TRANSLATING POLYSEMOUS WORDS AND EXPRESSIONS IN LEGAL DISCOURSE

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Abstract. *This article examines the translation of polysemous words and expressions in legal discourse and argues that lexical multiplicity in law cannot be resolved by ordinary dictionary substitution. In legal texts, a unit may carry several related meanings because it operates simultaneously within general language, professional legal usage, and a specific legal system. The problem becomes more acute when translation crosses not only languages but also jurisdictions, where concepts, institutions, and interpretive traditions do not fully coincide.*

Keywords: *legal discourse, legal translation, polysemy, ambiguity, terminology, equivalence, system-bound meaning.*

INTRODUCTION

Legal translation occupies a distinctive place within translation studies because it mediates not only between two languages but also between two legal systems. Foundational scholarship treats legal translation as an interdisciplinary field in which linguistic meaning is inseparable from legal effect, institutional context, and the communicative purpose of the target text. Susan Šarčević characterizes legal translation as an act of communication in the mechanism of law, while Deborah Cao presents it as a domain requiring attention to both linguistic and legal issues. More recent work in *The Cambridge Handbook of Translation* describes legal translation as a practice

shaped by intersystemic and institutional conditions rather than by purely lexical transfer. For that reason, the translation of polysemous legal words and expressions is not a marginal technical problem; it is central to the reliability of statutes, contracts, judicial documents, and doctrinal texts [1], [2], [3].

MATERIALS AND METHODS

Polysemy in legal discourse should first be distinguished from mere terminological imprecision. A polysemous unit is not simply vague or defective; it is a word or expression that carries several related senses, and those senses may become activated differently depending on genre, branch of law, or communicative setting. In ordinary language this phenomenon is common, but in law it becomes structurally important because legal drafting often uses words that circulate simultaneously in everyday and professional usage. The same lexical form may refer to an act as a document, an act as conduct, or an act as a legislative instrument; similarly, terms such as charge, action, execution, or consideration may acquire highly specialized meanings in one context while retaining broader meanings in another. Research on English legal lexis explicitly identifies polysemy as a substantial translation problem, while scholarship on legal ambiguity shows that legal interpretation itself begins when a formulation can sustain more than one reasonable reading [4], [5].

RESULTS AND DISCUSSION

The first reason polysemy intensifies in legal discourse is the system-bound character of legal terminology. Legal terms do not exist in a neutral semantic vacuum; they derive meaning from institutions, sources of law, doctrines, and procedural structures that may not exist in the target jurisdiction. This is why legal translation cannot be approached in the same way as scientific or technical translation, where conceptual correspondence is often more stable. A word may appear formally familiar across languages yet remain conceptually non-equivalent because the legal institution behind it is different. Šarčević's classic formulation and later handbook treatments both emphasize that

intersystemic translation is shaped by the incongruity of legal terminology across legal systems. As a result, polysemy in law is never only lexical; it is also conceptual and institutional [1], [3].

The second reason lies in the dual life of legal language. Law borrows heavily from common language, but once borrowed, a term may be narrowed, extended, formalized, or procedurally redefined. This creates a layered semantic structure in which a translator must decide whether a term is functioning in its ordinary meaning, in a technical sense, or in an intermediate semi-technical sense. Ozyumenko and Chilingaryan's study of English legal lexis treats precisely this phenomenon as a source of translation difficulty. Cao likewise shows that legal texts require the translator to attend to the relation between general language meaning and legal meaning rather than privileging one automatically. In practice, this means that the translator must read not only the word but the legal speech situation in which the word appears: statute, contract, pleading, judgment, administrative regulation, or doctrinal commentary [2], [4].

A third source of difficulty is the phraseological organization of legal discourse. Polysemy rarely resides in isolated words alone; it is often stabilized or destabilized by recurrent legal expressions. Formulae such as due process, without prejudice, reasonable care, best efforts, burden of proof, or good faith cannot be translated adequately by segmenting them into separate lexical items and replacing each item independently. Their meaning depends on legal convention, genre history, and interpretive tradition. In this sense, the translation unit in legal discourse is frequently larger than the word. Modern legal-translation scholarship therefore moves away from atomistic lexical substitution toward a communicative and functional view of the text, where phraseology, textual fit, and receiver-oriented interpretation become decisive [1], [3].

From the translator's perspective, the central challenge is to determine which kind of equivalence is achievable. Absolute equivalence is often impossible when the source and target legal systems are asymmetrical. The more realistic task is to identify a target formulation that preserves the operative legal meaning as far as the purpose of the translation permits. If the translation is normative and intended to function as law, the threshold of precision is exceptionally high. If it is informative, explanatory, or academic, a more descriptive solution may be justified. This functional distinction is deeply rooted in legal translation theory. Šarčević's receiver-oriented approach and subsequent discussions of legal translation as legal communication both imply that the translator's lexical choice must be governed by the communicative role of the target text, not by the seductive simplicity of formal resemblance [1], [3].

CONCLUSION

The translation of polysemous words and expressions in legal discourse is a problem of legal communication rather than of vocabulary replacement. Polysemy in law arises because legal language stands at the intersection of ordinary language, specialized terminology, and system-specific legal concepts. As a result, translation cannot rely on surface lexical similarity or on a single dictionary equivalent detached from context. The translator must determine how meaning is shaped by genre, institution, interpretive practice, and the communicative function of the target text.

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