insertion rank higher in the adequacy assessment than their German counterparts, which is evidenced by the mean rank index ratio of 31.93/26.98 (mean 0.5556/0.3043 median 0.0000/0.0000).

The quantitative distribution of the correlations for the second category of semantic motivation, referred to as complementarity, shows fewer deviations from the main scheme, as visualised in Table 1. This means that here the part-of-speech variable does not affect the translation pattern adopted as much as in the case of synonymous binomials. The relevant correlative data is included in Table 4.

Table 4

Comparative account of translation patterns for complementarily conjoined binomials – part-of-speech variable across English language data vs. German language data

Group Verb		Complementarity; Reduction (3)			Complementarity; Literal translation (3)			Complementarity; Insertion (3)		
		Noun	Part of speech – group three	Verb	Noun	Part of speech; group three	Verb	Noun	Part of speech – group three	
ENGLISH	Mean	1.3889	1.3611	0.6944	1.2778	0.9444	1.3889	0.1944	0.5833	0.6111
	Median	1.0000	1.5000	0.5000	1.0000	1.0000	1.0000	0.0000	0.0000	0.0000
	Mean rank	23.58	27.51	21.65	38.22	33.58	38.18	29.97	29.82	31.88
	N	36	36	36	36	36	36	36	36	36
	Standard deviation	0.87105	0.99003	0.82183	0.77868	0.92410	0.80277	0.46718	0.76997	0.72812
	Minimum	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Maximum	3.00	3.00	3.00	3.00	3.00	3.00	2.00	3.00	2.00
GERMAN	Mean	2.3478	1.7391	2.1739	0.2174	0.4348	0.2609	0.1739	0.5652	0.4348
	Median	3.0000	2.0000	2.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
	Mean rank	40.04	33.89	43.07	17.13	24.39	17.20	30.04	30.28	27.07
	N	23	23	23	23	23	23	23	23	23
	Standard deviation	0.88465	0.91539	0.93673	0.51843	0.66237	0.54082	0.38755	0.66237	0.78775
	Minimum	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Maximum	3.00	3.00	3.00	2.00	2.00	2.00	1.00	2.00	3.00

Group Verb		Complementarity; Reduction (3)			Complementarity; Literal translation (3)			Complementarity; Insertion (3)		
		Noun	Part of speech – group three	Verb	Noun	Part of speech; group three	Verb	Noun	Part of speech – group three	
Total	Mean	1.7627	1.5085	1.2712	0.8644	0.7458	0.9492	0.1864	0.5763	0.5424
	Median	2.0000	2.0000	1.0000	1.0000	1.0000	1.0000	0.0000	0.0000	0.0000
	N	59	59	59	59	59	59	59	59	59
	Standard deviation	0.98854	0.97154	1.12695	0.86018	0.86290	0.89873	0.43449	0.72405	0.75022
	Minimum	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	Maximum	3.00	3.00	3.00	3.00	3.00	3.00	2.00	3.00	3.00
Mann-Whitney U	183.000	324.500	113.500	118.000	285.000	119.500	413.000	407.500	346.500	
<i>P</i> -value	0.000	0.141	0.000	0.000	0.029	0.000	0.981	0.909	0.231	
<i>P</i> (Monte Carlo)	0.000	0.150	0.000	0.000	0.030	0.000	1.000	0.944	0.251	

Source: self-prepared material.

Table 4 shows that for legal experts the complementary binomials do not constitute a homogeneous group with regard to the recommended translation patterns to be applied. The part-of-speech variable sets complementary adjectival and/or adverbial and/or prepositional binomials apart from the other part-of-speech categories. The English candidate terms fitting in this category are found to be recommended for insertion for better communicative effect more often than their German counterparts, and the relevant scores here are 31.88/27.07 (mean 0.6111/0.4348 median 0.0000/0.0000). This stands in contrast to the general trend in which the expert-mediated comprehensibility fit provided for complementary German binomials as a whole is affected more often by reduction than the English ones (cf. Table 2).

CONCLUSIONS

The data presented in the paper are intended to be a modest contribution to the study of binomials which – especially in terms of law – are extensively discussed in the context of their well-acknowledged, historically grounded status in legal communication, and their structural complexity, including the issue of reversibility and problems in translation. The study aimed at providing pertinent authentic data, presenting the correlation between structural aspects and translation practice from a language comparative perspective. This project consists of presenting two levels of data fitting the descriptive methodological format: corpus-based data, and expert reception data. The material that served as the input data for the survey itself took account of the most significant structural distinctions of binomials, that is the part-of-speech profile and semantic

motivation categories. The questions included in the survey are quantitatively and qualitatively representative for the profile of binomials as they are used in today's legal communication in the domain of company registration discourse. The corpus-based descriptive aspect of the research project confirms the strong position of binomials in contemporary legal communication, both intralingually and interlingually, and at the same time presents a revised contemporary profile of binomials as they appear in the specific communicative environment, both in German and English. They are not only historical remnants from the Norman times, not only synonymously conjoined cases, but also complex complementarity-based terms, and as such present pertinent problems for translators. Moreover, the multiple-choice survey constitutes an overview of the *translation patterns* that are actually in practice, some of them deemed awkward according to Polish grammar standards and/or inaccurate embodiments of legal concepts, considered by legal experts to be superfluous language ornaments. The expert reception data enabled us to derive a general comprehensibility model that suggests that binomials be translated according to distinct guidelines for German and English languages. Going deeper into the interlinguistic distinctions, according to legal experts the perceptibility of English and German binomials in translation is highest if they are subject to literal translation and reduction or insertion, respectively (general trend). Further elements of the comprehensibility model consist of identifying more fine-grained distinctions, and these relate to the semantic motivation and part-of-speech variables. Hence, it is more often recommended to reduce synonymous English binomials in translation, as compared to their German counterparts. Another deviation from the general trend can be found in the complementary English binomials, which are more easily affected by insertion than the German ones. If we consider the translation patterns against the part-of-speech variable, we obtain an even more specific picture. This shows that reduction is recommended for English binomials provided they are verbal or nominal, synonymously motivated binomials; whereas prepositional, adjectival and adverbial binomials (part of speech – group three) which are synonymously motivated dominate in the expert-mediated German comprehensibility model.

We can conclude that binomials are a structurally varied category, and they deserve individual treatment in translation. The most obvious manifestation of a simplification process, i.e. reduction, is assumed to be operative in the translation of binomials, which is shown to be one of several approaches, and not the only translation pattern available. Moreover, the corpus material shows that although binomials are primarily associated with the Anglo-Saxon culture, they also constitute an important category in German phraseology. Another aspect of translation practice to be noted here is the stylistic quality of some of the translation variants, as included in the multiple-choice questions. As stated, the translation variants constitute authentic materials and are representative of consistent translation practice in the stated domain. Thus, they have been included in the multiple-choice sets, although they are often not entirely correct in terms of Polish grammar. This raises questions on the type and scope of training in Polish stylistics to be included in the curricula of translation studies.

The corpus-supported and empirically derived comprehensibility fit proposed above is an attempt to avoid conceptual losses resulting from uncontrolled textual reduction. Further studies in this domain should recognise the side-effects of simplification processes (e.g. complexity shift). Studies on different language pairs, and studies focusing on the comparative legal perspective should also follow.

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The survey was available at the following address:

for English: <https://ankieteo.pl/s/828d956d-2af4-48dc-9c94-e2f3e360982a>.

for German: <https://ankieteo.pl/s/cbdf8d08-1b53-4bee-83cc-34584e1f8433>.

Modelowanie czytelności tekstu w tłumaczeniu prawniczym z perspektywy badań korpusowych i empirycznych: oczekiwania eksperckie a praktyka

Słowa kluczowe: model czytelności tekstu, badanie eksperckiej recepcji tekstu, zwroty szeregowy, język prawniczy.

STRESZCZENIE

Pomimo licznych badań w zakresie frazeologii, uwzględniających nowe perspektywy (podejście interdyscyplinarne, intermetodologiczne, dane empiryczne, zaawansowane obliczenia statystyczne), tłumaczenie języka formułacyjnego, w tym zwrotów szeregowych, nadal uważa się za wyzwanie. Artykuł ma na celu zaprezentowanie – opartego o dane eksperckie – modelu czytelności tłumaczenia na język polski prawniczych angielskich i niemieckich zwrotów szeregowych. Przedmiotowy model ma zapewnić czasowo efektywną recepcję treści przy wykluczeniu utraty wartości pojęciowej. Reprezentatywne, paralelne dane językowe pobrano z autentycznego korpusu. W dalszej części zadanie badawcze zostało zoperacjonalizowane poprzez wykonanie badania recepcji (ankieta online), co umożliwiło autorom zbadanie poziomu czytelności faktycznie stosowanych schematów tłumaczeniowych. Dane z oceny adekwatności tłumaczeń uzyskane w ankiecie online poddano analizie statystycznej pod kątem zależności zmiennych dotyczących profilu strukturalnego zwrotów szeregowych oraz schematów tłumaczeniowych z uwzględnieniem perspektywy komparatywnej. Respondentami byli wykwalifikowani prawnicy, zwłaszcza przedstawiciele sądownictwa, prokuratury oraz notariatu, których znajomość języka angielskiego lub niemieckiego została potwierdzona na poziomie nie niższym niż B2 Europejskiego Systemu Opisu Kształcenia Językowego. Hipoteza zakładała, że praktyka tłumaczeniowa (dane paralelne uzyskane z korpusu) obejmuje wiele rozwiązań, a schematy tłumaczeniowe są stosowane w dużej mierze niekonsekwentnie. Autorzy dodatkowo postawili hipotezę, że ekspercka ocena adekwatności schematów tłumaczeniowych, oparta na wiedzy dziedzinowej i na znajomości docelowych systemów prawnych, stanowi dodatkową perspektywę, często wychodzącą poza czysto językowe rozwiązania translatorskie, ale również okazuje się istotnym czynnikiem w wyborze optymalnych ekwiwalentów tłumaczeniowych. Dane uzyskane w badaniu recepcji tłumaczeń dają się w sposób systemowy ująć w model zbudowany na bazie profilu strukturalnego zwrotów szeregowych i stanowią istotną wytyczną w modelowaniu rekomendowanych, komunikacyjnie efektywnych schematów tłumaczeniowych. Wyniki są ilustracją ogólnych rekomendacji eksperckich dla dwóch par językowych (ogólny trend) oraz dokładniejszych danych, uwzględniających profil strukturalny zwrotów szeregowych. Tłumaczenie zwrotów szeregowych okazuje się zjawiskiem złożonym, które w znaczny sposób jest zależne od struktury, specyfiki języka oraz skali różnic zachodzących między systemami prawnymi języka źródłowego i języka docelowego.