

LEXICAL TRANSLATION TRANSFORMATIONS IN WRITTEN TRANSLATION: APPLICATION AND ANALYSIS IN LEGAL TEXTS

Kalonov Mirzoxid Isamiddin o'g'li,
O'zbekiston davlat jahon tillari universiteti
Toshkent, O'zbekiston
mirzoxidkalonov@gmail.com

Saidova Gulyora Abduhakimovna,
O'zbekiston davlat jahon tillari universiteti
Toshkent, O'zbekiston
saidovagulyora20190117@gmail.com

Abstract. Written legal translation demands both linguistic expertise and a comprehensive understanding of legal systems, cultural contexts, and specialized terminologies to ensure precise conceptual transfer. Lexical transformations, which involve systematic modifications at the word or phrase level, play a crucial role in adapting legal content to the linguistic and normative standards of the target language while preserving legal equivalence and interpretative consistency. This article examines the application of such transformations in written legal translation, drawing on examples from treaties and resolutions. It further explores strategies such as transliteration, calque, borrowing, and substitution, emphasizing their significance in enhancing clarity, accuracy, and functional adequacy to facilitate cross-cultural legal communication.

Key words: Legal translation, written translation, lexical transformations, legal terminology, legal equivalence, terminological gaps, transliteration, calque, borrowing, substitution, cross-cultural communication.

Legal texts, including contracts, statutes, treaties, and court decisions, are characterized by their formal tone, technical terminology, and reliance on culturally specific legal concepts. Translating these texts across languages often necessitates lexical transformations to bridge linguistic and cultural gaps while preserving legal intent. As noted in the provided source, lexical transformations include methods such as transliteration, transcription, calque, borrowing, and lexical substitution, each serving a unique purpose in the translation process.

This article investigates the practical application of these methods in legal translation, using examples from Uzbek-English legal documents. It also analyzes their effectiveness in addressing terminological discrepancies, cultural nuances, and functional requirements.

Theoretical Framework: Lexical Transformations in Legal Translation Definition and Types of Lexical Transformations

Legal translation is the process of transferring legal texts from one language to another while preserving their precise meaning, legal validity, and contextual integrity. This specialized field requires not only advanced linguistic proficiency

but also a thorough understanding of legal systems, as legal terminology and principles differ across jurisdictions.

Lexical translation transformations refer to systematic modifications at the word or phrase level to align the source text with the linguistic norms and semantic structures of the target language. These transformations—including lexical substitution, borrowing, calque, and omission—are essential for addressing terminological gaps and ensuring both clarity and consistency in translation.

In written legal translation, lexical transformations play a crucial role in maintaining the accuracy and functionality of legal documents. Since legal texts, such as treaties, contracts, and legislation, have binding implications, precise translation is essential to prevent misinterpretation. Effective lexical transformations support legal equivalence, ensuring that translated texts conform to both linguistic and legal conventions in the target legal system.

The main types of lexical transformations include:

- **Transliteration:** Representing the original sounds and characters of a word or phrase using the alphabet or script of another language.
- **Transcription:** Capturing the phonetic or phonological features of a word using the spelling rules of the target language.
- **Calque:** Borrowing a word or phrase by translating its components literally.
- **Borrowing:** Taking words directly from the source language without translation.
- **Lexical Substitution:** Replacing a word with a more suitable synonym in the target language.
- **Differentiation:** Replacing a word with another that has a parallel but broader or narrower meaning.

Each method addresses specific challenges in legal translation, such as terminological gaps, cultural specificity, and functional equivalence.

Application and Analysis of Lexical Transformations in Legal Translation

1. Transliteration: Transliteration is widely used in legal translation to preserve the pronunciation of proper nouns, technical terms, and institutional names. For example:

Uzb: O‘zbekiston xalqi nomidan faqat u saylagan O‘zbekiston Respublikasi *Oliy Majlisi* va Prezidenti ish olib borishi mumkin.

Eng: The *Oliy Majlis* (the Parliament of the Republic) and the President of the Republic of Uzbekistan, elected by the people, shall have the exclusive right to act on behalf of the people.

Uzb: O‘zbekiston Respublikasi Transport vazirligi, “O‘zbekiston temir yo‘llari” AJ, “*Uzbekistan Airports*” AJ va “*Uzbekistan Airways*” AJ buyurtmachi, bosh pudratchi va bosh loyihachi tashkilotlarning buyurtmanomalari bo‘yicha.[1]

Eng: Ministry of Transport of the Republic of Uzbekistan, "Uzbekistan Railways" JSC, “*Uzbekistan Airports*” JSC and “*Uzbekistan Airways*” JSC according to the orders of the customer, general contractor and chief project organizations.

Analysis: The text provides examples of the transliteration translation method, sourced from a variety of legal documents. These include orders issued by the Cabinet of Ministers, decrees, presidential orders, resolutions, amendments, and codes. During the translation process from the source language to the target language, proper nouns were not translated. Instead, they were transliterated into the target language. The transliterated nouns are marked in black letters.

2. Transcription: Transcription focuses on capturing the phonetic features of words while adhering to the orthographic rules of the target language. For instance:

Uzb: Shaharchalar, *qishloqlar* va *ovullarda*, shuningdek shaharlar, shaharchalar, *qishloqlar* va *ovullardagi mahallalarda* fuqarolarning yig'inlari o'zini o'zi boshqarish organlari bo'lib, ular raisni saylaydi.

Eng: The self-governing bodies are gatherings of citizens in settlements, *kishlaks* and *auls*, as well as in *makhallas* of cities, settlements, *kishlaks* and *auls*, which shall elect a Chairperson.

Uzb: Tuman va shaharlarning *hokimlari* viloyat, *Toshkent* shahar *hokimi* tomonidan tayinlanadi va lavozimidan ozod etiladi hamda tegishli xalq deputatlari *Kengashi* tomonidan tasdiqlanadi.

Eng: The *khokims* of districts and cities shall be appointed and relieved of their posts by the *khokim* of the region and the city of *Tashkent* and approved by the relevant *Kenghash* of people's deputies.[2]

Analysis: A variety of legal documents are used to illustrate the transcription translation technique. These include Cabinet of Ministers orders, decrees, presidential orders, resolutions, and amendments. During transcribing the proper nouns, orthography rules in both source and target languages have been taken into consideration which subjected to changing some letters in words of source language to adjust them in the TL. Proper nouns were left out of the translation from the source language to the target language. Instead, they were transcribed into the TL. The transcribed nouns are marked in black letters.

3. Calque: Calque involves translating words or phrases component by component. This method is particularly useful for technical terms and compound expressions. For example: **Eng:** *Building* — a *construction system* consisting of base, enclosing or combined components, forming a closed volume, designed for people to live or stay, depending on the functional purpose and for performing various types of *production processes*;

Uzb: *Bino* — funksional maqsadiga qarab odamlar yashashi yoki bo'lishiga va har xil turdagi *ishlab chiqarish jarayonlarini* bajarishga mo'ljallangan, tayanch, to'sma yoki har ikkala maqsadga xizmat qiluvchi konstruksiyalardan iborat *qurilish tizimi*;

Analysis: In this example, several words and words phrases are found which are translated in the way of calque. For instance, "*building*" and "*bino*" which are somehow both related to the words (*to build*, *bino qilmoq*) that are involved in building, forming or constructing something in the both source and target languages. *production process* – *ishlab chiqarish jarayoni*, *construction system* – *qurilish tizimi*;

3. Borrowing: Borrowing is used to fill lexical gaps or retain cultural specificity. For instance: **Eng:** Within the framework of programs approved by the President of the Republic of Uzbekistan or the Cabinet of Ministers of the Republic of Uzbekistan, *modernization*, *technical* and *technological* re-equipment, accelerated financing and implementation of *investment* projects through *credit lines* in foreign currency opened for commercial *banks*;

Uzb: O‘zbekiston Respublikasining Prezidenti yoki O‘zbekiston Respublikasi Vazirlar Mahkamasi tomonidan tasdiqlangan *modernizatsiya* qilish, *texnik* va *texnologik* jihatdan qayta jihozlash dasturlari doirasida tijorat *banklari* uchun chet el valyutasida ochiladigan *kredit liniyalari* orqali *investitsiya* loyihalarini jadal moliyalashtirish va amalga oshirish;

Analysis: This legal text also contains several borrowed words from English into Uzbek while being translated. Namely, *modernization*, *technical*, *technological*, *investment*, *credit lines* and *banks* are all borrowed counterparts of the words *modernizatsiya*, *texnik*, *texnologik*, *bank*, *kredit liniya* va *investitsiya* in Uzbek language.

4. Lexical substitution: Lexical substitution involves replacing a word with a more appropriate synonym in the target language. For example: **Eng:** The State shall ensure provision of *benefits* and social *safeguards* to families with multiple children in accordance with the legislation.

Uzb: Davlat ko‘p bolali oilalarga qonunchilikka muvofiq *imtiyozlar* va ijtimoiy *kafolatlar* berilishini ta‘minlaydi.

Analysis: Some misused words are found in this text which could have better alternatives, and a more adequate translation could be made. These words are “*benefits*” and “*safeguards*” which are supposed to mean “*imtiyozlar*” and “*kafolatlar*” in Uzbek. But other equivalents are available which surely denote the exact meaning of the words in Uzbek. These are “*privileges*” to mean “*imtiyozlar*” and “*guarantees*” to mean “*kafolatlar*”. As a method of lexical substitution, these words can be replaced with the ones in the context.

5. Differentiation: Differentiation replaces a word with another that has a parallel meaning. For example: **Eng:** After consultation with the **Secretary** of State, the Attorney General may authorize **officers** of a foreign country to be stationed at preclearance facilities in the United States for the purpose of ensuring that persons traveling from or through the United States to that foreign country comply with that country's immigration and related laws.[3]

Uzb: Qo‘shma Shtatlar bo‘ylab yoki Qo‘shma Shtatlardan boshqa davlatga sayohat qilayotgan shaxslarning mamlakat immigratsion va boshqa tegishli qonunlariga rioya qilishiga ishonch hosil qilish maqsadida Bosh Prokuror Davlat **Kotibi** bilan maslahatlashgan holda chet davlatlarning harbiy *boshliqlariga* Qo‘shma Shtatlar hududidagi oldindan belgilangan inshoatlarga joylashish huquqini berishi mumkin.

Analysis: This context also includes three words which are translated by means of differentiation technique. To be precise, **Secretary**, **officers** are the words that have more than one similar meaning. For instance, Secretary mainly means someone

who deals with paper work in an office. This word also means an official in charge of a large government department in the US, another meaning is a member of club or an organization who takes notes and recordings of official meetings and events. Translating this context, we've used the second and the most appropriate counterpart for the context in TL. Similarly, the word "**officer**" gives several meanings which are related to the other meanings of the word. Officer is a position in law enforcement. It also denotes anyone who is in a position of governmental or non-governmental organizations.

Implications and Recommendations

Implications for legal practice: Effective lexical transformations enhance the usability and enforceability of translated legal texts. They facilitate cross-border transactions, international litigation, and diplomatic negotiations by bridging linguistic and cultural divides.

Recommendations for translators: To improve the quality of legal translations, translators should:

- Develop expertise in both the source and target legal systems.
- Consult bilingual dictionaries, glossaries, and legal experts to verify terminology.
- Use explanatory notes or footnotes to clarify complex terms.
- Collaborate with subject-matter experts to ensure accuracy and relevance.

Lexical translation transformations are indispensable tools in legal translation, enabling translators to bridge linguistic, cultural, and systemic gaps while maintaining precision and functionality. These transformations—such as transliteration, transcription, calque, borrowing, and lexical substitution—are essential for achieving legal equivalence and ensuring clarity in translated texts. By adapting terminology to fit the target language's legal and cultural context, translators can produce reliable and enforceable documents. However, achieving this balance requires expertise in both source and target legal systems, as well as collaboration with subject-matter experts. As globalization increases the demand for multilingual legal texts, mastering these methods becomes critical. Lexical transformations not only address terminological discrepancies but also enhance cross-cultural communication, making them a cornerstone of effective legal translation practice.

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