

THE BULGARIAN VERSION OF THE OFFICIAL JOURNAL OF THE EUROPEAN UNION. LINGUISTIC APPROACHES

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Abstract. The paper discusses translation problems of legal language in the European Union. It highlights some of the terminological difficulties and focuses on the particularities of the Bulgarian language. Examples are taken from the Official Journal of the European Union that is the main source of EUR-Lex content, the database which provides access to European Law.

Keywords: Legal language, Bulgarian language, Translation of legal language in the European Union.

Introduction

The number of studies concerning legal language and the problems of translating it from one language into another one has grown over the last years. This is primarily due to the increasing number of official languages has increased in the European Union. Nonetheless, significant paradigmatic difficulties exist when translating terminology and technical jargon. In addition, some grammatical constructions can also pose certain problems, depending on their situative use. This is shown in examples taken from legal acts on working days published in the Official Journal of the European Union. These acts are binding for the EU member states.

Bulgarian translation of legal language

In the context of the EU legal language and the subsequent cooperation of translators from several countries, European languages 'grew closer' in administrative terms (Kjær, 2002: 115). Against this background, genuine technical jargon is changed and often assimilated into EU jargon, and this poses serious challenges, as explained by Klaudia Bednárová-Gibov (Bednárová-Gibov, 2014: 117):

As frequently acknowledged, legal translation is an operation not only between two distinct languages, but above all, between two distinct legal systems, reflecting

their own axiology, patterns of reasoning and idiosyncrasies of a particular people's worldview.

She points out that incongruity is another problem in legal translation and she comes to the conclusion that according to Lucja Biel, the main challenges in legal translation may be summarized as follows (Bednářová-Gibov, 2014: 118):

(1) Legal-system specific: incongruity of legal terms and concept systems resulting from the differences between legal systems and interpretative rules

(2) Language specific: structural, semantic, pragmatic differences between languages in general and between legal languages in particular

(3) Translation-process specific: distortions redolent of the translation process.

Thus, when translating legal texts in the EU context, it is not only a certain vocabulary that needs to be defined. Translators need to build intercultural competence in order to transform the original idea into another language, since juridical traditions can cause intercultural misunderstandings (Yankova, 2003: 55 & Hennecke, 2015: 212). This is due to the fact that the comparison of legal traditions, judicial contexts and technical jargon is extremely complex (Künnecke, 2013: 245). Gill Paul explains that we are therefore usually faced with a number of problems when summing up some of the predominant skills of a translator (Paul, 2009: 57-58). As most legal texts in the EU are primarily published in English, it is interesting to have a closer look at their Bulgarian equivalents as grammatical constructions and their representation in typologically different languages may be interesting from a linguistic and theoretical point of view. For instance, the English gerund in the following example allows various illocutionary acts in its Bulgarian translation (Official Journal, 2016: 87):

English:

DECISION OF THE EEA JOINT COMMITTEE No 73/2015 of 20 March 2015 amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms [2016/756]

THE EEA JOINT COMMITTEE, Having regard to the Agreement on the European Economic Area ('the EEA Agreement'), and in particular Article 98 thereof,

Whereas:

(1) It is appropriate to extend the cooperation of the Contracting Parties to the EEA Agreement to include Decision No 1082/2013/EU of the European Parliament and of the Council of 22 October 2013 on serious cross-border threats to health and repealing Decision No 2119/98/EC [...].

Bulgarian:

РЕШЕНИЕ НА СЪВМЕСТНИЯ КОМИТЕТ НА ЕИП № 73/2015 от 20 март 2015 година за изменение на Протокол 31 към Споразумението за

ЕИП относно сътрудничеството в специфични области извън четирите свободи [2016/756]

СЪВМЕСТНИЯТ КОМИТЕТ НА ЕИП, *като взе предвид* Споразумението за Европейското икономическо пространство („Споразумението за ЕИП“), и по-специално член 98 от него, като има предвид, че:

(1) Целесъобразно е да се разшири сътрудничеството между договарящите се страни по Споразумението за ЕИП и то да включи Решение № 1082/2013/ЕС на Европейския парламент и на Съвета от 22 октомври 2013 г. за сериозните трансгранични заплахи за здравето и *за отмяна на* Решение № 2119/98/ЕО [...].

In the first case, the compound *amending* is interpreted as *за изменение на* which shows that a nominal representation is preferred in Bulgarian. At the same time, this construction is linked to the prepositions *за* and *на*, highlighting the particularities of the Balkan Slavic languages in which subordinations are coordinated by particles and other function words (Friedman, 2008). According to Petya Asenova, another reason for the Bulgarian structure might be that the latter language operates with a large number of archaic features which transform it into the “core of the core of the Balkan area” (Asenova 2012: 151). This explains the high frequency of clitics and other grammatical forms in order to structure the text. On the other hand, the second example is constructed in a different way: The original gerund form in English (*having*) is directly related to a noun (*regard*), while the Bulgarian translation repeats the noun but transfers the gerund structure into a preposition (*камо*) and a verb (*взе*). The third form in the English version is *repealing*, whereas the Bulgarian equivalent uses *за отмяна на*. This structure corresponds to the one used in the first case, preferring a noun and its embedding into a prepositional structure. According to Bednárová-Gibov's classification, the decision quoted above shows specific linguistic challenges for translators. Furthermore, the structural units need to be clear in Bulgarian, which means that the semantical force of lexical units shall be determined, but it is also vital that grammatical interconnections reflect the structural hierarchy of the original.

Another challenge in translating judicial language is that there are four options for the translation of most legislative texts (Arntz/Picht, 1982: 143): The first option is that the original term and its translation represent the very same object, turning them into congruent equivalents. Secondly, an original term might be larger in extent than its translation, which the authors call inclusion, while the lack of terminology in one of the languages is characterised as a terminological gap. Finally, it is also possible that both the original and its translation are only partial equivalents and they share only some semantic features. Against this background, we will consider another example (Official Journal 2, 2016: 3):

English:

SUSTAINABLE FISHERIES PARTNERSHIP AGREEMENT [...]

Bulgarian:

СПОРАЗУМЕНИЕ ЗА ПАРТНЬОРСТВО В ОБЛАСТТА НА УСТОЙЧИВОТО РИБАРСТВО [...]

While the semantic intention of the English version is to stress a *sustainable partnership* which shall be enforced (in this case between the EU and the Cook Islands), the Bulgarian equivalent is enlarged by a supplementary locative unit (*в областта*). With regard to the definition by Arntz/Picht (1982: 143), the idea of the English data is more general, while in Bulgarian, the sense needs to be extended, and without this extension, the translation would not correspond to the linguistic particularities of the latter language. Interpretations as *СПОРАЗУМЕНИЕ ЗА ПАРТНЬОРСТВО НА УСТОЙЧИВОТО РИБАРСТВО [...] or *УСТОЙЧИВОТО РИБАРСТВО И СПОРАЗУМЕНИЕ ЗА ПАРТНЬОРСТВО [...] would not be precise enough, and they do not represent the complete meaning of the directive. Thus, the Bulgarian version has the same illocutionary force as the English term and incorporates a larger and more detailed structure due to the typological features that are characteristic of the Bulgarian language. Again, this phenomenon can be explained by the basic structure of Balkan languages, where an extension of terminological units is very frequent, not only in consideration of particles and prepositions, but also when it comes to nominal compounds or object descriptions.

Conclusion

As shown above, the translation of legal language is connected to terminological, structural and cultural aspects. The Bulgarian Version of the Official Journal of the EU is a representative example of these challenges. Here, we can find numerous English constructions that have an equivalent in Bulgarian, reflecting the linguistic features of Balkan Slavic as well as illocutionary signals.

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БЪЛГАРСКАТА ВЕРСИЯ НА ОФИЦИАЛНИЯ ВЕСТНИК НА ЕВРОПЕЙСКИЯ СЪЮЗ. ЛИНГВИСТИЧЕН ПОДХОД

Резюме. В статията се разглеждат проблемите при превода на юридически текстове в Европейския съюз, като се акцентира върху няколко терминологични трудности при превода, свързани с българския език. Един от основните източници е Официалният вестник на Европейския съюз, който служи за илюстративен материал, на базата на който се изгражда анализът.

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