

Translation Theories and Pragmatics – Analysis of Maritime and Legalese Language Based Examples

M. Denc & J. Denc

Gdynia Maritime University, Gdynia, Poland

ABSTRACT: Translators and interpreters need to rewrite or retell the essence of a message to be conveyed in a foreign language through cognitive grammar, implicatures, connotations and sometimes standardized phrases to bring out the full and true meaning in the translated work.

The aim of this paper is to acquaint with the specificity of the translator's workshop, familiarization with the working framework for translations of implied meaning, theories of translation and elementary principles to be followed, so that, the reference meaning of the communicated content could impart pragmatic meaning. In view of the constraints of literal translation, special attention is given to linguistic aspects of pragmatics with regard to the conveyance of context sensitivity, precision, intentionality of the communicating sender, influence of the translator's linguistic intuition and approach, and communicating receiver. Different approaches to translations and possible limitations are exemplified and explained with the use of Polish and English equivalents adopted from standard, maritime and legalese language.

1 INTRODUCTION

In the modern times foiled by globalization, deepening dependence on the outer world through the growth of international trade, intensified human resources exchanges, scientific and technological progress, the growth of significance of international relations, progressing migration, or the necessity or desire to enter the international arena, one of the consequences of functioning in this reality, is making translations. With the dissemination of these phenomena, the relevance of translations in general, their quality, understanding the framework of translation process, awareness of constraints translators face at various stages and how they deal with them, have been of prime importance to recover and convey the full and true meaning in the translated work.

The integrating world produces a higher demand for translations. In Poland, a substantial increase in the number of translations was observed at the end of the last century with the accession of Poland to the NATO pact and accession to the European Union, which simultaneously have significantly strengthened the binds with other countries. That has also resulted in an increased interest in the field of translation. The theory of translation was studied by, i.a. B. Kielar, D. Kierzkowska, O. Wojtasiewicz and J. Pieńkos. B. Kielar in her book on the basis of translation studies - "Zarys translatoryki" and D. Kierzkowska in her book on legal language translations - "Tłumaczenie prawnicze" present various methods of translation, i.a. literal translation, free translation and translation using various equivalents, which translators and

interpreters appropriately apply depending on the recipient's imperative and *usus*¹.

The recent technological progress and unlimited access to the internet allow the translator to use modern, ever-improved and updated CAT tools², TRADOS³ applications, ever-growing IATE⁴ online terminology database, EuroTermBank, PolTermBank, IncoTermsBank⁵, a variety of glossaries, parallel text databases, online dictionaries, translation memory management software and such like in order to increase their productivity. Their popularization, general accessibility and user friendly interface allow amateur translators to translate on their own. However, this trend may involve the risk of delivering a translation containing errors that negatively affect the final results in terms of the quality and the way the text or utterance is received. Familiarization with the principles of translation created by theoreticians over the centuries and bearing the theories in mind are diametrically significant to deliver a meaningful translation. Reaching for the literature in the field of translation will increase awareness and allow an amateur translator to assess and revisit acquired practices and translation habits in order to update, extend or verify previous attitude and perhaps deliver a more productive one in terms of time and quality.

The law pervades every aspect of human life and the seaborne trade is a part of globalized economy. Consequently, seafarers have to deal with formalities comprising maritime English and legalese English e.g. terms and conditions of their contracts, conventions regulating their seafaring career including their obligations and rights, as well as the peculiar seaspeak constituting an international language for communicating at sea in a multinational, multicultural, and multilingual environment. To demonstrate challenges translators face, the paper contains examples of Polish and English equivalents adopted from maritime and legalese language juxtaposed with standard language.

¹ *Usus* (Latin: *usus* — usage; long-established rule, practice, custom) The term is used to designate usage of words, idioms and forms that have a widespread or significant acceptance among speakers of a language, regardless of its conformity to the sanctioned standard language norms.

² Computer Aided Translation (CAT), is a broad term used to describe software that human translators use during the translation process to improve their productivity. Typical CAT tools resemble text editors that support bilingual file formats, and have built-in translation memory.

³ Trados Studio is the complete translation on-line environment for language professionals who want to edit, review and manage translation projects as well as corporate terminology.

⁴ IATE (Interactive Terminology for Europe) is the EU's terminology database. It has been used in the EU institutions and agencies since summer 2004 for the collection, dissemination and management of EU-specific terminology. The aim is to provide a standardized, web-based infrastructure for all EU terminology resources.

⁵ EuroTermBank (ETB), PolTermBank, IncoTermsBank allow user to manage terms and phrases that must be translated in a particular way. Terminology databases are made up of multilingual entries, which have approved terms for specific languages. This helps in translation consistency and efficiency.

2 METHODOLOGY OF PRAGMATICS IN TRANSLATION

We shall begin with explaining what pragmatics is and how it affects the translation. Pragmatics is rooted in sociology, philosophy, and anthropology. C.W. Morris, a psychologist and philosopher, studied these fields and coined the term in the 30's of the past century. He popularized the term in his book entitled "Signs, Language and Behavior"⁶ where he explained his theory of pragmatics and the difference between pragmatics and semantics, which concerns the relations between signs and the objects they symbolize. Morris says that pragmatics stems from linguistics and is concerned with the use of language in social contexts and the ways in which people produce and comprehend meanings through language. In other words, pragmatics refers to the way people use language and the way that language is interpreted and understood. A translated text or an utterance devoid of pragmatics may lack understanding of what a person truly wants to convey. The context is what makes utterances clear or unclear to the target communication person. David Lodge, in his novel entitled the *Paradise News*, pithily explains what makes pragmatics so important to understanding language by saying that pragmatics is needed because it gives humans "a fuller, deeper, and generally more reasonable account of human language behavior."⁷ David Crystal, in turn, says that pragmatics studies the factors that govern our choice of language in social interaction and the effects of our choice on others⁸. Simply speaking, without pragmatics, the target receiver may either not know what a person truly means when he/she is speaking or writing, or may miss the whole point of the communication.

In order to produce a context-adjusted text or utterance in a foreign language it requires adaptation to the prevailing reality and conditions where the target communication person functions. It should be remembered that languages differ from each other in the way they describe reality and by the bank of words, sayings, expressions and idioms they offer, so everyone undertaking translating needs to be aware of existing constraints and differences. Sometimes it does not suffice to stick to literal translations. Often a superficial contact with a foreign culture produces a conviction that we understand a given culture well enough, which in turn, produces a feeling that the translation of the message to be conveyed does not require solid knowledge how the target language functions, solid familiarization with the culture and reality. Pragmatics in this sense concerns primarily texts and utterances that require creativity and linguistic intuition in the field of literature, journalism, advertising, marketing, fiction and development, and in the field of science where many phenomena and things are completely unknown or yet unnamed and one cannot rely on literal, word-by-word translation. In the opinion of G.Finch, pragmatics focuses on the way how communication

⁶ C.W. Morris, *Signs, Language and Behavior*, The Catholic University of America Press, Vol. 10, No. 2, 1947

⁷ D. Lodge, *Paradise News*, Penguin, 1993

⁸ https://en.wikiquote.org/wiki/David_Crystal

partners express what they mean and how they interpret their utterances in social contexts, by contrast, semantics refers to the specific meaning of language⁹. D. Kierzkowska, in turn, defines the methodology of pragmatics for translation purposes as an assessment of the usefulness, accurateness and appropriateness of applied translation theory in practice¹⁰. Translation concepts formed at the turn of the century and described by language experts and linguists inter alios E. Nida, J. Delisle, K. Reiss and H. Vermeer, are addressed below.

3 THEORIES OF TRANSLATION

Cicero (106-43 BC) and Horace (65-8 BC) propagated unsophisticated, literal, word-for-word translation seeing themselves as protectors and advocates of the source text fidelity. That was certainly very noble but not entirely productive. Only four hundred years later, Saint Jerome, while translating, changed the approach and started focusing primarily on guiding the readers to understanding of the original version. He transferred the underlying message the author intended, closely following the original version giving his readers the impression that they are reading a text that was originally written in the target language, but not word for word. This novel approach has become a milestone in the field of translations and in 1991 Saint Jerome¹¹ became the patron of translators. Martin Luther King, who translated the Bible into German based mainly on the original Hebrew and Greek texts and not the Latin Vulgate, believed that the translation depends on its meaning and recipients, whereas Juan Luis Vives¹² distinguished three types of translation, depending on the type of text: on the type of text: a translation focused on general comprehension, a translation preserving thoughts and emotions expressed by the author and a translation which combines the two former elements.

Speaking of contemporary theories of text translation, we should mention the Sapir-Whorf hypothesis about the unparaphrasability and untranslatability of texts resulting from the differences in cultures and ways of seeing and understating the world. Another well-known translator Eugene A. Nida¹³ introduced the concepts of formal¹⁴ and dynamic equivalence¹⁵ and

recommended the dynamic equivalence for this purpose. This approach involves a strategy known as domestication or localization. Precisely speaking, when an original text contains physical, administrative, legal and cultural references specific to a particular place in the world and the translation is intended for a different location with divergent culture or dissimilar civilization, all of the references will have to be adapted to the reality where the translation is intended for. If an original text mentions phenomena or things unknown or unnamed in the country where the translation is required, a research will be required to determine what the nearest corresponding words and expressions are used in the target country. Any unknown, equivocal, ambiguous references have to be replaced by others to deliver the sense to the readers of the translation. Similarly, W. Koller studies the concept of equivalence. He brings into translator's attention five different types of equivalence: (a) denotative equivalence involving the extralinguistic content of a text through denotates i.e. terminology relevant e.g. to a given legal system, (b) connotative equivalence relating to lexical choices through associations, (c) text-normative equivalence relating to text-types, (d) pragmatic equivalence involving the receiver of the text or message, and, finally, (e) formal equivalence relating to the form and aesthetics of the text¹⁶. Having identified different types of equivalence, Koller claims that a hierarchy of values can be preserved in a translation only if the translator comes up with an equivalence hierarchy for the target text.

Subsequent approach which is fit for unparaphrasable text is called "transcreation"¹⁷. This is a fairly recent approach especially when businesses and brands need to adapt their names, advertising campaign slogans to buyers and clients from different countries. In this case, the translator focuses primarily on the adaptation of the message contained in a text, trying to find a bridge between the source language and the language and emotions of the target receiver of the message. Consequently, transcreation requires not only linguistic knowledge, but a decent portion of creativity and expertise, as well.

Let the final word on approach to translations be with K. Reiss and H.J. Vermeer who developed the so-called skopos theory. The skopos theory was born in Germany in the late 1970s and reflects a general shift from linguistic and formal translation theories to a more functionally and socio-culturally oriented concept of translation. Initially formulated by Reiss in the 1970s, the theory was propagated by Vermeer in the 1980s, and was further developed in the 1990s by Nord, one of its most important second-generation scholars. The basic principles of the skopos theory are summarized as follows: Any form of translational action, including translation itself, may be conceived as a "purposeful activity."¹⁸ The action should follow

⁹ G. Finch, *Linguistic Terms and Concepts*, London : Macmillan Education, Limited, (2016)

¹⁰ D. Kierzkowska, *Tłumaczenia prawnicze*, Warszawa: Translegis, 2008, p.28

¹¹ In Latin, Saint Jerome is known as Eusebius Sophronius Hieronymus. His name in Ancient Greek is Εὐσέβιος Σωφρόνιος Ἱερόνυμος. In his life (347 A.D. to 420 A.D.) Saint Jerome was a Latin Christian priest, confessor, theologian, and historian. He became a Doctor of the Church and is best known for his translation of the Bible into Latin (the Vulgate), and his commentaries on the Christian Bible's Gospel of the Hebrews.

¹² "J.L. Vives, *De ratione dicendi*, Leuven, 1533, Routledge Encyclopedia of Translation Studies, 2nd edition

¹³ E.A.Nida, *Towards a science of translating*, Leiden: E.J. Brill, 1964, p.160

¹⁴ Formal equivalence is as a word-for-word translation or translation of meanings of individual words and phrases in a more literal way, keeping literal fidelity.

¹⁵ Dynamic equivalence is understood as a sense-for-sense translation. In translation terms, equivalence refers to the nature and ex-

tent of the relationship between the source language and the target language, similarities and overlapping range of words and expressions.

¹⁶ Koller W., *The concept of equivalence and the object of translation studies*, *Target* no.7, 1995, pp. 191-222

¹⁷ <https://en.wikipedia.org/wiki/Transcreation>

¹⁸ Nord Ch., *Translating as a purposeful activity*, *Functionalist approaches explained*. Manchester, St. Jerome Publishing, (1997) p.12.

the "skopos rule," which postulates that the form of a **target text** (TT), including translation strategies and methods adopted, should above all be determined by the purpose or skopos that the TT is intended to fulfill in the target context; that is, "the end justifies the means"¹⁹. The skopos of the TT and the mode in which it is to be realized are negotiated between the commissioner and the translator. The translator as the "expert" in translational action is responsible for the final translation²⁰. While the translator is entitled to decide what role a **source text** (ST) plays in the translation process, the decisive factor is the precisely specified skopos. The ST is only one element of the commission and an "offer of information."²¹ This way they formulated a clear "target text-oriented paradigm"²² for combining a variety of translating strategies for adaptation of the source message to the target communication person and reality the person functions in. The strategies include:

- translation guiding the reader to general sense with a more flexible approach to the original text and with regard to the principles of grammar of the target language.
- translation protecting and reflecting thoughts and feelings, where the translator becomes an advocate of the author's emotions, intents and many a time the wit,
- translation where the combination of the two above should be preserved, what requires not only the translation of the text from the source language into the target language but foremost a cultural and emotional adaptation of translated texts so the target communication person, apart from comprehension, will not be stripped of the joy from reading, suspense, atmosphere, etc. created by the author. In this case the translator becomes an advocate of the author's talent and the translation ascends to the rank of art.
- domestication or localization aims at finding the best possible equivalent in case of insufficient bank of terminology or when we deal with a distant recipient. This would involve, for example, fixed parameters, proper names, specific professional terminology, conversion of measurements, titles, academic degrees, etc. functioning in the reality where the translation is required.
- creative translation is applied when the intention and tone of the translated message are to be preserved. This allows stepping away from the fidelity of the original text and replacing the original wording with words or sayings expressing the spirit and purpose inherent in the original message. This can involve concrete or abstract sense.

Before making the decision on the translation strategy, a translating person should try to get to know who the target communication person is. The

biggest mistake would be to translate in detachment from the target recipient, which Kierzkowska suggests, and differentiates 3 target communication recipients²³.

The close recipient is the one who knows, or has the motivation to explore and probe the culture of the country, the language and the prevailing realities, and as such will appreciate the translation as close to the source text as possible. An example of a close recipient could be an American businessman, running a business in Poland, a foreign researcher employed at a Polish university or a student from Nigeria. All these nationals living in Poland should be interested in further exploration and familiarization with the reality they currently exist in. It would be undesirable to apply rough equivalents. Briefly speaking the translator should give up domestication in favour of foreignisation. Relevant examples are illustrated in table 5.

The distant recipient is a person who does not know much about the country of the source language or knows it superficially, shows little interest in it or has no motivation or no need to get to know it better. Consequently, such a recipient will need a bypass path to understanding through the use of connotation equivalence. An example of a distant recipient may be anyone watching or reading news from abroad or an ordinary tourist staying abroad - any nationals, for whom the described reality is unknown, unclear or roughly speaking, irrelevant. Application of foreignisation may, in this case, become counter-productive.

Last but not least, Kierzkowska distinguishes a self-defined recipient, and understands the one as a person or an institution that binds the translator with a certain terminology. For example, a publishing house, an industrial plant or a logistics company may prefer the wording of the original version especially if there is a tendency of foreign words to penetrate the target language, or even dominate over native words entering the language in an original form or foreignized version. Let us provide examples of terminology from the logistics sector which have penetrated Polish language in their original English or polonized versions e.g. outsourcing, piggyback, fair-play, outlet or cross docking. Needless to say, these examples could be multiplied. This approach is recommended as their translation would require longer, descriptive explanations, and domestication has not been popularized yet or does not exist. Borrowing foreign words is a long-known, widespread phenomenon. If there are no equivalents in the native language, the borrowings are very welcome and what is the most desired, they are often found more precise than their equivalents offered by the bank of the target language. Professor Jan Miodek claims that there are no words unnecessary to the language. He does not mind borrowing foreign words, provided that someone "does not cling to" the word and gives up the whole range of available variants and synonyms²⁴.

¹⁹ Reiss, K. and Hans J. Vermeer. (1984). *Grundlegung einer allgemeinen Translationstheorie*. Tübingen: Niemeyer. (1984) p.101

²⁰ Vermeer, Hans J. Skopos and commission in translational action. A. Chesterman (trans.). In L. Venuti (ed.). *The Translation Studies Reader*. London: Routledge, (2000) pp. 221-233.

²¹ Baorong W., *Translating Publicity Texts in the Light of the Skopos Theory: Problems and Suggestions*, Vol. 13, No. 1, 2009, The University of Hong Kong

²² Toury, G. *Descriptive Translation Studies and Beyond*. Amsterdam: John Benjamins, (1995), p.25

²³ D. Kierzkowska, *Tłumaczenia prawnicze*, Translegis, 2008, p.88-89

²⁴ J.Miodek, *O słowach, które się rozpychają*, a radio interview podcast <https://www.polskieradio.pl/Jan-Miodek/Tag173266>

4 TRANSLATION EXAMPLES AND ANALYSIS:

4.1 *Literal translations*

Literal translations, initiated by Cicero and Horace, rely entirely on the word-for-word strategy which Delisle defines as translating elements of the source text into the target text without making any changes²⁵. The below table illustrates such examples based on "Polish into English" translation:

Table 1.

S	Source language
E	Examples of literal translation ²⁶
R	Received sense
D	Desired sense
S	"Nie psuj sobie krwi."
E	"Do not spoil your /yourself blood!" ²⁷
R	"Do not infect your blood", "Do not get your blood infected"
D	"Do not upset yourself." Or idiomatically speaking :"Do not eat your heart out."
S	"Siłownia okrętowa pali się."
E	"Ship's gym is burning itself." "The naval engine is burning." ²⁸
R	"A location on a ship for gymnastics is burning." "A marine engine is on fire."
D	The engine room is on fire. (Note the source phrase informs only about the location of the fire.)
S	"Statek zawiął zgodnie z rozkładem rejsów."
E	The ship wrapped up according to cruise timetable. / The ship was in line with the flight schedule. ²⁹
R	"The ship packed/is packed according to a timetable." Translated text suggests more of a space while the author means a sailing vessel.
D	The vessel has arrived as scheduled.

Obviously the literal translation does not always fail. Even idiomatic expressions may be translated successfully using the word-for-word strategy. The table below illustrates such examples:

²⁵ J. Delisle, Translation: an interpretive approach. University of Ottawa Press, 1988, p.200

²⁶ Examples of incorrect, ineffective, counter-productive automatic, non-selective or involuntary word-for-word translations,

²⁷The translation received from the free multilingual machine translation service developed by Google, to translate text in April 2019. Interestingly, the machine does not translate languages directly, it first translates the given text to English and then to the target language.

<https://translate.google.com/?hl=pl#view=home&op=translate&sl=auto&tl=en&text=Nie%20psuj%20sobie%20krwi>.

²⁸<https://translate.google.com/?hl=pl#view=home&op=translate&sl=auto&tl=en&text=Si%C5%82ownia%20okr%C4%99towa%20pali%20si%C4%99>.

²⁹<https://translate.google.com/?hl=pl#view=home&op=translate&sl=auto&tl=en&text=Statek%20zawin%C4%85%C5%82%20zgodnie%20%20roz%C5%82adem%20rejs%C3%B3w>.

Table 2.

S	SOURCE TEXT
L	LITERAL TRANSLATION
D	DESIRED SENSE
S	"On nie skrzywdziłby nawet muchy."
L	He wouldn't hurt a fly.
D	The person acting is gentle and would never do anything to injure or offend anyone.
S	"Wszystkie ręce na pokład!"
L	"All hands on deck!"
D	All crew members are to go on deck (literally) or the involvement of a group of people is required (idiomatically).
S	"Przestań płakać nad rozlanym mlekiem."
L	"Stop crying over spilt milk."
D	Stop being upset over something that has already happened. It will not change anything.

4.2 *Translations for specific purposes.*

Every profession has a number of standardized or codified words, phrases, informal sayings and technical terms. It also refers to any sort of linguistic elements, initially non-normative, that become widespread, and consequently enter usage, gaining normative sanction within the area of usage and ultimately become a norm in a standard language. The maritime language is no different. The below table illustrates examples adopted from a set of key phrases in the English language (which is the internationally recognized as the language of the sea) contained in The Standard Marine Communication Phrases (SMCP) publication, which without a proper expertise in the field, would, most probably, be misleading or unclear.

Table 3.

IMO SMCP Phrases	MEANING
Steady.	Reduce swing as rapidly as possible.
Meet her.	Check the swing of the vessel's head in a turn.
Traffic clearance	VTS authorization for a vessel to proceed under conditions specified
Walk out (of anchors)	Reverse the action of a windlass to lower the anchor until it is clear of the hawse pipe and ready for dropping
Union purchase	A method of cargo handling by combining two derricks, one of which is fixed over the hatch, the other over the ship's side
Off station (of buoys)	Not in charted position

The SMCP is based on basic knowledge of the English language where grammatical, lexical and idiomatic varieties have been simplified to necessary minimum and standardized to offer precise, simple and unambiguous language block so as to avoid confusion and error while communicating at sea. This means that the compiled phrases have been subjected to a number of adaptations, omissions and exclusions including:

- avoiding synonyms and ambiguous words,
- avoiding contracted forms,

- providing fully worded answers to "yes/no" questions and basic alternative answers to sentence questions,
- providing *one* phrase for *one* event,
- structuring the corresponding phrases according to the principle: *identical invariable plus variable* e.g. I require ... (a) pilot / tug assistance / divers / medical assistance.
- omission of the function words e.g. *the, a/an, is/are* (in this respect, however, flexible approach is advised)
- spelling of letters and digits,
- expressing positions, bearings, courses, distances, speed, times, and
- application of message markers.³⁰

Since the maritime language is to a certain extent detached from the everyday language, the commonly accepted grammatical and lexical rules do not always apply. In order to protect naturalness and the agreed "correctness" of the ship-to-ship and ship-to-shore communications, which paradoxically may be regarded as an evident mistake or an intolerable simplification, a translating person needs to be aware that such simplifications and restrictions are a part of maritime language and apply them when legitimate.

Noteworthy is the fact that the area of maritime English can be further subdivided into maritime English for the purpose of navigation, shipboard communications, shipboard safety, marine and electrical engineering, shipbuilding, cargo handling, maintenance, and the legalese maritime English for contracts of employment, insurance contracts, certificates of competency, conventions regulating seafaring career, and seafarers' respective obligations and rights.

Every branch of language for specific purposes has its own distinctiveness. A number of complex, exclusive, often unshared terms and phraseology make translation very difficult without adequate expertise. A translating person should at first be familiarized with the phraseology in the mother tongue before he/she undertakes translations in this field. The table below illustrates the detachment of workplace language from standard language.

Table 4.

Maritime English	General English
<i>funnel</i>	chimney
<i>starboard / port side</i>	right / left side
<i>galley</i>	kitchen
<i>bulkhead</i>	wall
<i>overhead</i>	ceiling
<i>head</i>	restroom
<i>bunkering</i>	refueling
<i>porthole</i>	round window

³⁰ IMO Standard Marine Communication Phrases, B. Katarzyńska (trans.), Fundacja Promocji Przemysłu Okrętowego i Gospodarki Morskiej, Gdańsk, 2011 p.28

Table 5.

Maritime Legalese English	General English
<i>amendment</i>	change, addition or improvement
<i>repatriation</i>	returning to the country of origin
<i>denunciation</i>	termination
<i>depository functions</i>	treasury functions
<i>Implement and enforce</i>	apply
<i>indemnity</i>	repayment/refund
<i>authoritative languages</i>	official languages
<i>entitlement (e.g. to compensation)</i>	right to (e.g. to compensation)

4.3 Formal and dynamic equivalence

The table below illustrates examples of Nida's concepts of translation - formal equivalence and dynamic equivalence. Translation with the use of formal equivalence demands greater attachment to the source text by the application of foreignisation. By contrast, dynamic equivalence (domestication) puts naturalness and general comprehension before precision and attachment to the original text.

Table 6.

UNITS OF TERRITORIAL ADMINISTRATIVE DIVISION OF POLAND	
P	POLISH PROPER NAME
F	FORMAL EQUIVALENCE (FOREIGNISATION)
D	DYNAMIC EQUIVALENCE (DOMESTICATION)
E	EU UNIFICATION (STANDARDIZATION)
P	GMINA
F	GMINA / GMAINA/
D	COMMUNE; MUNICIPALITY
E	NUTS ³¹ level 5
P	POWIAT
F	POVIAT
D	DISTRICT
E	NUTS level 4
P	WOJEWÓDZTWO
F	VOIVODESHIP; VOIVODSHIP
D	REGION; PROVINCE
E	NUTS level 3

4.4 Denotative and connotative equivalence.

Koller distinguishes denotative and connotative equivalence. The former refers to denotates, that is terminology relevant to a given legal system. The latter one - connotative equivalent - refers to associations of the target language terminology.

³¹ NUTS in the EU Nomenclature of Territorial Units for Statistics. In Poland regulated by Rozporządzenie Rady Ministrów z dnia 14 listopada 2007 r. w sprawie wprowadzania Nomenklatury Jednostek Terytorialnych do Celów Statystycznych (NTS) (Dz.U. 2007 nr 214 poz.1573)

Table 6.

P	POLISH PROPER NAME
D	DENOTATIVE EQUIVALENCE
C	CONNOTATIVE EQUIVALENCE
P	LICEUM
D	LYCEUM
C	SECONDARY SCHOOL
P	EGZAMIN MATURALNY
D	MATURA EXAM
C	FINAL EXAM
P	MARSZAŁEK SEJMU
D	SEYM MARSHAL
C	SPEAKER
P	KWESTOR
D	QUESTOR
C	BURSAR

4.5 Pragmatic equivalence.

We also distinguish pragmatic equivalence, which imposes on the translator the use of specific terms. We talk about pragmatic equivalence when the client or recipient of the translation is, for example, an institution that orders a specific translation, eg. Wyższa Szkoła Bankowa → WSB Universities, Akademia Marynarki Wojennej w Gdyni → Naval University of Gdynia, Uniwersytet Morski w Gdyni → Gdynia Maritime University. The three schools represent different status in Polish hierarchy of schools of tertiary education but due to incompatibility of education systems worldwide their English equivalents do not indicate the difference. Pragmatic equivalence refers to terminology having the same effect on the target message receivers in both languages.

The §46 and §47³² of the Sworn Translator's Code on translation of academic degrees, titles, and certification advise using the original version to avoid any valuing judgment due to the incompatibility of education systems in different countries. Only equivalents determined on the basis of international agreements or nostrifications can be applied. Otherwise, all titles and alike should remain untranslated. For these, it is widely accepted to provide an explanation to clarify the applied terminology or a domesticated equivalent in the translator's footnote e.g. *mgr inż. Jan Kowalski* with a note *roughly equivalent Jan Kowalski, M.Sc.* According to the Sworn Translator's Code, the translator has the right to assume that the recipient of a technical or legal translation has knowledge and expertise in a given field and does not need additional clarification.

5 CONCLUSION

Translation at times is a very complex and demanding process. The above analysis shows how much attention and preparation is required before a translation is initiated if certain dependencies are to be taken into account. The choice of the right strategy,

the right attitude, and the right equivalence requires a lot of preliminary preparation. We have also shown how crucial it is to determine who the target communication person is, for the translation cannot be detached from target receiver and his/her expectations. All that requires from a translator of pragmatic texts knowledge and expertise in a given field, cultural awareness, familiarization with differences and similarities in legal and administrative systems and awareness of the untranslatability of a number of terms and on the top of it the ability to collate all the dependencies to choose the most appropriate translation equivalence. Once the equivalence has been chosen, the translator should remain attached to this option for the sake of consistency of the entire text. Finally, the person undertaking the translation must not mislead the target recipient.

In this regard we would like to quote Tadeusz-Boy Żeleński, who was a Polish stage writer, poet, critic and, above all, the translator of over 100 French literary classics into Polish: "Translation is a difficult process; in formal terms, it is more difficult than writing, for it is easier to find a form for one's own thought, (...) not for someone else's thought arising from a completely different spirit. It requires not only knowledge of a foreign language (it is the least of a problem), but general knowledge of literature and culture of a given country; and last but not least, a good command of your own native language"³³.

BIBLIOGRAPHY

- C.W. Morris, Signs, Language and Behavior, The Catholic University of America Press, Vol. 10, No. 2, 1947
- Jopek-Bosiacka A.(2006),Przekład prawny i prawniczy,Warszawa: PWN
- IMO Standard Marine Communication Phrases, B. Katarzyńska (trans.), Fundacja Promocji Przemysłu Okrętowego i Gospodarki Morskiej, Gdańsk (2011)
- KielarB. (2003) Zarys tranlatoryki,Warszawa: zakład Graficzny UW
- Kierzkowska D.(2008),Tłumaczenia prawnicze,Warszawa: Translegis
- Kierzkowska D.(2011), Kodeks Tłumacza przysięgłego z komentarzem ,Warszawa:Translegis
- Miodek J. (2007) Jestem za "ekstraodlotem"- wywiad, Wrocław: Słowo Polskie; Gazeta Wrocławska
- Myrczek E.(2006),Lexicon of law terms, Warszawa: C.H. Beck
- Nida E.A.(1964) Towards a science of Translating, Leiden:Brill
- Pieńkos J.(1999), Podstawy juryslingwistyki, Język w prawie-prawo w języku, Warszawa: Oficyna Prawnicza Muza S.A.
- T. Boy-Żeleński T., Nowe studia z literatury francuskiej, Kraków,1922
- Pisarska A.,T.Tomaszkiewicz (1996)Współczesne tendencje przekładu,Poznań: UAM
- Sercevic S.(1997) New Approach to Legal Translation. The Hague: Kluwer law International
- Scholz J. (2000), Przekład jako medium kontaktu kultur, Folia Germanica 2, Uniwersytet Łódzki
- Panou D. (2013) Equivalence in Translation Theories: A Critical Evaluation, University of Leicester, UK ISSN

³² KODEKS ZAWODOWY TŁUMACZA PRZYSIĘGŁEGO by Polskie Towarzystwo Tłumaczy Przysięgłych i Specjalistycznych, TE-PIS, Warszawa 2018 p.11

³³ T. Boy-Żeleński T., Nowe studia z literatury francuskiej, Kraków,1922,p. 285 (authors' translation)

1799-2591 Theory and Practice in Language Studies, Vol.
3, No. 1
www.transkrypt.pl
[www.supertlumacz-tlumaczenia-
medyczne.znanyprawnik.pl](http://www.supertlumacz-tlumaczenia-
medyczne.znanyprawnik.pl)
www.tepis.org.pl
www.eurotermbank.com