Cross-linguistic Semantics of International Law. A Corpus-based translation of A. Cassese's *International Law* into Greek

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This paper elaborates and exemplifies systemic hypotheses on the emergence and evolution of international legal language semantics, focusing in particular on the analysis of international law concepts and the diachronic study of their representation and translation into Greek. It is based on a case study from the translation of A. Cassese's International Law into Greek.

1. Introduction

The translation of legal texts is commonly regarded as a distinct type of specialised translation, and hence as a unique act of inter–linguistic communication that takes place in the legal textual setting. Building on Wilss' assumption of the universality of some aspects of specialised translation, particularly with regard to the processes involved in translational performance (1994: 38, cf. Biel 2008: 22), legal translation can be regarded as communicatively intervening in a unique type of linguistic behaviour, containing both socially– and culturally– bound linguistic and metalinguistic elements, as well as universal — culturally and socially extricable — patterns and modes. In other words, *universal* and *culture–specific* linguistic devices coalesce into single *instantiations* (*s*. Halliday 1978), in this case legal texts.

Hence, the language of international legal instruments formulates distinct systemic patterns combining and amalgamating textual histories and meaning potentials that emanate from markedly diverse sociocultural backgrounds. Based on Matthiessen's view that "translation [is a] semiotic process concerned with recreating meanings" (2009: 41), it can be argued that translating international law texts is a semiotically and linguistically marked and laborious process, often requiring the re–organisation of the semantic experience of the legal culture of the TL (Simon 1981: 130–131).

Moreover, in line with Gizbert–Studnicki & Klinowski (2012: 554), if (a) understanding the legal concepts and their way of being shaped into meaningful units and legal reasoning is crucial for legal theory, and even if, (b) in addition, "a similarity between various legal systems [...] exists, [this] is purely an empirical matter (as opposed to conceptual necessity) and can be explained exclusively by reference to historical facts such as [...] the influence of one system on the other" (op. cit., 555), then the challenge of grasping the systemic textual histories of legal norms is obviously critical in translation.

This view is further amplified when considering international law instruments and texts as a (by)product of globalisation or, i.e. "the creation of a common backdrop of rules to be applied generally" (Chevallier 2001: 39, in Carvalho 2011: 99 n. 57). And it is a primary task of the translator to identify the mechanisms inherent in such a globalisation of the meaning potential: Chevallier's assumptions that "international organisations are more and more impregnated with Anglo-Saxon legal concepts" and that "the globalisation of law appears to be a privileged axis of the 'Americanisation of law' which is a by-product of the economic power of the United States" (op.cit., 55) may be true to some extent, especially when it comes to international trade law. However, these assumptions are only idealistic and axiomatic in the sense that shedding light on the organisation of discourse can by no means be considered unidirectional, i.e. moving solely from ideology to discourse elements and not vice-versa. 'Content' (or 'meaning') and form are socio-semiotically inseparable. Indeed, distinguishing between the two is "misleading, because the meanings of texts are closely intertwined with the forms of texts, and formal features of texts at various levels may be ideologically invested" (Fairclough 1992: 89).

2. Case Study: A. Cassese's *International Law* and its translation into Greek

2.1. Text typology and dominant (ideational) metafunction, from the translator's viewpoint

Aiming to elaborate and exemplify systemic hypotheses on the emergence and evolution of legal language semantics, this paper focuses on the semantic analysis of international law concepts, from a translator's point of view. It is a corpus-based study of the recent translation of a major textbook (A. Cassese, *International Law*, 2005) into Greek. Our approach addresses the explication of the translational act in the sense(s) outlined above.

Not surprisingly, it is difficult, if not impossible, to axiomatically delineate and perhaps to "quantify" the concept of communicative purpose or *textual function* per se as the dominant, albeit not absolute, criterion, which determines also the two remaining qualia (product and process) of the translational act, at least if we leave aside certain textual instances, obviously specific and technical. Categorising and classifying texts on the basis of (assumed) functions is as unstable as the criteria themselves. Hatim & Mason (1990: 138–139) stress that the *field of discourse*, taken as a classificatory criterion, is merely a statement of subject matter, with no real predictive value whatsoever for the socio-cognitive and pragmatic contextual intricacies of any real text. Thus, "multifunctionality is the rule rather than the exception [...], and what is needed, is a comprehensive model of context [bringing] together communicative, pragmatic and semiotic values" (ibid., emphasis added), to account for a text's semiotic and semantic variation. In International Law, the multi-semiotic substance of the sublanguage at hand is stressed by the British political scientist M. Wight:

The smaller the numerical membership of a society, and the more various its members, the more difficult it is to make rules not unjust to extreme cases: this is one reason for the weakness of international law. As a *reductio ad absurdum*, imagine a society of four members: an ogre twenty feet high, flesh–eating, preferably human; an Englishman six feet high, speaking no Japanese; a Japanese samurai, a military noble, speaking no English; and a Central African pygmy, early

paleolithic; and all on an island the size of Malta. This is a parable of what is called international society (Cassese 2005: 72).

We are thus bound to rely on pure empirical data (i.e. the *micro*– and *macro–units* of textual organisation) and look for "rhetorical purposes, located in text context" (Hatim & Mason, 145), in what is defined by Werlich (1976: 19, in op.cit.) as the *dominant contextual focus*. Moreover, such an approach is also suggested by de Beaugrande & Dressler (1981: 184), based on the more flexible and open notion of *functional lines*: "Some traditionally established text types could be defined along functional lines, i.e. *according to the contributions of text to human interaction*".

As an academic textbook, as well as a scholarly treatise on international law and its intricacies, the dominant focus (or dominance) of Cassese's work is didactic, i.e., to use Beaugrande's & Dressler's "typology" (ibid.), (a) descriptive; and (b) argumentative. In this context, descriptive texts are used to "enrich knowledge spaces whose *control centres* are objects or situations" and are most commonly built around *frames*, with a multitude of modifiers (ibid.). On the other hand, argumentative texts denote "beliefs or ideas as true vs. false, or positive vs. negative" (ibid.) and frequently evolve around "conceptual relations, such as reason, significance, volition, value and opposition" (ibid.).

2.2. Stance and exposition

In turn, such dominances subsume the author's *evaluative strand* (s. Hatim & Mason 1990: 146), in other words Cassese's stance vis–a–vis his intended denotations and contribution of this stance to the formation of the lexico–grammatical choices of tenor. This, however, is a function ancillary to the primary focus of the academic text, i.e. the narrative–informative strand. In academic discourse, and more specifically on the level of interpersonal relations, a relation of respect for the intended audience typically obtains, and this is exemplified in the conceptual integrity of the terms and definitions embodied in a text.

Academic writing is largely characterised by what Austin (1962) has termed *defining expositives* of the illocutionary act, i.e. by direct statements aiming to delineate the semantic and textually functional definition of the major linguistic elements of a textual utterance and, hence of the entire textual unit, regardless of its lexical length. Cassese's textbook is no exception. Formally–wise, scientific exposition is structured according to specific discourse organisational patterns exhibiting some tolerance towards stylistic differentiation and imposing a level of uniformity to all members of a socio–cultural linguistic community (Widdowson 1979: 61, in Swales 1990: 65). In the textbook of our study, such patterns are exemplified in the mass and the extent of parallel knowledge resources, in their extensive pragmatic and semantic annotation and indexing, as well as in the level of detailing and strict coherence of presentation.

2.3. Textual coherence, rhetorical schemata and propositional semantic relations

In what follows, I have broadly adopted the three–level model of the organisation of textual coherence, as summarised by Heuboeck (2009: 39–40)ⁱ. In a bottom–up approach, a text is primarily seen as a "syntagm of grammatically defined units" (ibid.), as a coherent whole of *micro–units*. On a higher level, *micro–units* combine into coherent secondary entities, into *logical* (semantic/propositional) and *types of logical* (functional) *macro–units* (ibid.). Further up the scale, such macro–units are only sensible in the functional entity of the text; Heuboeck refers to this level of text organisation as the *global level* which in turn, and for reasons of semantico–pragmatic sufficiency, is embedded in the *system of meanings* (i.e. the *meaning potential*) of the specific text genre.

Besides coherence, the text's rhetorical structure, too, is understood to refer to the "configuration of the linguistic semiotic system" (Heuboeck 2009: 38), which, further, is founded on an Aristotelian logic of textual instrumentality and reasoning, i.e. as a "study of finding persuasive arguments and appeals", through the artistic proof of *logos*ⁱⁱ as a study of the argumentation used to make meaning in the context of the linguistic–symbolic interaction (Herick 2005: 76, 83; Booth 2004: xi, in Heuboeck 2009: 38). In all, textual coherence and rhetorical structure encompass the lexico-grammatical choices of a textual instantiation, of both the *micro–* and the *macro–unit* levels.

The level of (semantico-pragmatic) exposition is such in Cassese's textbook, as to (a) provide semantically and pragmatically self-contained discourse; and (b) impose complex organisational patterns on the author: such structures often lead to prolix sentences and to the adoption of rhetorical schemata such as *hypotaxis* and *antitaxis*, serving definition and se-

mantic exposition, even on the level of sentential meanings. Tracing the definitions provided by Cassese, one can only notice the author's quasi-absolute adoption of an Aristotelian classification system of his fields of reference.

In short, lexico–grammatically, the textbook at hand is manifested against the entire backdrop of issues governing the "meaning relations, or *semantic relations* between sentences, and between clauses (or 'simple sentences') within sentences" (Fairclough 2003: 87–89) in the field of social sciences: *legitimation, equivalence and difference* (being an aspect of the continuous social process of *classification*), and *appearances and reality* (op.cit.). In consequence, such semantic relations can be classified as:

- (a) Causal
 - 1. Reason. "States were allowed not to comply with these rules *if* they considered that their interests overrode the rules" (§3.3.1, 54).
 - 2. Consequence. "Third World and socialist countries [...] contended that the right to self-determination was not applicable [...] *and that, therefore*, the principle of territorial integrity should be overriding" (§3.9, 68 n.19).
 - 3. Purpose. "It would seem that this wording is sufficiently flexible *to* grant much leeway to courts [...]" (§12.4.2, 231).
- (b) *Conditional.* "Furthermore, *if no reparation was made*, that State could again decide on its own whether to try to settle the dispute peacefully [...]" (§13.3, 244).
- (c) Temporal. "Major Powers made treaties to their advantage and released themselves from treaty obligations when they deemed it fit" (§9.7, 180).
- (d) *Additive*. "States revitalized and strengthened the traditional means for settling disputes *and in addition* established innovative and flex-ible mechanisms for preventing disputes or, more generally, inducing compliance with international law" (§14.1, 279).
- (e) *Elaboration* (including *exemplification* and *rewording*). "The question which should be raised here as particularly germane to the present enquiry is that of the role of international law in the process of colonial conquest. *In short*, it can be argued that this body of law greatly facilitated the task of European powers [...]". (§2.3.1b, 28).
- (f) *Contrastive/concessive*. "There exist in the international community some international subjects [...] which [...] have a very limited inter-

national personality [...] which *however* in theory are vested with all the rights and powers belonging to sovereign States" (§7.2.1, 131).

2.4. Lexical semantics and international law

On the *micro–unit* level of discoursal organisation, lexical units are the building blocks of textual reasoning. Structurally, therefore, a cross–linguistic approach to the lexical semantics of a text is generally based on Trier's conceptualisation of lexical field, i.e. the mutual demarcation of the denotative value of lexemes. The text is a semantic mosaic comprised of individual, and at the same time mutually dependent, linguistic signs. Trier points to the organisation of lexical units in combination to other units as a focal point in micro–unit semantics: "Das es [das Wort] im Gesamt umgeben ist gelagerten Nachbarn, das gibt ihm die inhaltliche Bestimmtheit; denn diese Bestimmtheit entsteht durch Abgrenzung gegen Nachbarn" (1931: 3, in Geeraerts 2010: 54).

Against this theoretical backdrop, in the practically-oriented task of translation, it is only possible to demarcate the lexemes of any pragmatically and semantically loaded text, as is typical in the (extensive) field of international law, by resorting to the notion of *restricted language:* "The restricted language, which is also called the language under description (*beschriebene Sprache*) must be exemplified by texts constituting an adequate *corpus inscriptionum*" (Firth 1968[1957]: 112).

Prior to any terminological attempt as part of the translation process, aiming to trace cross–linguistic lexico–semantic correspondences for a given text, such a *restriction of language* should be followed by a cautious and detailed tracing of the conceptual nexus of the field. Collocational analysis therefore supplements semantic abstraction, whose aim is to chart the contextual background and demarcate the fields of the textual sememes, by following their textual and referential history, where and to the extent possible.

Cassese's purposefully expositive and referential discourse is highly relevant in this respect: the author explicitly encompasses his *corpus incriptionum*, i.e. the systemic body of the conceptualisations presented in his textbook. The use of his *reference material* is instrumental, and when it comes to identifying and interlinking concepts and lexemes, the ST is practically self–sufficient, yet allowing for the SL tracing of the (con)textual history of emergence of pertinent legal terms. Decomposing and re–organising the semantic experience of the international legal *super-culture* of the SL is thus a way to understand how legal concepts have shaped into meaningful units and legal reasoning (cf. Gizbert–Studnicki & Klinowski 2012: 554).

All major sense relations (i.e. "relations between words in a particular reading" — Geeraerts 2010: 82) are omnipresent in the ST, even for the most subtle concepts.

Synonymy. "Generally municipal law lays down rules establishing when an individual or body acquires *legal status or legal capacity* —that is, when they become holders of rights or duties" (§4.2, 72). *Hyponymy*. "There is another category of international subjects,

namely insurgents, who come into being through their struggle against the State to which they belong" (§4.1, 71).

Antonymy. "The bodies endowed with supreme authority must in principle be quite distinct from, and independent of, any other State, that is to say, endowed with an *original* (not *derivative*) legal order" (§4.2, 73).

Disambiguation is supplemented also by an extensive layer of (mostly sentential) semantic exposition.

> "Many jurists, chiefly in the past, have advocated the view that recognition entails 'constitutive' effects, *namely that it creates the legal personality of States*" (§4.2, 73–74).

> "This happens when a State becomes extinct as a result of its break–up (*dismemberment*), or of its *merger* with one or more States (in which case all the merging States become extinct and at the same time give birth to a *new legal subject*" (§4.4, 77).

The predominantly high level of explicitness of the ST, practically charting the field of international law, shifts the translator's focus from the level of lexical semantics to deciphering the true interweaving of propositional and macro–unit semantics. In other words, it is the syntagms (or structuring) of the text's *extended units of meaning* (Sinclair 1996), and hence the semantico–pragmatic layering and hierarchy of the *units of translation* that has to be tackled during translation and, more specifically during the interpretative sub–process of translation, which "considers meaning as a mental phenomenon which in addition to inherent lexical meaning helps us account for and describe evaluative meaning which is not necessarily inherent in the lexeme" (Zetsen 2008: 251).

It can also be argued that this level of semantic detailing partly obscures the text's rhetorical clarity, mostly owing to the density and semantico–syntactic perplexity of its (superficially transparent) propositional logic, i.e. a textual trait that could be attributed also to the textual genre at large, and to the author's Central–European scholarly tradition (imposing stricter and clear-cut organisational structures), which is nonetheless influenced by Anglophone academic discourse.

2.5. Micro- and macro-unit semantics and translational disanalogies

Transferring international law texts and sub-texts (i.e. phrasemes and even lexemes) into a target language (and hence within a recipient legal culture) is not "simply" a matter of semantic or functional equivalence. International law, and conceivably any pertinent treatise, develop in the context of the socio-linguistically distinct *international community*. Such a canvas, despite being superficially global and therefore conceptually integrative and normproducing, is the product of largely unpredictable, irregular and historically unstable patterns of political and economic interaction within the international community; of patterns which influence the norms and choices of linguistic behaviour. The latter is, therefore, both culturally biased and difficult to trace.

Two controversies, or tensions, arise in the pragmatic foundation of international law discourse, thus becoming challenges for the translation process. First, international law, as Cassese asserts in numerous passages of his textbook, is an continuous conflict, an interweaving and a tension within two underlying contrastive pairs. The first of these pairs comprises the *power of international law* and the *international law of power* proper, or, simply stated, the "force–law" pair. Obviously, the effort to bring this tension in international affairs to surface is all but an easy task, in textual terms. The tension is exemplified in the following extract:

Plainly, maintenance of peace and security was the crucial goal of the [United Nations]. In 1939–45 the tension between force and law –endemic in the international community, as in any human grouping– had been magnified by the war. It had become clear that unless serious restraints were put on violence, the world would be heading for catastrophe. One should not believe, however, that the leaders were so naïve as to think that in 1945 one could radically break with the approach so forcefully set forth by Bismarck in the nineteenth century, when he reportedly said that 'the questions of our time will not be settled by resolutions and majority votes, but by blood and iron'. Perhaps it was rather thought that, faced with two radically opposed methods for settling friction and disagreement, 'bullets' or 'words' (as Camus put it in 1947), one ought bravely to endeavour opting as much for the latter, while being aware that the former would continue to be used (§16.2, 320).

Second, assuming that

(a) translation as a process requires an analogous reformulation of the contextuality of concepts in the TL, i.e. grasping and mapping the systemic textual histories of legal norms in the SL–TL pair; and (b) that consequently such a parallel semiotic effort means building a coherent base of linguistic (textual) evidence to account for the the simple fact of pragmatic incongruity of the two sociolinguistic systems in contact,

the translator is faced with a further, and perhaps more intrusive, phenomenon. If it is true that, being a product of conforming international or national norms, internationalisation (or *mondialisation*, in Chevallier's [2001] wording) is to be found in the *processes of norms' transmission, circulation and intrusion in national judicial systems*, rather than on the formation of norms, and their content and legal effects (Chevallier 2001: 37, in Ponthoreau 2006: 21), translation equivalence is a matter of permeating into such processes of conformity and decoding them; a matter of diachronic patterning of the semantics of international law terms and phrasemes that (may or may not) have been assimilated into the legal culture of the TL.

However, neither is this assimilation straightforward, nor can its mechanisms be fully observed or predicted. Indeed, in one of the textbook's thematic "subtexts" (Chapter 12, 'The implementation of international rules within national systems'), the author presents the interplay between international instruments and national legal orders. The very existence of three principal doctrines in this regardⁱⁱⁱ substantiates an obvious second controversy in international law semantics: the dualism between *international* and *national* legal culture, and hence, language. Ponthoreau puts this very clearly:

Au-delà des conceptions moniste ou dualiste des rapports entre droit international et droit national, les systèmes juridiques semblent plus perméables aux règles de droit international et aussi de droit étranger. Qu'est-ce qui change véritablement? La visibilité du phénomène est peut-être trompeuse. [...] La distinction des changements dans et de l'ordre juridique n'est pas aisée. L'analyse dépend des caractéristiques fondamentales que l'on reconnaît à l'ordre juridique et, surtout, les changements peuvent être imperceptibles ou, plus précisément, toucher la manière dont le droit est conçu, appliqué, perçu et enseigné; ce qui n'est pas forcément immédiatement perceptible (2006: 21, emphasis added).

Besides, the "inter–culture" of international law becomes a mere utopia, when confronted with the multiple obstacles of the incommensurability of legal and judicial traditions and cultures (Jutras 2000: 787). The notion of linguistic and semantic analogy is perplexed further, considering the growing complexity of contemporary international law. If comparative law theory insists on the necessity to place each norm in its proper context, which means taking account of the language, institutions, concepts, principles and judicial practices on which it is articulated (Hoecke & Warrington 1998: 495, in Jutras 2000: 787–788), what happens then to translation and its communicative process, as an effort to balance cultures and sociolinguistic patterns?

And, as pertains to the terminological effort of translation in particular, from the point of view of the target culture and the proper usage of lexemes, how are the basic tenets of terminology best served, i.e. consistency, acceptability, informativity, semantic transparency and distinction, particularly when there is no previous consistent terminological effort in the language pair of the translation effort at hand? In conclusion, does the spectrum of such phenomena lead to the untranslatability of the ST, as is been openly suggested, mostly by comparativist lawyers (see, e.g. Šarčević 1997: 233)?

2.6. In search for functional equivalents. Developing a reference corpus

In terms of terminology, too, the translator's task and effort is therefore a systemic search effort. Sourioux & Lerat (1975: 59, in Šarčević 1997: 239) argue that this effort requires considering, both *intension* and *extension* of the lexemes examined. In translation, this search is cross-linguistic and cross-cultural. The meaning potential of a linguistic system is not a mere abstraction: the search for functional equivalences should (and always does)

take statutory definitions (if any) as a starting point, before thoroughly examining the textual histories and socio-cognitive backgrounds of the field at hand. Šarčević posits that such an investigation means examining "all the original sources of the law of the particular legal systems" (1997: 240).

In the case of international law and its integration into a socio-linguistically distinct legal system, this investigation should primarily cover the body of national legislation implementing the acquis and norms of international law, and more specifically treaty law. To date, no systematic compilation and/or codification of these rules exists in the Greek legal system^{iv}. Our work focused partially in developing such a reference corpus.

This ca. 1,2 million word trilingual (EN, FR, EL) parallel reference corpus was supplemented also by a bilingual (EN, EL) comparable reference corpus, whose major part was in Greek. Our aim was to enhance our (lexical, for its most part) documentation effort. This corpus, spanning over ca. 2 million words, consisted mostly of textbooks and scholarly articles, covering a period of 35 years (1977-2011).

2.7. Terminology compilation and documentation

Exploiting the linguistic material described above has proved really productive. Groffier & Reed (1990: 52, in Šarčević 1997: 240) rightly argue that by their very nature, legal terms seem to defy definition. With the exception of few concepts and terms, the semantic analogy of which is straightforward, both legally and linguistically, concepts of international law, even some of the most fundamental ones, manifest a formal instability in the Greek reference corpora, particularly in the corpus of statutory Greek texts, e.g.:

(a) The notion of *inherent right* (as delineated in Art. 51 of the 1945 UN Charter) has traditionally been translated as φυσικό δικαίωμα [:natural right], a rendition derived directly from the French notion of *droit naturel*, and obviously traced back to the concept of natural right and to Aristotle's perception of natural and conventional adjudication (in *Nicomachean Ethics*, cf. Yack 1990: 217ff). Contrary to the Greek legal norm, i.e. the official text of the ratified UN Charter, research into our reference corpus reveals the gradual prevalence of the English lexicalisation of the concept and consequently its semantic degradation, i.e. from an

indisputable (natural) legal axiom, to a notion of traditional law $(\epsilon\gamma\gamma\epsilon\nu\epsilon\varsigma \ \delta\iota\kappa\alpha\iota\omega\mu\alpha$ [:inherent right]) that is subject to international adjudication, cf. Cassese 2005: 18.2.3).

- Corpus investigation has substantiated that, with regard to its se-(b) mantic field, the lexeme *self-executing* [*rule*] is translated (i) using a superordinate ($\delta i \alpha \tau \dot{\alpha} \xi \epsilon i \zeta \alpha v \tau \delta \dot{\delta} v \alpha \mu \eta \zeta \epsilon \varphi \alpha \rho \mu o \gamma \dot{\eta} \zeta$ [:clauses of 'self-reliant' application]) – cmp. also the (questionably stabilised) renditions $avto - \varepsilon \varphi \dot{\alpha} \rho \mu o \sigma \tau o \delta i \kappa \alpha i o$ [:'self-applicable' law] (an option that can also be criticised in terms of its conformity with the Greek linguistic norm); (ii) using a periphrasis; (iii) using semantic transposition in the lexeme $\alpha \nu \tau \sigma \varepsilon \kappa \tau \varepsilon \lambda \varepsilon \sigma \tau \eta \pi \rho \delta \nu \sigma \iota a$ [:self-executory clause] (this is rather an analogical conceptualisation of the [self-executory] qualifier, as used mostly in the American constitutional law; as well as a hapax legomenon -sensu Sinclair 2001; see also Saridakis 2010: 117, 198 200, esp. n. 122); or (iv) remains untranslated, borrowing literally the Anglo-Saxon original term (sometimes using a periphrasis alongside, in support of the lexical loan) – e.g. in CELEX.
- (c) Stand-by Arrangement. This is a fixedly untranslated term in texts of primary and secondary EU law. Cmp., however, the neologism and multi-word explanatory expression of the attested Greek renditions:
 (i) σύμβαση προληπτικού διακανονισμού ετοιμότητας [:agreement of provisional readiness arrangement]; and (ii) διακανονισμός χρηματοδότησης αμέσου ετοιμότητας [:financing settlement of 'immediate readiness'] (both in the the Greek version of the recent Greek/IMF "Stand-by Agreement", which entered into force in May, 2010).

The findings from the analysis of this quasi-diachronic *ad hoc* reference corpus, as exemplified above, suggest the following:

(a) There is a marked and increasing tendency, during the last decades, for the process of assimilation of international law terms to bend to-wards the "Anglo-Saxon end-of-the-scale", particularly with regard to the conceptualisation, i.e. the content of international legal terminology. Even though it would perhaps be exaggerated to refer to some sort of Anglicisation of the Greek legal lexis in the field, there is a increasing (parliamentary) practice towards (a) translating from English, instead of from French when integrating international law instruments into the Greek legal system; and (b) in case of linguistic

discrepancies, either opting for the English conception of the lexeme, or even borrowing or calquing the English original term.

(b) In turn, the mechanism of assimilation of international law norms suggests a strong tendency for conceptual and cultural interference in the specific socio-cognitive field. This finding, however, requires further systemic investigation.

The conceptual/terminological effort, as part of the translation process, combining traditional and modern corpus linguistics research methods, including subject expert substantiation of the acceptability of each individual term, has hitherto produced a set of 430 fully documented core sememes.

3. Conclusion – an ongoing research project

Our effort so far, has been successful in that it has produced:

- (a) the final Greek version of Cassese's major textbook, which was published in October, 2012; and
- (b) a cohesive terminological term base, spanning the entire spectrum of thematic and pragmatic fields and having combined the potential of corpus linguistics and traditional research methods, so as to both substantiate lexical choices and trace the textual and contextual history of the lexemes examined.

More importantly, the research is being pursued and, in this context, a research team has already been formed under the author's guidance, and is currently implementing the following:

(a) Full digitisation and a fully-fledged exploitation of the diachronic parallel and comparable reference corpora compiled, with the aim to build a trilingual (EN, FR, EL) monitor translation corpus of International Law texts, including a parallel and a comparable component. The corpus is aimed to function as a reference corpus in legal linguistics, terminology and translation studies. The final corpus is planned to be published by the end of 2014. Exploitation of the parallel component will focus also on researching translational processoriented norms (*s*. Baker 1996). Cross-linguistic semantics of international law & translation

(b) Completion, finalisation and online publication of the terminological database – this part of the project is planned for completion by the end of 2013.

References

Austin, J.L. (1962). How to do things with words. Oxford: OUP.

- Baker, M. (1996). Corpus-based translation studies. The challenges that lie ahead. In H. Somers (Ed.), *Terminology, LSP and translation. Studies in language engineering in honour of Juan C. Sager* (pp. 175–186). Amsterdam: John Benjamins.
- Beaugrande, R. de, Dressler, W. (1981). *Introduction to text linguistics*. London: Longman.
- Biel, L. (2008). Legal terminology in translation practice: dictionaries, googling or discussion forums?. SKASE Journal of Translation and Interpretation, 3(1), 22–38.
- Booth, W.C. (2004). *The rhetoric of rhetoric: the quest for effective communication*. Malden, Mass.: Blackwell.
- Carvalho, E.M. de (2011). Semiotics of International Law. Trade and translation. Dordrecht: Springer Verlag.
- Chevallier, J. (2001). Mondialisation du droit ou droit de la mondialisation? In C.–A. Morand (Ed.), *Le droit saisi par la mondialisation* (pp. 37–61). Bruxelles: Emile Bruylant, Éditions de l'Université de Bruxelles, Helbing & Lichtenbahn.
- Fairclough, N. (1992). Discourse and social change. Oxford: Blackwell.
- Fairclough, N. (2003). Analysing discourse. Textual analysis for social research. London: Routledge.
- Firth, J.R. (1968[1957]). Descriptive linguistics and the study of English. In F.R. Palmer (Ed.), Selected Papers of J.R. Firth (pp. 96–113). London: Longman.
- Geeraerts, D. (2010). Theories of lexical semantics. Oxford: OUP.
- Gizbert–Studnicki, T., Klinowski, M. (2012). Are legal concepts embedded in legal norms?. *International Journal for the Semiotics of Law*, 25, 553–562.
- Groffier, E, Reed, D. (1990). La lexicographie juridique. Québec: Yvon Blais.
- Halliday, M.A.K. (1978). Language as social semiotic. London: Arnold.
- Hatim, B., Mason, I. (1990). Discourse and the translator. London: Longman.
- Herick, J. (2005). *The history and theory of rhetoric. An introduction*. Boston: Pearson Education.
- Heuboeck, A. (2009). Some aspects of coherence, genre and rhetorical structure and their integration in a generic model of text. *Language Studies Working Papers 1*. University of Reading, 1(2009), 35–45.

- Hoecke, M. van, Warrington, M. (1998). Legal cultures, legal paradigms and legal doctrine: a new model for comparative law. *International and Comparative Law Quarterly*, 47(3), 495–536.
- Jutras, D. (2000). Énoncer l'indicible: le droit entre langues et traditions. *Revue internationale de droit comparé*, 52(4), 781–796.
- Matthiessen, C. (2009). Ideas and new directions. In M.A.K. Halliday & J.J. Webster (Eds.), *Continuum companion to systemic functional linguistics* (pp. 12–58). London: Continuum.
- Ponthoreau, M.C. (2006). Trois interprétations de la globalisation juridique. Approche critique des mutations du droit public. Actualité juridique. Droit administratif, 62(1), 20–25.
- Šarčević, S. (1997). New approach to legal translation. The Hague: Kluwer.
- Saridakis, I.E. (2010). *Corpora and translation. Theory and applications*. Athens: Papazissis (in Greek).
- Simon, D. (1981). L'interprétation judiciaire des traités d'organisations internationales: morphologie des conventions en fonction juridictionnelle. Paris: Pedone.
- Sinclair, J. (1996). The search for units of meaning. Textus, 9, 75-106.
- Sinclair, J. (2001). Corpus, concordance, collocation. Oxford: OUP.
- Sourioux, J.-L, Lerat, P. (1975). Le langage du droit. Paris: PUF.
- Swales, J. (1990). Genre analysis. English in academic and research settings. Cambridge: CUP.
- Trier, J. (1931). Der deutsche Wortschatz im Sinnbezirk des Verstandes: Die Geschichte eines sprachlichen Feldes I. Von den Anfängen bis zum Beginn des 13. Jhdts. Heidelberg: Winter.
- Werlich, E. (1976). A text grammar of English. Heidelberg: Quelle & Meyer.
- Widdowson, H. (1979). Explorations in applied linguistics. Oxford: OUP.
- Wilss, W. (1994). Translation as a knowledge–based activity. Context, culture and cognition. In R. de Beaugrande et al. (Eds.), Language, discourse and translation in the West and Middle East (pp. 35–43). Amsterdam: John Benjamins.
- Yack, B. (1990). Natural Right and Aristotle's Understanding of Justice. *Political Theory*, 18(2), 216–237.
- Zetsen, K.K. (2008). Corpus-based cognitive semantics: Extended units of meaning and their implications for Translation Studies. *Linguistica Antverspiensia*, 7(2008), 249–262.

- ⁱ See also the schematisation in Heuboeck 2009: 41.
- ⁱⁱ *Logos*, a Greek term with multiple meanings and nuances, refers principally to one's intellect and rationality, as a distinct human trait. The main feature of human *logos* is the formulation and transmission of meaning, in a manner comprehensible by the co-speaker. This notion corresponds to Saussure's *parole*, i.e. the specific discoursal organisation made by the speaker.
- ⁱⁱⁱ I.e., first the so-called *monistic view* advocating the supremacy of national law; second the *dualistic doctrine* suggesting the existence of two distinct sets of legal orders; and third, the *monistic* theory on the unity of the various legal systems and the primacy of international law (Cassese 2005: 213).
- ^{iv} The Greek Ministry of Foreign Affairs has recently published a non-exhaustive list of important international and European treaties to which Greece is a signatory (shortened url: http://goo.gl/LyMiF – Jan. 2013), without however providing access to the original or the Greek statutory text.