

Corpora in Legal Translation: Overcoming Terminological and Phraseological Assymetries between Czech and English

Los corpus en la traducción jurídica y su uso para resolver la asimetría terminológica y fraseológica entre el checo y el inglés

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Abstract: The paper deals with the role of small-scale corpora of legal language in overcoming terminological and phraseological assymetries between Czech and English. The first part of the paper describes the potential as well as the specifics of the use of such corpora in legal linguistics. The second part of the paper presents selected outcomes of a study involving a comparable-parallel corpus architecture to study the terminology and phraseology of company law in English and Czech. A number of examples are discussed to demonstrate the usefulness of such corpora as a complement to dictionaries and other resources available to translators working with languages of limited diffusion, such as Czech, for identifying terminological and phraseological equivalence in less straightforward cases. The final part discusses the implications for legal translation practice as well as translation training.

Key words: Legal phraseology; legal terminology; corpora; legal translation; company law; language of limited diffusion.

Resumen: Este artículo reflexiona sobre el papel de los corpus pequeños del lenguaje jurídico para resolver la asimetría fraseológica y terminológica entre el inglés y el checo. La primera parte del artículo describe las posibilidades y las especificidades del uso de tales corpus en la lingüística jurídica. La segunda parte del artículo comprende un estudio de la terminología y fraseología del derecho societario en inglés y checo. Se presenta una serie de ejemplos para demostrar lo útiles que son los corpus para complementar a los diccionarios y otros recursos utilizados por los traductores jurídicos que trabajan con lenguas de menor difusión, como por ejemplo el checo, en la resolución de las dudas terminológicas y fraseológicas. En su parte final el artículo presenta las implicaciones pertinentes para la práctica y la enseñanza de la traducción jurídica.

Palabras clave: Fraseología jurídica; terminología jurídica; corpus; traducción jurídica; derecho de societario; lengua de menor difusión.

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1. INTRODUCTION

The uptake of corpus linguistics in the study of legal language has been slightly delayed in comparison with general language linguistics and translation studies. Biel and Engberg (2013, 2) argue that research into legal translation has been predominantly qualitative, product-oriented and descriptive and very often involved a manual analysis of small samples. This has started to change recently and there has been a shift towards quantitative and mixed approaches, very often including corpus linguistics (e.g. Biel 2014, Pontrandolfo 2016). Outside the area of legal translation, corpora have also been considered for other uses (cf. Vogel et al. 2017). Unfortunately, languages of limited diffusion (such as Czech) remain under-researched in this respect.

It is a well-acknowledged fact that «phraseological patterns can form a major obstacle not only to understanding foreign law, but also to creating high-quality legal translations» (Ruusila & Lindroos 2016, 120). However, the lack of research into legal phraseology¹ involving Czech necessarily results in the lack of specific phraseological resources available for translators. As a result, translators should use

1. For some language pairs, Czech excluding, the situation has slightly improved recently with several publications on legal phraseology (Gozdz-Roszkowski and Pontrandolfo 2015, Gozdz-Roszkowski and Pontrandolfo 2017). For others, such as English-German pair, the situation

other non-specific tools, such as comparable corpora to increase the communicative dimension of their translations, which undoubtedly includes legal phraseology (cf. Biel 2017a). In light of the above, this paper, which could be seen as a study into computational phraseology (cf. Heid 2008) tries to contribute to the study of legal phraseology and terminology, or terminological phraseology to use the concept of Tabares Plasencia and Pérez Vigaray (2007), in English and Czech and show how small-scale (comparable and parallel) corpora of legal language can be useful in legal translation practice, legal translation training and even the assessment of translation quality, and thus become an indispensable tool for legal translation practitioners and trainees.

2. CORPORA AND LEGAL LANGUAGE

2.1. *What makes corpus studies of legal language special*

The study of legal language through the methods of corpus linguistics faces a number of peculiarities, which are not encountered in corpus research of general language. The first one concerns the data used and is sometimes referred to as «legicentrism» (Harvey 2002, 178), i.e. a focus on legislation. This is due to the public availability and non-confidentiality of laws and regulations, which makes the compilation of such corpora much easier. It is more difficult to obtain and more labour-intensive to process for corpus compilation more personal legal documents such as judgments, wills, or even contracts, unless templates are to be used. If corpora of other than legislative genres are compiled, then they are only comparable², because obtaining real original and translated versions of such documents is almost impossible³. The balancing argument could be that legislation is considered to be the primary or «law-constituting» (Kjær 2000) legal genre and many of the formulas and terms that are used in lower-order genres are actually reproduced from legislation; in other words, there is a high degree of intertextuality between legislation and the genres derived from it. This is also the premise relied on this paper as phrasemes and terms used in company law legislation may be useful in translating documents such as AGM minutes, by-laws, memoranda of association, etc.

is similar to that of Czech (cf. Tabares Plasencia and Ivanova 2009: 71) even though neither of the languages is a language of limited diffusion.

2. E.g. the GENTT comparable corpus of legal, medical and technical texts, and its sub-component judGENTT including court decisions. Available at <http://www.corpus-gentt.uji.es/> See Borja Albi and García-Izquierdo (2014) for more details.

3. The only possibility are single translator's/agency's translation memories which may also be hardly available and lack representativeness. Still, the problem of confidentiality exists.

The other point is that corpora for the study of legal language need not be necessarily large. Bhatia (2004)⁴ argues that due to the formulaic and conservative nature of legal language even an analysis of a single act may render comprehensive and valid results and frequencies are usually of secondary importance. Thus, for certain types of phraseological units (e.g. term-embedding collocations or multi-word terms) frequency should not be the only criterion (cf. Biel 2014). In addition, if studying terminology and phraseology of a specific branch of law, a single act may be the only source of law applicable to the branch in the respective jurisdiction, and creating a larger corpus would compromise the homogeneity of the data.

2.2. Use of corpus linguistics for the study of legal language

On a general level, corpus methodology as a quantitative method makes it possible to search for regularities beyond the particular context. The uses of corpus tools in legal language research may be grouped into three major areas:

First, corpus methods may be used for the study of non-translated language. This type of research is based on monolingual and comparable corpora and Biel (2010) identifies five trajectories of such research: external variation, internal variation, temporal variation, cross-linguistic variation (i.e. contrastive studies) and idiosyncratic variation (added by Biel 2014, 93). One important type of variation not mentioned by Biel, but highly relevant for legal language studies is that of topolectal (i.e. across jurisdictions) variation as studies e.g. by Tabares Plasencia (2016) or Pastor Lara y Tabares Plasencia (2012).

Second, corpus methods may be used for the study of legal translation. Of the many dimensions that are studied in translation, corpus methodologies are suitable for studying the product. In relation to legal translation, Biel (2017b, 83) argues that corpus tools are especially useful to identify patterns, which are cognitively salient and may facilitate text comprehension. The patterns that may be identified are: legal rules as a pattern, patterns in underlying source and target text legal genres, patterning primed in translation, patterns in the use of terms, patterns in translator's behaviour, patterns of patterns⁵.

Last but not least, a novel use of corpora for the study of legal language was introduced by Vogel et al. (2017), whose research team coined the term «computer-assisted legal linguistics» (CAL) and they present a potential for «computer-supported qualitative analysis» of legal texts based on big data, i.e. quite a different approach to

4. He compared legal discourse to literary discourse for which he considered the use of (large) corpora useful.

5. For a detailed description of each of the categories, see Biel (2017b: 83-84).

that defended by Bhatia (2004). «CAL analyses law – that is, its language, semantics, knowledge structure, and discourse patterns – as a social practice employing both corpus-driven and corpus-based approaches» (Vogel et al. 2017, 5). Such uses include statutory interpretation, citation analysis or creation of legislation. In addition, Vogel et al (2017, 11) define a number of questions that free legal reference corpora and ensuing empirical studies could help answer⁶.

3. DATA AND METHODS

3.1. *Company law terminology and phraseology*

Company law has been selected as an object of this study for a number of reasons. First, the globalization of international trade and business environment with companies registering their branches or subsidiaries abroad or foreign investors acquiring companies or shares in countries other than the countries of their domicile creates considerable demand for the translation of corporate documents, such as memoranda of association, articles of association, directors' service agreements etc. As the translations of corporate documents, unlike for example court proceedings, need not be always translated by an official translator, many graduates of translation programmes may be called on to do such translations, and thus translation of corporate documents should feature in any class on legal translation even in generalist translation curricula.

Interestingly, despite the globalization and EU attempts at harmonization, the terminology of this branch of law is far from achieving full equivalence across languages (cf. Štefková 2013, 89), and studies focusing on the terminology and phraseology of company law are scarce (Biel 2012 is a notable exception). The Czech company law and company law in English-speaking countries have different conceptual roots, which is often reflected in the terminology and phraseology used. Moreover, the Czech company law underwent a major change as part of sweeping private law recodification (see Elischer et al. 2013) when three new laws were adopted, including the 2012 Companies and Cooperative Act (hereinafter the «ZOK» following its short title in Czech). All of the laws introduced new concepts as well as new terms for existing

6. Some of the questions do overlap with other research questions mentioned above. However, some are, at least to some extent, innovative: How often, by whom, and where are particular expressions used, and what meaning is attributed to them?

Which expressions apply to similar yet different contexts (quasi-synonyms) and must be defined specifically in statutes? (This is a study of internal variation, but application for law-making is novel).

concepts, which posed a challenge not only to lawyers, but also to translators. While the terminology introduced by the new Civil Code was discussed in detail by Chromá (2014), the terms and phrasemes used in ZOK have not been an object of systematic research yet.

3.2. Methods

This study adopts a simplified corpus research model for legal translation proposed by (Biel 2017b, 82-83), which is based on advanced corpus design as illustrated in Figure 1. Such design includes both a parallel corpus and a comparable one⁷ and allows for «a broader perspective on the phenomena identified and eliminates methodological shortcomings».

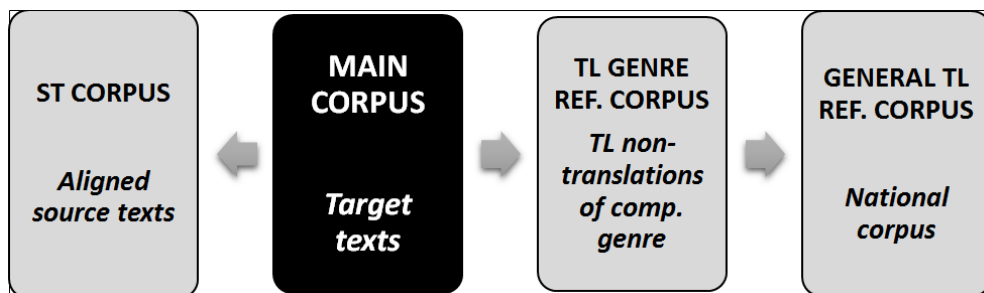


Figure 1. Comparable-parallel Corpus Architecture (Biel 2017b)

The source-text and target text used to compile the parallel corpus are the 2012 Czech Companies and Cooperatives Act and its translation into English, respectively. Even though various English translations of the Czech law may exist, the translation used was that commissioned by the Czech Ministry of Justice⁸, which is freely available at the Ministry’s website (Ministry of Justice 2015). It must be noted that the quality of the translation has been questioned e.g. by Klabal (2007), who performed translation quality assessment based on a sample of the provisions, with the results suggesting that the translation shows a number of deficiencies in majority of the areas under assessment. The reason it was used for the compilation of the parallel corpus is that it

7. Comparable corpus may have two meanings (see Biel 2010); in this study it denotes a translation-driven corpus in one language used to study translated as opposed to non-translated (also referred to as authentic in the analysis below) language.

8. Given the scope of the recodification, the Czech Ministry of Justice conceived of an idea to have the new laws translated into English, German, French and Russian. The details of the procurement process are described in Klabal (2017).

is the official translation that most people can access, and it serves well to demonstrate how the use of the comparable corpora as advocated here could enhance both the terminological and phraseological quality of the translation if used by the translators.

The target language genre reference corpora, i.e. the comparative ones, consist of small-scale corpora of companies acts from six English-speaking jurisdictions downloaded from the respective government sites. As the study does not aim to study the salience of terms in legal genre as opposed to general language, no general language reference corpus has been used. Table 1 gives details of the individual corpora used.

JURISDICTION/ACT ⁹	NUMBER OF WORDS	TYPE OF CORPUS
Australia: Corporations Act 2001	122522	Monolingual/ Comparable
Ireland: Companies Act 2014	454301	Monolingual/ Comparable
United States of America: Model Business Corporation Act 2010	67548	Monolingual/ Comparable
Canada: Business Corporations Act 1985	68807	Monolingual/ Comparable
New Zealand: Companies Act 1993	150767	Monolingual/ Comparable
UK: The Companies (Model Articles) Regulations 2008; Companies Act 2006	312429	Monolingual/ Comparable
Czech Republic: Companies and Cooperatives Act 2012	83741	Parallel

Table 1. Overview of the Corpora Used in the Study with their Descriptions.

The corpora were analysed and compiled using the SketchEngine corpus manager and concordancer. A combination of two methods has been used to identify the keyterms for analysis. Once the keyterms had been identified, their collocational profiles were made. The first method is adopted from Pontrandolfo (2016) and Dobrič Basanež (2017), who used a method proposed by Schank and Abelson (1977) working with knowledge structures. The method lies in creating a script typical of a field to identify the keyterms, i.e. not relying on their frequency only. This is driven by the fact that even though frequency is an important criterion, it should, by no means, be the only one

9. The following abbreviations are used to refer to the laws throughout the paper: AU (Australia: Corporations Act 2001), CAN (Canada: Business Corporations Act 1985), IR (Ireland: Companies Act 2014), NZ (New Zealand: Companies Act 1993), UK (UK: The Companies (Model Articles) Regulations 2008; Companies Act 2006) USA (United States of America: Model Business Corporation Act 2010)) and ZOK EN (English translation of the Czech Companies and Cooperatives Act 2012) and ZOK CZ (Czech version of the Czech Companies and Cooperatives Act 2012 – zákon o obchodních korporacích č. 89/2012 Sb.)

especially for the study of term-embedding collocations and multi-word terms (cf. Biel 2014). Pontrandolfo (2016) and Dobrič Basaneže (2017) used the scripts to study the terminology of criminal procedure and contracts respectively. For the purpose of this study, a script for an area of company law has been created with the words in *italics* being used as keywords for the extraction of collocations:

A company/corporation is incorporated upon filing its memorandum of association/ constitution with the companies register. The company may also adopt other documents such as articles of association or bylaws. The shareholders of the company own shares or hold interests in the company and exercise their rights at general meetings. They must receive a prior notice of the meeting and a quorum of them must be present to adopt resolutions. The directors are in charge of the day-to-day business of the company. The company may be dissolved by court.

This was combined with the keyterms extraction using the frequency criterion, and comparison of the most frequent terms in authentic and translated company legislation.

TRANSLATED		AUTHENTIC				
ZOK EN	UK	USA	IR	CAN	AU	NZ
member	company	corporation	company	corporation	company	company
share	share	shareholder	person	shares	member	person
company	person	director	share	person	person	shareholder
meeting	director	share	director	security	director	share
cooperative	provision	articles	statement	directors	share	director
association	member	meeting	court	shareholders	meeting	creditor
board	meeting	entity	member	court	body	court
business	resolution	incorporation	order	articles	corporation	notice
right	notice	board	meeting	certificate	resolution	liquidator
contribution	account	notice	application	class	entity	meeting

Table 2. Most Frequent Nominal Keywords in the Analysed Corpora.

Table 2 shows the most frequent keywords as extracted from the individual corpora. Some terms that will be discussed further on have been marked in grey and black. In some cases, it is logical that the words appear among the most frequent ones in law in general (e.g. *right*, *person*, *entity*) or company law in particular (e.g. *shares*, *meeting*, *director*); in others, the high ranking of the word suggests a related area that

may also be regulated by the respective law. For example, the Czech law does not deal with companies only, but also with cooperatives (hence *cooperative* on the list), the New Zealand law devotes substantial attention to the regulation of insolvency (hence *creditor* or *liquidator* on the list).

Several observations can be made on the basis of the most frequent keywords extracted from the corpora. First, the terminology in different English-speaking jurisdictions shows some geographical or diatopic variation (cf. Chromá 2016 or Bestué 2016)¹⁰. While most of the laws use the term *company*, the equivalent used in the US and Canada is *corporation*. Second, the high frequency of certain words may reveal something about the specifics of company-law regulation in the respective jurisdiction. For example, it may be assumed that the jurisdictions where *court* appears among the top 10 most frequent words permit court involvement in company affairs more frequently than others¹¹. A similar example of a jurisdiction-specific term may be *articles* (see 4.1. below). Third, sometimes the asymmetry between the translated and authentic terms reveals something about the conceptualization of the legal reality. While all comparable corpora have *director* among the most frequent keywords, the translated corpus features *board*, and *director* appears only as part of the multi-word term *board of directors*. Where an individual director is referred to in ZOK EN, *member of the Board of Directors* is used following the Czech conceptualization. This is due to the fact that corporate bodies under Czech company law are mostly collective ones (e.g. *představenstvo* – Board of Directors in a public limited company) and the regulation focuses on the body as a whole, while the English speaking jurisdictions define the rights and responsibilities of the individual *director*, providing, however, for a possibility of the directors constituting a board.

The most interesting examples, however, are those that appear only either in the translated or authentic legislation, and defy easy explanation (see 4.3. or 4.4. below).

An important note must be made on the frequencies. In this study, frequencies for the extracted collocational patterns will not be given. It is assumed, as has been argued above (cf. Biel 2014) that even a single occurrence of a collocation may be important and should be accounted for in phraseological or terminological dictionaries because it may denote an operation that is regulated in one section of the act only e.g. cancelling shares. This does not mean, however, that a translator will not be called on to translate a company policy on cancelling shares, and thus the terms and phrasemes, insignificant as they may be from the statistical point of view, may become extremely useful and

10. This essentially applies to any branch of law and language (e.g. in the case of Spanish and German criminal law as demonstrated by Tabares Plasencia (2007), or Tabares Plasencia and Ivanova (2009).

11. These are inferences based solely on the extracted keywords, and a detailed legal analysis would be required to confirm it.

important. Therefore, the examples presented below, as a rule, do not consider the frequency of the analysed terms or their collocates.

4. ANALYSIS

In this part a number of terms and their collocational profiles identified by either of the extraction methods described above will be analysed, and their implication for legal translation research and practice will be discussed.

However arbitrary the examples presented below may seem, they have been purposefully selected to show different phenomena where small-scale corpora may prove useful to legal translators working with Czech as a language of limited diffusion; in other words, the variety of examples was given precedence over systematic presentation of all the terms and phrasemes extracted¹². As mentioned in the introduction, the data revealed by the corpora may also serve as a basis for translation quality assessment. Therefore, where relevant, an alternative translation of ZOK CZ is given, which is informed by the corpus data. In other words, the alternative translations show the failure to comply with the discursive features of the target language by the translators of ZOK EN (cf. Klábal 2017).

4.1. Articles

The number of post-modifying of-phrase collocations of the term *articles* as shown in Table 3 reveals that it is a jurisdiction-specific term used in the United States and Canada, whereas it is a term occurring with a single collocate in the others (*articles of association – stanový* in Czech), i.e. a case of monocolocability. The number of multi-word terms that it denotes in the United States and Canada shows how company affairs are organized in these two jurisdictions. Any change in its structure that a company wants to undertake must be communicated to the competent authority and the document with the proposed changes is called *articles*. For example, when a merger is planned, *articles of merger* must be filed. In a sense, articles constitute a sort of proposal or application although this meaning is not covered separately in legal dictionaries. In these two jurisdictions, the term is very productive, and could be considered a terminological equivalent¹³ when translating from Czech into English for a

12. Full analysis of all terms would be beyond the scope of this paper, but is foreseen as part of a long-term research project.

13. For example, the Czech *návrh na zrušení* could be rendered as *articles of dissolution* into US English, and would be an equivalent term.

document to be used in the United States or Canada. However, the data suggest that it would not be an appropriate equivalent in translations for other jurisdictions.

AU, NZ	UK, IR, ZOK EN	USA	CAN ¹⁴
–	of association	of incorporation of domestication of merger of dissolution of charter surrender of non-profit conversion of entity conversion of correction of revocation of dissolution of restatement	of incorporation of continuance of amalgamation of dissolution of revival of reorganization of amendment of arrangement

Table 3. Collocates of Articles.

4.2. Quorum

Any minutes of meeting or even rules of procedure of a general meeting must necessarily deal with the quorum for such a meeting. Therefore, it is a concept that is regulated in both Czech law as well as company law in English-speaking jurisdictions. However, as the collocations in Table 4 suggest, *quorum* may be conceptualized differently.

14. This meaning is in line with the interpretation provision (section 2(1) of the Canada Business Corporation Act, which says that «articles means the original or restated articles of incorporation, articles of amendment, articles of amalgamation, articles of continuance, articles of reorganization, articles of arrangement, articles of dissolution, articles of revival and includes any amendments thereto»

AUTHENTIC	TRANSLATED
form a quorum	establish a quorum
make a quorum	have a quorum ¹⁵
have a quorum present	
a quorum is present	
a quorum required	
vary a quorum	
constitute a quorum	
a quorum ceases to be present	
a quorum for/at a meeting	
a quorum is participating	
count in a quorum	

Table 4. Collocations of Quorum.

It clearly follows from Table 4 that there is an absolute mismatch between the collocations used in the authentic corpora and the ZOK corpus, where *quorum* is used as an equivalent for *usnášeníschopnost*. The difference is, however, that whereas the Czech term *usnášeníschopnost* is literally translated as *ability to pass resolutions*, *quorum* is defined as *the smallest number of people needed to be present at a meeting before it can officially begin and before official decisions can be taken* (Cambridge Dictionaries Online), thus it is not an ability, but the actual people. This implies that the collocational profile (Czech: *být usnášeníschopný* – *be quorate*, English: *constitute quorum*, *quorum is present*) of each of these will be different, and if *quorum* is to be used in contexts where *usnášeníschopnost* is used in Czech, an in-depth reconceptualization is required as suggested in Table 5.

ZOK CZ	ZOK EN	ALTERNATIVE
<i>Není-li valná hromada schopná se usnášet, svolá představenstvo způsobem stanoveným tímto zákonem a stanovami, je-li to stále potřebné, bez zbytečného odkladu náhradní valnou hromadu se shodným pořadem</i>	<i>If the general meeting does not have a quorum, a substitute general meeting with the same agenda shall be convened by the board of directors without undue delay, if still necessary, in the manner prescribed by this Act and by the articles of association.</i>	<i>If a quorum of shareholders is not present at the general meeting, the board of directors shall convene, without undue delay, a substitute general meeting in compliance with the Act and the Articles of Association, with the same agenda.</i>

Table 5. Alternative Translation of a ZOK Statutory Provision.

15. This equivalent is also suggested by Chromá (2003, 386) even though it is not supported by the corpus data.

4.3. Notice

One of the features of interference in translation is the failure to use the possibilities of the target language to their full potential. *Notice*, which features as a frequent keyword in three jurisdictions, may be an example of such an unused potential.

Table 6 shows the meanings of notice that can be identified on the basis of their collocational profile extracted from the comparable corpora.

COLLOCATIONS		MEANING ¹⁶	EXAMPLE
reasonable adequate give receive	notice of notice + ing	(1) information or a warning about something that is going to happen in the future,	<i>At least 21 days notice must be given of a meeting of a company at which a resolution will be moved to remove an auditor...</i>
	amount of length of short days“	(2) or the period of time before it happens:	<i>Amount of notice of meetings of listed company</i>
lodge/file publish information (4) the fact of somebody paying attention to smb\sth or knowing about something		(3) a formal document or statement that tells someone to do something, or gives them information about something	<i>Involuntary dissolution for failure to file notice of change of registered agent or office</i>
		<i>... the person had actual notice that the company was being wound up.</i>	

Table 6. Collocations of the Term Notice Used to Identify Individual Meanings.

However, as the analysis of the parallel corpus shows (Figure 2), *notice* is used as an equivalent in ZOK EN only where the Czech sentence says *oznámení* or *výpověď*¹⁷, roughly corresponding either to the first or third meaning; in other words, the meaning of *notice* denoting a period of time is ignored¹⁷ as well as the fact that verb-noun collocations such as *file a notice* or *give notice* may well correspond to Czech verbs of communication (e.g. *zveřejnit* – *publish*, *oznámit* – *announce*), and thus the use of *notice* may produce more idiomatic translations as suggested in Table 7.

16. The definitions have been adapted from the online version Cambridge Dictionary.

17. This is a frequent problem of non-native users of English as pointed out by Harward (2012).

Query notice 33 > Filter by aligned corpus: 33 (134.88 per million)

Page 1 of 2 Go Next Last

ZOK_Paralel_English	ZOK_Paralel_Czech
doc#0 shall be dissolved: (a) by a termination notice of a member given no later than 6 months before	doc#0 a) výpověď společníka podanou nejpozději 6 měsíců před uplynutím účetního období, a to posledním dnem účetního období, ledaže společnost smlouvou určí lhůtu jinou,
doc#0 his or her participation in the company by notice to be given within 3 months after the date when he	doc#0 (1) Dědic podlu, který se nechce stát společníkem, je oprávněn svou účast ve společnosti vypovědět, a to ve lhůtě 3 měsíců ode dne, kdy se stal dědicem. Jinak se k této výpovědi nepřihlíží.
doc#0 she became an heir; otherwise such termination notice shall be disregarded. (2) The notice period	doc#0 (1) Dědic podlu, který se nechce stát společníkem, je oprávněn svou účast ve společnosti vypovědět, a to ve lhůtě 3 měsíců ode dne, kdy se stal dědicem. Jinak se k této výpovědi nepřihlíží.
doc#0 notice shall be disregarded. (2) The notice period shall be 3 months and, during such period	doc#0 (2) Výpovědní doba činí 3 měsíce a po dobu jejího běhu není dědicem podlu povinen se podílet na činnosti společnosti.
doc#0 activities. (3) Where an heir gives the notice referred to in subsection (1), he or she shall be	doc#0 (3) Podá-li dědic výpověď podle odstavce 1, platí, že se společníkem nestal.
doc#0 relation to a limited partner, (c) delivery of a notice of an unsuccessful repeated auction conducted	doc#0 (c) doručení vyznamení o neúspěšné opakované dražbě v řízení o výkonu rozhodnutí nebo v exekuci nebo, není-li podlu komanditistů převoditelův, právomocně nařízený výkon rozhodnutí postizbením podlu komanditistů, nebo právní moc exekučního příkazu k postizbení podlu komanditistů po uplynutí lhůty uvedené ve výzvě ke splnění vymáhané povinnosti podle zvláštního právního předpisu a, byl-li v této lhůtě podán návrh na zastavení exekuce, právní moc rozhodnutí o tomto návrhu, nebo
doc#0 claimed later than 1 month after the date of the notice concerning the refusal to provide information	doc#0 (2) V případě sporu rozhodne na návrh společníka o tom, zda je společnost povinna informaci poskytnout, soud; k právu uplatněnému po uplynutí 1 měsíce ode dne oznámení o odmítnutí poskytnutí informace se nepřihlíží.
doc#0 vote against. (3) Together with the withdrawal notice, the member shall return his or her common	doc#0 (3) Současně s oznámením o vystoupení ze společnosti odevzdá společník společnosti imenný list, byl-li vydán, jinak je vystoupení neúčinné.
doc#0 within 90 days after the publication of the last notice, unless the registered capital is being	doc#0 (2) Jmenovité zámění písemně vyzývá zvláště společnost, jejichž pohledávky vůči společnosti vznikly před oznámením přijetí usnesení valné hromady o snížení základního kapitálu, aby přihlásili své pohledávky vůči společnosti ve lhůtě do 90 dnů po zveřejnění posledního oznámení, ledaže jde o snížení základního kapitálu za účelem úhrady ztráty.
doc#0 Inform the shareholder about the reasons. The notice of the refusal to provide an explanation shall	doc#0 Sdělení o odmítnutí poskytnutí vysvětlení je soudčím zápisu z valné hromady.
doc#0 the pledge and the identity of the pledgee. A notice of this obligation shall be included in the	doc#0 Vlastnosti zastavených ústředních cenových papírů sděluje společnost bez zbytečného odkladu poté, co se dozvědí o svolení valné hromady, skutečnost zastavení a osobu zástavního věřitele; upozornění na tuto povinnost se uvede v pozvánce na valnou hromadu.
doc#0 storage shall also be included in the released notice. (2) If an expert opinion is not required, the	doc#0 Souvazné usnesení valné hromady a závěry znaleckého posudku, je-li vyžádán, uveřejní způsobem určeným tímto zákonem a stanovami pro svolání valné hromady společnosti a uloží veřejnou listinu v sídle společnosti k nahlédnutí; upozornění na toto uložení se v uveřejněném oznámení rovněž uvede.
doc#0 of subsection (2), the court shall post on its notice board an invitation addressed to the owners of	doc#0 (4) Hlavení akcieřů ve lhůtě určené soudem sděluje doručení vůči všem vlastním ústředních cenových papírů do soudní úschovy a soud společně s rozhodnutím podle odstavce 2 věty první vyvěsí na své úřední desce také vyzvu vlastníkům ústředních cenových papírů, aby se u něj o doručení přihlásili.
doc#0 This resolution shall be posted on the court's notice board. (6) If a principal shareholder and an	doc#0 Toto usnesení soud vyvěsí na úřední desce soudu.
doc#0 become a member. Section 562 [Recodification] notice board (1) A cooperative shall set up a notice	doc#0 Informační deska
doc#0] Notice board (1) A cooperative shall set up a notice board in its registered office. The notice	doc#0 (1) Družstvo zřídí ve svém sídle informační desku.
doc#0 up a notice board in its registered office. The notice board shall be accessible to all members every	doc#0 Informační deska je přístupná každý pracovní den v běžnou pracovní dobu všem členům.
doc#0 so provided in the articles of association, the notice board shall be made accessible online to the	doc#0 (2) Učít-li tak stanovou, informační deska se přistupuje členům družstva prostřednictvím internetových stránek.
doc#0 within 90 days after the publication of the last notice, unless the basic membership contribution is	doc#0 (2) Představenstvo zároveň se zveřejněním písemně vyzve všechny známé věřitele družstva, jejichž pohledávky vůči družstvu vznikly před přijetím usnesení členské schůze o snížení základního členského vkladu, aby přihlásili své pohledávky vůči družstvu ve lhůtě do 90 dnů po zveřejnění posledního oznámení, ledaže jde o snížení základního členského vkladu za účelem úhrady ztráty.
doc#0 his or her participation in the cooperative by notice, to be given without undue delay, but no later	doc#0 (1) Dědic družstevního podlu, který nechce být členem družstva, je oprávněn svou účast v družstvu vypovědět, a to bez zbytečného odkladu, nejpozději však 1 měsíc ode dne, kdy se stal dědicem. Jinak se k výpovědi nepřihlíží.

Figure 2. Notice in the ZOK Parallel Corpus.

ZOK CZ	ENGLISH EN	ALTERNATIVE
<i>Místo, dobu konání a předmět dražby představenstvo zveřejní ve lhůtě alespoň 15 dnů přede dnem jejího konání</i>	<i>The venue, time and subject-matter of the auction shall be published by the board of directors at least 15 days before the date of the auction</i>	<i>A minimum 15 days“ notice must be given by the BoD of the venue... .</i>
<i>Představenstvo oznámí bez zbytečného odkladu způsobem určeným tímto zákonem a stanovami pro svolání valné hromady den</i>	<i>The board of directors shall announce, without undue delay and in the manner prescribed by this Act and by the articles of association for convening the general meeting</i>	<i>The BoD shall give notice of the date</i>

Table 7. Alternative Translations of ZOK Statutory Provisions.

4.4. Business

Another instance where corpora may reveal asymmetries between translated legal language and authentic legal language is the example of *business*. As Table 8 shows, the absolute frequencies of the term are similar across jurisdictions. What differs, however, is the frequency of *business* as a pre-modifying noun in nominal phrases.

JURISDICTION	BUSINESS (AF)	BUSINESS + NN (AF)	PERCENTAGE
AU	213	64	3%
UK	271	53	2%
USA	267	142	53%
IR	273	57	21%
NZ	173	8	0.5%
CAN	117	24	2%
ZOK	397	361	91%

Table 8. Frequency of Business in Absolute Terms and Frequency of Business as a Pre-modifier.

More interestingly, the high frequency of the business + noun pattern (see Table 9) in the translated Act involves essentially four phrases: *business corporation*, *business share*, *business activities*, *business transaction*, which are basically calques from Czech. While the latter two (*business activities* and *business transactions*) are also attested in the authentic legislation, the other two are examples of calque translation of terminology from Czech. *Business corporation* is a literal translation of Czech term *obchodní korporace*, which is a hypernym comprising companies and cooperatives; *business share* is again a literal translation of *obchodní podíl*, which denotes an ownership interest in a company, and the English equivalent *share* would be sufficient without any pre-modifier.

AUTHENTIC	TRANSLATED
business organization	business corporation
principal business activities	business share
lawful business name	business activities
business transactions	business transaction
business premises	
business names	
business relationships	
business documents	
business activities	
regular business hours	
usual business address	
ordinary business affairs	
continuing business activity	
business combination	
business office	
business performance	
business day	
business premises	
business letters	
business combination	
business review	
business partner	

Table 9. Collocations of Business + NN.

The fact that *business* acquires a multitude of meanings, naturally also depending on the collocations, has been well demonstrated by Poirier (2015). In line with the premise postulated i.a. by Goźdz-Roszkowski (2013), collocational patterns may reveal the meaning of the terms, which is precisely the case here. The polysemous term *business* may be disambiguated thanks to the verbal collocates shown in Table 10. All the authentic laws feature the verbs *transact* and *carry on* as two standard collocations of *business*. Whereas the first collocation points to the meaning of business as *work that has to be done or matters that have to be attended to* (i.e. corresponding to *pořad jednání, program* in Czech), the second collocation is synonymous to *do business*, i.e. *commercial activity*. Obviously, *business* was not used in the first meaning in the ZOK EN at all. Another striking difference is that whereas ZOK EN uses the phrasal verb *carry out*, every single authentic law uses *carry on*. This may be a case of unidiomatic translation that may run the risk of being spotted by the readers (cf. Newmark 1981, 180).

ZOK EN	UK	USA	IR	CAN	AU	NZ
carry out	carry on deal with transact conduct	transact abandon carry on liquidate manage conduct	carry on proceed to do engage in transact undertake continue	carry on engage in transact	transact carry on	transact carry on

Table 10. Verbal Collocations of Business.

4.5. Share

The last example discussed in this paper will show, once again, what the collocations of a term can reveal and how useful their analysis can be for translators. Verb-noun constructions in fact are one of the most frequent phraseological unit in legal texts as noted e.g. by Tabares Plasencia (2016, 4). Table 11 shows verbal collocations of the term *share* in authentic and translated laws.

AUTHENTIC	TRANSLATED
issue	acquire
purchase	withdraw
cancel	subscribe for
hold	exchange for
acquire	cancel
redeem	replace
receive	issue
transfer	transfer
convert	
allot	

Table 11. Verbal Collocations of Shares.

It follows from the table that only three verbs appear both in authentic and translated laws: *issue*, *acquire* and *transfer*. It can also be noticed, however, that there are semantically similar verbs in both groups, namely *convert* in the authentic laws and *exchange for* and *replace* in the translated texts. All of these denote certain changes that shares may undergo as the actual examples in Table 12 indicate.

Authentic law	Czech corresponding term	ZOK EN
Conversion of certificated shares into uncertificated	přeměna	Transformation
grant rights to subscribe for or to convert any security into shares in the company	vyměnit	exchange for
Conversion into a new class of shares A company may convert an ordinary share into a preference share	změna	change
A company's shares may no longer be converted into stock	nahradit	replace

Table 12. Different Meanings if Share Conversion.

As can be seen from this example, Czech legal terminology tends not to use the same term for different concepts or processes¹⁸. Therefore, a different term (verb or noun) is used depending on what aspect of the share undergoes the change. On the other hand, English legal terminology makes use of a semantically broader verb denoting a change without the need to use a different term for each change. As a consequence, translators from Czech into English should not be misguided by the variety of Czech terms used and should opt for the natural English equivalent.

A similar example may be that illustrated by Table 13, which shows that whereas the verb *hold* is a frequently collocate to describe the ownership of shares across jurisdiction, it was not considered as an equivalent in the translation of the Czech law.

AUTHENTIC	ZOK EN	ALTERNATIVE
UK: Company holding its own shares as treasury shares	A company's own shares in its possession shall be used by the company for a mandatory decrease of the registered capital.	Any own shares that the company holds must be used for a mandatory decrease of the registered capital
CAN: Corporation holding its own shares: Subject to subsection (2) and sections 31 to 36, a corporation (a) shall not hold shares in itself or in its holding body corporate;		
IR: Holding of own shares or shares in holding company		

Table 13. Alternative Translation of ZOK Statutory Provision.

18. Another example of the same tendency may be the English term *termination* which has a number of equivalents in Czech depending on the legal implications such as *odstoupení*, *výpověď*, *zrušení*.

5. CONCLUSIONS

The examples in Section 4 have aimed to show how corpora can help explore the use of terms in context as well as the collocational profile, i.e. the phrasemes that the terms are embedded in, which may differ considerably across languages (Example 4.2.). Example 4.1. illustrated how small-scale corpora of legal language delineate jurisdiction-specific terms and thus serve as guidance to a translator as to when to opt for such terms depending on the translation brief. Example 4.3. and 4.4. showed that exploring collocational profiles of terms may help the translator identify more idiomatic solutions, especially when translating into L2, where idiomaticity is often an issue (cf. Duběda, Mraček and Obdržálková 2018). Finally, Example 4.5. showed how natural and idiomatic verbal collocations may be arrived at, even serving as equivalents for different source-text collocations.

Having proven how useful corpora in legal translation (research and practice) can be, it must be borne in mind that corpora have some (serious) limitations. They cannot be used to study legal equivalence (whether a Czech *akciová společnost* is equivalent to UK *public limited company* or Spanish *sociedad anónima*) and even quantitative analysis often requires subsequent «qualitative analysis of quantitative patterns» (Baker 2010, 151) as was the case in the examples presented here. In other words, corpus methods help identify data for further small-scale analysis which makes it possible to shift from the macro-level to a micro-perspective. A triangulation of methods is thus needed to gain as broad a perspective as possible.

On a more general note, it should be stressed that even though corpus tools have opened new possibilities of research into legal language, the change was not as revolutionary as with other genres. Because legal discourse is «so conservative in its construction, interpretation and use» (Bhatia 2004, 207), large corpora are not necessary to determine frequencies, and even a manual analysis can be «equally useful and efficient». As this paper has attempted to show, the major advantage of corpora in legal linguistic research lies in the data-mining stage as the use of a corpus manager to work with small-scale corpora makes it possible to discover collocations that would have probably gone unnoticed if reading the respective acts. Even though such collocations may not have been very frequent, they sometimes serve as equivalents to legal collocations or terms in the other language, and may prove to be extremely useful to legal translators. In addition, the absence of some collocations in one language compared to the other makes the researcher wonder about the reasons for such an absence and may possibly lead to further exploration (the example of *notice*). Thus, the compilation and use of a corpus is a good starting point, which must be, however, complemented with other methods such as comparative conceptual analysis. Hopefully,

this paper has shown the importance of comparable corpora as opposed to parallel/ translation corpora as they have great potential in translator training (cf. Biel 2017a) and are an invaluable tool for legal lexicography and legal translation practice.

The possible uses of corpora in translator training have been discussed e.g. by Vigier (2016) or Monzó Nebot (2008) and their proposals are fully endorsed. Any of the examples presented in Section 4 may be used to create exercises for legal translation classroom, and thus used to raise awareness of students of what «is out there». Once students are aware of the potential of such corpora for their own practice, they will be more likely to adopt them as their usual tool of trade, and create their own DIY corpora (cf. Scott 2012). This is especially important in the case of languages of limited diffusion, such as Czech, because the availability of phraseological dictionaries of specialized language may be a dream never come true.

6. BIBLIOGRAPHY

- BAKER, Paul. 2010. *Sociolinguistics and Corpus Linguistics*. Edinburgh: Edinburgh University Press.
- BESTUÉ SALINAS, Carmen. 2016. «La variación terminológica de los conceptos del derecho de sociedades y sus estrategias de traducción». In *Revista de Llengua i Dret, Journal of Language and Law* 65: 18-35.
- BHATIA, Vijay K, Nicola LANGTON, and Jane LUNG. 2004 «Legal Discourse: Opportunities and threats for corpus linguistics». In *Discourse in the Professions-A Corpus Linguistics Approach*, ed. by Ulla Connor and Thomas Upton, Amsterdam: John Benjamins Publishing Co, 203-231.
- BIEL, Łucja. 2010. «Corpus-Based Studies of Legal Language for Translation Purposes: Methodological and Practical Potential». In *Reconceptualizing LSP. Online proceedings of the XVII European LSP Symposium 2009*, ed. by Carment Heine and Jan Engberg, Aarhus, 1-15.
- BIEL, Łucja. 2012. «Areas of similarity and difference in legal phraseology: collocations of key terms in UK and Polish company law». In *Phraseology and Discourse: Cross-Linguistic and Corpus-based Approaches*, ed. by Antonio Pamies, José Manuel Pazos Breña and Lucía Luque Nadal, Baltmannsweiler: Schneider Verlag, 225-233.
- BIEL, Łucja and Jan ENGBERG. 2013 «Research models and methods in legal translation». In *Linguistica Antverpiensia, New Series – Themes in Translation Studies* 12: 1-11.
- BIEL, Łucja. 2014. *Lost in the Eurofog. The Textual Fit of Translated Law*. Frankfurt am Main: Peter Lang.
- BIEL, Łucja 2017a. «Enhancing the communicative dimension of legal translation: comparable corpora in the research-informed classroom». In *The Interpreter and Translator Trainer* 11(4): 316-336.
- BIEL, Łucja. 2017b. «Researching Legal Translation: A multi-perspective and mixed-method framework for legal translation». In *Revista de Llengua i Dret, Journal of Language and Law* 68: 76-88.

- BORJA, Anabel and Isabel García-Izquierdo. 2014. «Corpus-based Knowledge management systems for specialized translators: bridging the gap between theory and professional practice». In *Corpus-Based Translation and Interpreting Studies: From Description to Application*, ed. by María Teresa Sánchez Nieto, Berlin: Frank & Timme, 191-209.
- CAMBRIDGE Dictionary (Notice). Accessed 26 June 2019. <https://dictionary.cambridge.org/dictionary/english/notice>
- CAMBRIDGE Dictionary (Quorum). Accessed 12 April 2019. <https://dictionary.cambridge.org/dictionary/english/quorum>
- CHROMÁ, Marta. 2003. Česko-anglický právní slovník. Voznice: Leda.
- CHROMÁ, Marta. 2014. *Právní překlad v teorii a praxi: Nový občanský zákoník*. Praha: Karolinum.
- CHROMÁ, Marta. 2016. «Traps of English as a target language in legal translation». *Comparative Legilinguistics – International Journal for Legal Communication* 26: 71-98.
- DOBRIČ BASANEŽE, Katja 2017. «Interpreting Phraseological Units in Contracts: The Case of Extended Term-Embedding Collocation». *Prgledni glad* 84: 196-216.
- DUBĚDA, Tomáš, David MRAČEK and Vanda OBDRŽÁLKOVÁ. 2018. *Překlad do nemateřského jazyka*. Prague: Karolinum.
- ELISCHER, David, Ondřej FRINTA, and Monika PAUKNEROVÁ. 2013. «Recodification of private law in the Czech Republic». In *The Scope and Structure of Civil Codes*, ed. by Julio César Rivera, Dordrecht: Springer, 105-132.
- GOŹDŹ-ROSKOWSKI, Stanisław. 2013. «Exploring near-synonymous terms in legal language. A corpus-based phraseological perspective». In *Linguistica Anverpiensia New Series – Themes in Translation Studies* 13: 94-109.
- GOŹDZ-ROSKOWSKI, Stanislaw and Gianluca PONTRANDOLFO. 2015. «Legal Phraseology Today: Corpus-based Applications Across Legal Languages and Genres». *Fachsprache* XXXVII(3-4): 130-138.
- GOŹDŹ-ROSKOWSKI, Stanislaw and Gianluca Pontrandolfo. 2017. «Introduction: cross-linguistic approaches and applications to phraseology in legal and institutional discourse». In *Phraseology in Legal and Institutional Settings. A Corpus-Based Interdisciplinary Perspective*, ed. by Stanislaw Goźdź-Roszkowski, and Gianluca Pontrandolfo. UK: Routledge, 1-8.
- HARVEY, Malcolm. 2002. «What's so Special about Legal Translation». In *Meta* 47 (2): 177-185.
- HARWARD, Barnaby. 2012. «Giving notice». In *Common Mistakes in Business English (blog)*. Accessed 10 July 2019. <https://blog.harwardcommunications.com/2012/03/07/giving-notice/>
- HEID, Ulrich. 2008. «Computational phraseology: An overview». In *Phraseology: An interdisciplinary perspective* ed. by Sylviane Granger and Fanny Meunier. Leuven: John Benjamins, 337-360.
- KJÆR, Anne Lise. 2000. «On the structure of legal knowledge: The importance of knowing legal rules for understanding legal texts». In *Language, Text, and Knowledge. Mental Models of Expert Communication*, ed. by Lita Lundquist and Robert J. Jarvella, Berlin/New York: de Gruyter. 127-161.
- KLALB, Ondřej. 2017. «Quality Assurance in Translating National Legislation: The Case of Czech Companies and Cooperatives Act». In *Czech and Slovak Linguistic Review* 1-2: 87-104.
- MINISTRY of Justice of the Czech Republic. 2015 «Translations». Accessed 23 June 2016. Available from <http://obcanskyzakonik.justice.cz/index.php/home/zakony-a-stanoviska/preklady/english>

- MONZÓ NEBOT, Esther. 2008. «Corpus-based Activities in Legal Translator Training». In *The Interpreter and Translator Trainer 2* (2): 221-252.
- NEWMARK, Peter. 1981. *Approaches to Translation*. London/New York: Prentice Hall.
- PASTOR Lara and Encarnación TABARES PLASENCIA. 2012. «Estudio de la variación topolectal de las UFE en el ámbito del Derecho Penal español e hispanoamericano». In *Phraseology and Discourse: Cross Linguistic and Corpus-based Approaches* ed. by Antonio Pamies, Antonio, Lucía Luque Nadal, and José Manuel Pazos Bretaña. Baltmannsweiler: Schneider Hohengehren, 355-366.
- POIRIER, Eric. 2015. «The interpretation of business in specialized expressions and compound terms for translation purpose», inTRAlinea. Accessed July 8 2019. http://www.intraline.org/specials/article/the_interpretation_of_business_in_specialized_expressions
- PONTRANDOLFO, Gianluca. 2016. *Fraseología y lenguaje judicial. Las sentencias penales desde una perspectiva contrastiva*. Roma: Aracne.
- RUUSILA, Anna and Emilia LINDROOS. 2016. «Conditio sine qua non: On Phraseology in Legal Language and its Translation». In *Language and Law / Linguagem e Direito* 3(1): 120-140.
- SCHANK, Roger. C. and Robert. P. ABELSON. 1997. *Scripts, plans, goals and understanding: an inquiry into human knowledge structures*. N.J.: Lawrence Erlbaum, Hillsdale.
- SCOTT, Juliette. 2012. «Can Genre-Specific DIY corpora, Compiled by Legal Translators Themselves, Assist them in “Learning the Lingo” of Legal Subgenres». In *Comparative Legilinguistics* 12: 87-100.
- ŠTEFKOVÁ, Markéta. 2013. *Právný text v preklade: Translatologické aspekty právnej komunikácie v kombináciách málo rozšírených jazykov*. Bratislava: Iura Edition.
- TABARES PLASENCIA, Encarnación and Juan Manuel PÉREZ VIGARAY. 2007. «Fraseología terminológica: estado de la cuestión y ejemplo de análisis contrastivo». In *Revista de Filología de la Universidad de La Laguna* 25: 565-575.
- TABARES PLASENCIA, Encarnación and Vessela IVANOVA. 2009. «La variación topolectal en Terminología. Implicaciones para la traducción jurídica español-alemán». In *Panorama actual del estudio y la enseñanza de discursos especializados* edited by María José Varela Salinas. Bern: Peter Lang, 67-93.
- TABARES PLASENCIA, Encarnación. 2016. «Fraseología jurídica y variación topolectal». In *Onomázein* 33: 1-15.
- VIGIER MORENO, Francisco J. 2016. «Teaching the Use of ad hoc Corpora». In *Language and Law / Linguagem e Direito* 3 (1): 100-119.
- VOGEL, Friedemann; Hanjo HAMANN and Isabelle GAUER. 2017. «Computer Assisted Legal Linguistics: Corpora and Empirical Methods As a New Instrument in the Legal Toolbox». In *Law & Social Inquiry. Journal of the American Bar Foundation (ABF)* 43(4): 1340-1363.