LATVIJAS UNIVERSITĀTE

BAKALAURA DARBS

RĪGA 2017

UNIVERSITY OF LATVIA

FACULTY OF HUMANITIES

DEPARTMENT OF ENGLISH STUDIES

ANALYSIS OF PROBATE-RELATED TERMINOLOGY IN ENGLISH - LATVIAN TRANSLATIONS

AR TESTAMENTA IZPILDI SAISTĪTĀS TERMINOLOĢIJAS ANALĪZE TULKOJUMOS NO ANGĻU VALODAS LATVIEŠU VALODĀ

BACHELOR THESIS

Author: Linda Lūķe

Matriculation Card No. ll13086

Adviser: Associate Prof. D. Liepiņa

RIGA 2017

ANOTĀCIJA

Bakalaura darbā analizēta testamenta apstiprināšanu (mantojuma) saistītā terminoloģija tulkojumos no angļu valodas latviešu valodā. Pētījuma mērķis ir analizēt terminoloģijas ekvivalentu pārnesi juridiskajos tekstos, kas tulkoti no angļu valodas latviešu valodā. Galvenie avoti ar testamenta apstiprināšanu (mantojuma) saistītās terminoloģijas analīzei ir Eiropas Parlamenta un Padomes Regula (ES) nr. 650/2012 (2012. gada 4. jūlijs) par jurisdikciju, piemērojamiem tiesību aktiem, nolēmumu atzīšanu un izpildi un publisku aktu akceptēšanu un izpildi mantošanas lietās un par Eiropas mantošanas apliecības izveidi, kā arī Latvijas Republikas Civillikums, nodaļa par mantojuma tiesībām. Pētījumā analizēti juridisko jēdzienu terminoloģiskā pārnese no anglo-amerikāņu tiesību sistēmas civiltiesību sistēmā, un veidi, kā risinātas terminoloģiskās pārneses problēmas.

Atslēgas vārdi: terminoloģija, juridiskie termini, testamenta apstiprināšana, ekvivalents, mantojums

ABSTRACT

The Bachelor Paper examines the transfer of probate-related terminology in translations from the English language into Latvian. The present research aims to analyse the terminological equivalent transfer from English legal texts into Latvian legal texts. The main sources for the analysis of probate-related terminology are Regulation No. 650/2012 of the European Parliament and of the Council of 4 July 2013 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the European Certificate of Succession and the Latvian Civil Law, Chapter on Inheritance Law. The research study investigates the terminological transfer of legal concepts from the common law system into the civil law system as well as ways of resolving problems of terminological transfer.

Key terms: terminology, legal terms, probate, equivalence, inheritance

CONTENTS

Abbreviations 1
Introduction 2
1. Overview of theoretical aspects of term formation 4
1.1. Concept of the term 4
1.2. Overview of the term formation patterns 6
1.3. Principles of term formation 8
2. Equivalence as a Translation Problem 12
2.1. The notion of equivalence 12
2.2. Types of equivalence 13
2.2.1. Nida's formal and dynamic equivalence 13
2.2.2. Newmark's semantic and communicative translation 15
2.2.3. Koller's theory on equivalence 16
2.2.4.1. Equivalence as a translation problem 18
2.2.4.2. Types of non-equivalence 20
3. Analysis of probate-related terms in the translation of Regulation No. 650/2012 of the European Parliament and of the Council of 4 July 2013 24
3.1. Methodology 24
3.2. The Latvian Civil Law of 1937 and Regulation (EU) No 650/2012 as the source of probate-related terminology 25
3.3. Terms related to probate proceedings 26
3.4. The Analysis of Inheritance and Succession Term use 28
3.5. Types of the inheritance 31
3.6. Terms Referring to Parties in Probate Proceedings 33
3.7. Latinisms 37
Conclusions 40
Theses 43
References 45
Appendix 49

ABBREVIATIONS

ISO – International Organization for Standardization

ISO TC - International Organization for Standardization's Technical Community

LZA - Latvian Academy of Sciences

SL – Source Language

ST – Source Text

TL – Target Language

TT – Target Text

INTRODUCTION

Globalisation has reduced obstacles to free movement of the capital, services, goods and people. People have more freedom of action in choosing their habitual residence in other countries without becoming a national of the chosen country. Moreover, harmonisation of EU legislation has facilitated rather than obstructed these processes even though each country has a system of law that has developed in line with the historic development of the nation and might have certain differences from legislative arrangements in other countries.

One of the areas that has been subject to harmonisation very recently is the disposal of the person's property in event of the person's death. The process of probate is commonly regulated in detail by law. In countries that belong to the civil law system, it is law of succession. In Anglo-American common law system, the specific field is addressed by laws on wills, on probate, on succession. In the European Union the national legislation of member states prescribes who has the right to inherit, sets the proportions and reserved shares, limits the testamentary freedom, regulates the administration of the estate, defines the heirs' liability of debts, etc. However, as each of member states enjoys discretion in regulating issues related to succession, it inevitably implies that there might exist a number of differences among the member states. The ongoing globalization and free movement of labour and capital has gradually revealed the necessity of harmonized legislation in the EU as cross-border wills have become a matter of reality. As a result, there have been attempts and efforts in the European Union aimed at aligning and approximating legislation related to cross-border succession to prevent further complications caused by the diversity of rules prescribing the applicable legal procedure. The process has culminated in the adoption of Regulation No. 650/2012 of the European Parliament and of the Council of 4 July 2013 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the European Certificate of Succession and as this document has been translated into all working EU languages efficient transfer of information becomes fundamentally important and terminological equivalence becomes the key condition to facilitate avoiding misinterpretation of legal norms. In the case of translating English legal texts into Latvian the effort is complicated by the fact that terminology of civil law must be used in conveying concepts that have originated in common law.

The present research aims to analyse terms used as equivalents in the Latvian translation of Regulation No. 650/2012 of the European Parliament and of the Council of 4

July 2013 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the European Certificate of Succession and to correlate the employed Latvian equivalents with terminological equivalents used in the Latvian Civil Law of 1937, Chapter on Inheritance Law.

The hypothesis of the present research is as follows:

The terminological transfer of legal concepts from the common law system into the civil law system must achieve equivalence of meaning and the same legal impact in the target language that the concept has in the source language.

The enabling objectives to achieve the research goal are:

1) to investigate theoretical sources on term formation;
2) to examine theoretical sources on equivalence in translation;
3) to establish the sample of terms for analysis;
4) to apply the theoretical framework and to analyse Latvian equivalents for terms related to probate in English;
5) to draw relevant conclusions.

The research methods:

1) the theoretical framework – theories on term formation and equivalence in translation;
2) the empirical research – qualitative research of the transfer of terms related to probate from English into Latvian.

Structure of the paper:

The present research consists of a theoretical part, the empirical research and conclusions. The theoretical part is divided into three chapters. Chapter I chapter examines the concept of ‘term’, provides an overview on term formation patterns, and principles of the term formation according to International Organization of Standardization (ISO) and relevant theoretical approaches. Chapter II investigates the concepts of *equivalence* and *equivalent translation*, providing an overview on various types of equivalence as well as discusses equivalence as the translation problem. Chapter III is dedicated to analysis of probate-related terms in the translation of regulation No. 650/2012 of the European Parliament and of the Council of 4 July 2013.

1. OVERVIEW OF THEORETICAL ASPECTS OF TERM FORMATION

The following chapters discusses the main theory on terminology, and the difference between the concepts ‘terminology’ and ‘term’ from theories given by Sager (1990), Cabré (1992; 2000; 2003) and Kageura (2000). As well as, in this chapter is given brief introduction on the term formation patterns. The deeper discussions are given on the principles of the term formation according to ISO and the theories given by Skujiņa (2002).

1.1. Concept of the term

The development of a specific field or area of a specific society requires the development of relevant terminology to improve the communication between the specialists of the specialised area of knowledge. According to Sager, ‘terminology is concerned with the study and use of the systems of symbols and linguistic sign employed for human communication in specialised areas of knowledge and activities’ (The International Association of Terminology 1982, quoted in Sager, 1990: 4). According to Cabré, the first recorded need for use of modern ‘terminology’ was related to technical vocabulary (terminology) (2003: 165).. There are, according to Cabré (1998: 41), three basic aspects of terminology: the cognitive aspect, the linguistic aspect, and the communicative aspect. Sager has also described these three aspects as terminological dimensions (Sager, 1990: 13, quoted in Valeontis, Mantzari, 2006: 2).

1) The cognitive dimension is a means of explaining how concepts (e.g. abstract ideas or plans or hypotheses) can be understood and utilised. This methodology enables an approach to examine how particular concepts can represent structured sets or classifications of information in all areas of human knowledge, as well as representing such concepts by definitions and terminology (ibid.: 2).
2) The linguistic dimension as defined is used to consider terminology in its linguistic (i.e relating to language) forms, and how new linguistic usages can be used to describe certain novel concepts (ibid: 2).
3) Finally the communicative dimension describes the usage of terminology to transfer knowledge to recipients of that information using alternative methodologies of

interaction. The approach as defined includes various mechanisms such as using dictionaries, glossaries, lists and databases where terminology is compiled, processed and communicated (ibid.: 2).

Therefore, another important component of terminology, which has been mentioned frequently before, is the concept. Cabré indicates that 'terminology starts from the concept' (Cabré, 1998: 34). Valeontis and Mantzari have amplified her statement by stating that terminology 'is study of concepts and their representations in special languages, terminology is multidisciplinary, since it borrows its fundamental tools and concepts from a number of disciplines' (Valeontis, Mantzari, 2006:1). In their view concepts 'are the units of knowledge that constitute the mental representations of objects' (Valeontis, Mantzari, 2006:1).

People use a multitude of words, even aware of that in different fields these words are used as professional terms. According to Kageura, a term is 'a lexical unit consisting of one or more than one word which represents a concept inside a domain' (Kageura, 2000: 9). A simple term contains only one root while a term containing two or more roots is called a complex term (online 2; Sager, 1997: 25). Although Kageura explains the term as a 'lexical unit' which could be understood as vocabulary of the language that does not links with concept-based terminology, but more with lexicography; he also argues that in the very root all the created words are 'lexical units' which further on are divided into elements of vocabulary, terminology and special language (ibid.: 13). Cabré holds the view that 'these units have to be analysed functionally, formally and semantically by a description of their dual systematic nature […] in relation to the system of the language to which it belong […] and to the terminology of the domain in which they are used' (Cabré, 2000: 44). Often words or 'lexical units' which are used in daily communication can be used also as the term in specific context with completely different meaning. For example, according to Cambridge Dictionary (Online 1) the word *mouse* is 'a small mammal with short fur, a pointed face, and a long tail', but when it comes to the computer science and its terminology *mouse* is 'a small device that you move across a surface in order to move a cursor on your computer screen'; the word has meaning in two science – lexicography and terminology.

As reported by Cabré (1992), in 1947 a non-governmental organisation International Organisation for Standardization (ISO) was created which deals with making international Standards that support innovation and provide solutions to global challenges (Online 3). They have also a technical committee (ISO TC) for 'establishing the principles and methods for terminology, and its objective is to standardize the methods for creating, compiling and coordinating terminologies' (Cabré, 1992: 201), thus, helping to create common, standardized

terminology for better communication between different nationalities. ISO 704:2009 "Terminology work – principles and methods" (online 3) also states that for standardized terminology, a term should refer to a single concept. The main goal of the harmonisation effort was 'to avoid ambiguity in international intra-professional communication' (Cabré 2003: 179). It is important to mention that, although, terminology has been more or less internationally standardized, there is evidence of specific rules for term formation in each country based on the cultural traits, history of the country and linguistic specificity.

Cabré believes that 'for translation, interpreting and technical writing, terms are useful and practical units of communication which are evaluated by the criteria of equivalence, adequacy, precision and economy' (Cabré, 2000: 46). The given criteria are of particular relevance as any ambiguity caused by terminological transfers can generate misinterpretations that could be particularly detrimental in the case of legal information and exchange of legal information.

1.2. Overview of the term formation patterns

Sager states that term formation is the process of naming the concepts required by a particular special language community for the development of cognitive processes and communication (Sager, 1997: 25). Kageura even points out that it is deliberate process to facilitate communication between users of special language in particular fields and to improve the knowledge of the specialists: 'It was also argued that term formation patterns should be interpreted as realistic possibilities of existence rather than theoretical potentialities of possible forms' (2000: 45). Terms should be as faithfully as possible to convey the content of the phenomenon they designate. As terms are needed in different kind of environments, e.g. science, business, jurisdiction etc., and in each area the modes of the term formation may differ, that is why Sager offers three different modes of the term formation (ibid: 25):

1) the subject area in which it occurs (depending on essential structure/ system of particular subject field)
2) the nature of the people involved (depending on the education, native and foreign linguistic resources for creating new terms, system of communication, influence of other communities)

3) the origin of the stimulus for term formation ('it may be foreseeable and predictable or totally ad hoc' (ibid.: 26)).

Sager divides term formation in primary and secondary term formation. It is interesting to note that several authors hold the view that the primary term creation 'accompanies the formation of a concept and is monolingual' (Valeontis, Mantzari, 2006: 3), it is usually spontaneous, there are no links to previously created terms, as well as it can be created as temporary version while the definite version is accepted (Valeontis, Mantzari, 2006: 3; Sager, 1997: 27). Likewise they also share the opinion that secondary term formation 'occurs when a new term is created for an existing concept […], which is the term of the source language, and which can serve as the basis for secondary formation.' (Valeontis, Mantzari, 2006: 3).

In recent times two of the above mentioned authors have given the most significant contribution to the theories on term formation patterns Sager (1997) and Cabré (1999). Cabré has named three strategies for creation of new terms: formal, functional and semantic strategies. According to Cabré, formal strategy is separated into two methods: 'the combination of morphemes and words, including derivation (prefixation, suffixation, affixation) , compounding (of two or more lexical items), and creation of phrases; and the formal modification of existing units by means of truncation processes, including initialisms, acronymy, and clipping' (Cabré, 1999: 93). According to Sager, this type of creating terms is under 'modification of existing resources' (Sager, 1997: 28). According to these strategies, the existing roots, words or parts of the other terms or words can be used to create other terms, as well as words can be shortened to create a term.

The functional strategy, mentioned by Cabré, includes 'conversion or zero derivation […], and lexicalization, by converting one of the inflected forms of a lexeme into a new word with a different grammatical category' (Cabré, 1999: 94). The last is the semantic strategy which modifies the meaning of the basic form by two criteria: 'provenance of the base form, and the type of semantic modification produced in the process' (ibid: 94). Sager combines these two strategies (functional and semantic) under one title which is 'the use of existing resources'. Under these strategies, it is possible to change the grammatical category of the word (from the noun to verb and vice versa); to use the same word in different fields with different meanings; as well as he adds to this criteria *similies* which are used 'when the extension of meaning is not obvious, so it is 'based on an expressed analogy with existing designations' (Sager, 1997: 25).

It is important to mention, that all the above strategies, used to create the new terms, are discussed in the ISO 704:2009 "Terminology work – principles and methods" (online 3), which means the strategies are accepted as internationally standardised varieties of term creation. As well as, separately from these strategies, Cabré looks into the theories of borrowing and loan translation as another way of creating new terms (Cabré, 1999: 94) which is also a separate strategy in Sager's theory under the heading 'creation of new linguistic entities' (Sager, 1997: 28). Two main types of borrowings are: direct borrowings and loan borrowings (Sager, 1997: 37-38; Cabré, 1999: 94; online 3: 35). According to the above linguists, direct borrowing (or loan) is term adopted from one language to another, what could be changed is the word pronouncing or spelling in different languages. Likewise there is a possibility that in time the word form could also change/ adapt to the principles of term formation in the target language. Loan borrowing (translation) 'is the process whereby the morphological elements of a foreign term are translated to form a new' (online 3: 35), which means some components of the SL could be translated in TL. Despite the many patterns of term formation, there are many other aspects as well, which should be look through to understand ways of term formation.

1.3. Principles of term formation

There are different principles set out to create new terms. It is not enough just to know the strategies how to create the terms, important are also principles according to which need to follow. The ISO has defined the internationally standardised principles to which should be used as the guidelines for particular language speakers to create new terms or their own principles of term formation. As the focus of the present research is the transfer of probate – related terminology from English into Latvian, the development of legal terminology should be based on international standards, in particular in the context of EU legislation that is transposed into the national legislation of all EU member states. According to ISO (online 3, section 7) the creation of the new terms should be based on the following principles.

The first principle set by the ISO is *transparency:* 'A term is considered transparent when the concept it designates can be inferred, at least partially, without a definition' (online 3). So it can be clearly inferred without need for provision of an accompanying definition, i.e. the meaning is understood from its morphology. Panacova and Hacken (2015: 79) stresse that in term formation transparency is 'most essential criteria'. Making a new term transparent

will require a broadly-understood characteristic or property. Panocova and Hacken distinguishes four types of transparency: semantic, code, typographic and phonetic (ibid.). Technological or linguistic evolution always risks a transparent characteristic becoming redundant or more ambiguous, so care should be taken when characterising a novel concept that clarity and longevity are considered (online 3).

The second principle is *consistency:* 'The terminology of any subject field should not be an arbitrary and random collection of terms, but rather a coherent terminological system corresponding to the concept system' (online 3). The importance of concept systems to special languages was stressed by Eugen Wüster (1979). Consistency is an important principal of term formulation because terminology needs to have uniformity with the pertinent concept system; rather than being abstract or standalone, it needs to follow a degree of coherence with it. As to the present paper, which deals with legal terms, this principle is one the most essential of the term formation.

The third principle *appropriateness* prescribes that: 'Proposed terms should adhere to familiar, established patterns of meaning within a language community. Term formations that cause confusion shall be avoided' (online 3). Terminology needs to follow accepted cultural precedents within the given language. New terminology should avoid confusion and any negative or derogatory implications, unless specifically intended, ideally being neutral in terms of any related inferences.

The fourth principle *linguistic economy stipulates that: '*A term shall be as concise as possible. Undue length is a serious shortcoming. It violates the principle of linguistic economy and it frequently leads to ellipsis (omission)' (online 3). There is a trade-off between the shortness (conciseness) of a term and its ability to accurately represent its intended meaning, as the more descriptive it becomes, so it also becomes impractical and inconvenient. Linguistic economy describes this trade-off to imply terminology should ideally be shorter where possible though make allowances for context, for example longer in technical expressions, shorter in verbal conversations (online 3).

The fifth principle *derivability* provides that: 'Productive term formations that allow derivatives should be favoured' (online 3). The principal of derivability, the quality of terms whose elements can be used in naming a variety of related concepts, states that terminology should ideally allow for derivatives, both established and potential, in the pertinent language. E.g. the term *heir* derivatives are *heirless, heirdom, heirship, co-heir* and others.

The sixth principle *linguistic correctness sets the requirement that:* 'A term shall conform to the morphological, morphosyntactic and phonological norms of the language in

question' (online 3). Linguistic correctness is very important for convey precise meaning, and is considered such in very different settings such as in philosophy (Rosenberg, 1976) and pharmacology (Bilikiewicz, 1967). It should not be confused with grammatical correctness, the principal conveys that the terminology follows the morphology, syntax and phonological (pattern of speech sounds) standards and customs of the language (online 3).

The seventh principle *preference for native language stipulates that*: 'Even though borrowing from other languages is an accepted form of term creation, native language expressions should be given preference over direct loans' (online 3). This principal sets out how terminology should be expressed in a way consistent and recognisable to native language speakers to ensure that the concepts are fully understood as intended. Thus care is required over translations of terms from non-native languages.

The seventh principle has been in particular respected and honoured in the term formation practice in Latvia. The leading Latvian terminologist Skujiņa (2002), who has described the history of the Latvian terminology development as well as patterns and principles of term creation, has defined following principles for term creation in Latvian (translated from Skujiņa, 2002: 9-13; 214):

The first principle singled out by Skujiņa is *systematicality*, which requires to maintain its specific context in particular field, and does not gives expanded definitions which would lead to ambiguity of the term in particular concept. This means that the term should have clear definition, and each of the term should belong to its concept. The terms from the one concept should have common characteristics and connection.

The second principle is *the requirement for the precision of meaning and the brevity of form*. Skujiņa admits that only short and precise terms afterwards can be useful as base to another terms. However, she adds that on the one hand, the more characteristics of the objects there are in the term, the clearer its meaning is; however, on the other hand, if the term conveys fewer characteristics of the object, it is less precise.

Monosemy is another important requirement for new term creation, singled out by Skujiņa, as it is important that the term is relatively unambiguous in its subject field. In other words, each term should have only one meaning in one particular subject field.

In her view, *mononimity* requires to eliminate the possibility to have synonyms for any terms, both relative and absolute synonyms.

Skujiņa also requires *contextual independence* that combines previously mentioned requirements – the term should be with a strongly fixed content based on its concept and it

should correlate with the context as the context helps to understand the concept behind the term.

Lastly, in her view, the term should be *emotionally neutral*, although, it is admitted that emotional neutrality should not be mixed up with stylistic neutrality, which for the terminology exists as scientific style (translated from Skujiņa, 2002: 9-13; 214).

The comparison of both sets of principles reveals similarities in the approach that the term should be precise, short, strongly fixed in its subject field that it would not create any ambiguity. Skujiņa (2002) adds also that the term should be emotionally neutral as well as term should have synonyms while ISO mentions that terms should be derivable. Still, all the above mentioned principles are suggestions and advices for better term formation. Skujiņa admits (2002: 9) that these requirements are the way to create a unique and perfect term, however in the term formation process there always can be a possibility of various restrictions that make compliance with all the requirements more difficult.

2. EQUIVALENCE AS A TRANSLATION PROBLEM

Equivalence could be described, in other words, as ‘accuracy’, ‘adequacy’, ‘correctness’, ‘correspondence’, ‘fidelity’ and ‘identity’ (Venuti, 2000: 5). In the 1960s and 1980s equivalence became as ‘an essential feature of translation theories’ (Panou, 2013: 2) or as Zauberga stressed, it was ‘a central concept in translation theory’ (Zauberga, 2001: 61), thus describing that equivalence indicates some kind of “sameness” between the source text (ST) and the target text (TT) (Panou, 2013: 2; Zauberga, 2001: 61). This phenomenon attracted the attention of various scholars, such as Vinay and Darbelnet (1958), Nida and Taber (1969), Catford (1965), Koller (1979), Newmark (1981), Baker (1992) and others, leading to various theories and typologies of equivalence. The current chapter will look into the notion of equivalence, i.e. the main definitions of the term *equivalence*. Further on, different types of equivalence will be discussed, outlining their main features, paying attention also to non-equivalence as a problem in translation.

2.1. The notion of equivalence

According to Shuttleworth and Cowie, equivalence is used to ‘describe the nature and the extent of the relationships which exist between SL (source language) and TL (target language) texts or smaller linguistic units’ (Shuttleworth and Cowie, 1997: 49). It is the notion of how the ST is connected to the TT whilst maintaining the message from the ST. ‘Equivalence is supposed to define translation, and translation, in turn, defines equivalence’ (Baker, 2001: 77). Venuti argues that ‘equivalence is based on “universals” of language and culture, questioning the notions of relativity’ (Venuti, 2000: 121). Also Baker states that equivalence is ‘a relative notion’ and can be influenced by ‘a variety of linguistic and cultural factors’ (Baker, 1992: 6; Panou 2013: 4). However, according to Munday, equivalence focuses ‘on differences in the structure and terminology of language rather than on any inability of one language to render a message that has been written in another verbal language’ (Munday, 2001: 37).

Different aspects should be taken into account when considering if the TL term could be equivalent to the SL term, for instance, differences between particular environments such

as cultural, political, legal, social etc. (Baker, 1992: 18) as well as syntactic, pragmatic, grammatical or semantic differences between different languages (Raof, 2001: 9).

Baker points out that while some scholars are 'focusing on the rank (word, sentence or text level)' (Baker, 2001: 77) to create the best possible equivalent in the TL, other scholars have focused 'on the type of meaning (denotative, connotative, pragmatic, etc.) that is said to be held constant in translation' (Baker, 2001: 77). In her view, this is the reason why some scholars accept the equivalence as the notion, but others consider that it is either 'irrelevant' or 'damaging' to the theories of translations (Baker, 2001: 77). Nevertheless, Baker stresses that translators could not use the notion of equivalence as the theoretical background of the translations, but they are 'used to it' as the part of the translation (Baker, 1992: 6). Because of these different points of views, different aspects of equivalence are emphasized by different linguists; the following chapter will introduce them with the types of equivalence according to Nida's theory (1969; 2003), Koller's theory (1979) and Newmark (1981; 1988).

2.2. Types of equivalence

As already stated above various scholars have defined equivalence, proceeding from different aspects. All the below mentioned types of equivalence represent development of traditionally accepted "sense-for-sense" and "word-for-word" translations which go back to 'antiquity' (Venuti, 2000: 122; Munday, 2001: 19).

2.2.1. Nida's formal and dynamic equivalence

One of the scholars who should be mentioned when discussing equivalence is Eugene Nida, who is primarily known as a translator of the Bible (Munday, 2001: 38; Panou, 2013: 3). Nida implemented, or as Munday stresses 'discarded', three old terms which used to characterize successful translation as 'free', 'literal' and 'faithful' (Munday, 2001: 41) and created two types of equivalence: formal equivalence and dynamic equivalence (ibid.). Panou characterizes these types as a 'more systematic approach' (Panou, 2013: 3).

Nida holds the view that formal equivalence 'focuses attention on the message itself, in both form and content' (Nida, 1964a: 159, cited in Munday, 2001: 41). Thus, formal equivalence is more adjusted to the ST. Shakerina mentions that formal equivalence 'tries to remain as close to the original text as possible, without adding the translator's ideas and

thoughts into the translation' (Shakerina, 2013: 2). In formal equivalence the TT should meet the standards and elements from ST as much as possible. 'The message in the receptor culture is constantly compared with the message in the source culture to determine standards of accuracy and correctness' (Venuti, 2000: 129). To do so, Venuti has enumerated several elements that could correspond to formal equivalence: 'grammatical units; consistency in word usage; and meaning in terms of the source context' (Venuti, 2000: 134). This therefore is linked to word-for-word translations (Shakerina, 2013: 2). However, formal equivalence has been criticized by various scholars as 'the traditional notions of content and form cannot always be easily resolved' (Munday, 2001: 42) thus demonstrating that it is not always possible to match an equivalent in TL for every situation. Venuti also adds that 'such a translation would require numerous footnotes in order to make the text fully comprehensible' (Venuti, 2000: 129) and to facilitate the readers' understanding of the text. He also stresses that formal equivalence runs the danger of consisting of such elements which are 'not readily intelligible to the average reader' (ibid: 135). Nevertheless, he adds that such translations are 'often perfectly valid translations of certain types of messages for certain types of audiences' (ibid). But to not make complicated reading for *the average reader*, another type of equivalence has been created by Nida.

In its turn, dynamic equivalence is based on 'the principle of equivalent effect', and 'naturalness' is its key requirement (Munday, 2001: 42; Venuti, 2000: 129). This approach provides that 'the goal of dynamic equivalence is seeking the closest natural equivalent to the source-language message' (Munday, 2001: 42). Venuti describes three main elements of dynamic equivalence: *equivalent* (which indicates the message from SL); *natural* (which indicates the receptor language); and *closest* (which combines previously mentioned elements together) (Venuti, 2000: 135). Together these three classification approaches can implement and confirm the previously mentioned principles of equivalence as well as the naturalness of the translation, thus giving an understanding that in contrast to formal equivalence, which was ST-oriented, dynamic equivalence has a receptor–oriented approach. Nida emphasizes that in the case of dynamic equivalence the TT language should not show interference from the SL, and the foreignness of the ST setting is minimized' (Nida 1964a: 167-8, cited in Munday, 2001: 42). The focus is on the receptor's response, linguistic needs and specifics of the particular culture (ibid: 42). However, Venuti mentions that SL and TL may represent very different cultures and it could create difficulties in naturalizing the text, but he again adds that 'footnotes are used to point out the basis for the cultural diversity' (Venuti, 2000: 137).

It has been recognised that in creating these two types of equivalence, Nida brought the concept of translation to a more 'scientific' level (Munday, 2001: 43; Panou, 2013: 3). Formal equivalence represents the ability to translate TT as close as possible to ST, considering the form and content (Venuti, 2000; Munday, 2001; Panou, 2013), while dynamic equivalence focuses on receptors' needs and cultural aspects when translating the text, thus making the TT as natural as possible for the reader to easily understand (ibid.). Nevertheless, his theory has been criticised by various scholars. For instance, Lefevere (1993) points out that Nida's theory is still greatly focused on word-level translation (rather than clause or sentence meanings), and Broeck (1978) criticises the presumption to create an equivalent effect as no text can have 'the same effect and elicit the same response in two different cultures and times' (Munday, 2001: 43; Panou, 2013: 3). Munday also adds that all the criticisms which have been raised relating to Nida's work have serve to make scholars question whether Nida's theory 'really is scientific' (Munday, 2001: 43). Nevertheless, his theory introduced translation approaches from a different point of view, and he did emphasize the idea that readers (receptors) and their cultures in TL must be taken into account when translating (Panou, 2013: 3). After Nida created his theory on translation, other scholars were inspired to continue the research of translation as a science.

2.2.2. Newmark's semantic and communicative translation

Peter Newmark is another scholar who has researched the specifics of translation. His books on translation (1981; 1988) have been widely used to train new translators (Munday, 2001: 44). Newmark has replaced Nida's terms on equivalence with 'semantic' and 'communicative' translations (Munday, 2001: 44; Panou, 2013: 4). As Munday explains, semantic translation has similarities with Nida's formal equivalence, and communicative translation replaces and implements Nida's dynamic equivalence (Munday, 2001: 44). But as explained by Hatim and Mason, Newmark's formulation has more advantage as 'the categories cover more of the "middle ground" of translation practice' (Hatim and Mason, 1990).

> Communicative translation attempts to produce on its readers an effect as close as possible to that obtained on the readers of the original. Semantic translation attempts to render, as closely as the semantic and syntactic structures of the second language allow, the exact contextual meaning of the original. (Newmark, 1981: 39, cited in Munday, 2001: 44).

Semantic translation ‘focuses on meaning’ (Panou, 2013: 4), thus semantic translation sticks to the characteristics of the ST and tries to maintain them into the TT (ibid.). The form of semantic translation is more complex, it focuses on the details, and there is a tendency to over-translate (Munday, 2001: 45; Shakerina, 2013: 3; Panou, 2013: 4). On the other hand, communicative translation ‘concentrates on effect’ (ibid.) or in other words, it ‘aims at equivalence of effect (Fawcett, 1997: 14). Communicative translation is ‘reader focused, and oriented towards specific language and culture [...] it transfers elements into the TL culture’ (Munday, 2001: 45). As the communicative translation looks towards the reader’s needs, it is smoother, reader-friendly, simpler, but with a tendency to under-translate (Munday, 2001: 45; Shakerina, 2013: 3; Panou, 2013: 4). According to Fawcett, the communicative translation gives the ability ‘to participate fully in the communication event’, while in the semantic translation ‘we are called upon simply to observe’ (Fawcett, 1997: 114). It should be added that during the translation process, both translation approaches ‘may be used in parallel’ in the same text (Panou, 2013: 4).

Despite the fact that Nida’s theory on formal and dynamic equivalence is in many ways similar to Newmark’s theory on semantic and communicative translation, Shakerina stresses that the difference between these two theories are in the attitude of the linguists towards the reader from the translator perspective: ‘Nida stresses receptors’ responses while Newmark emphasises faithfulness not only to readers, but also to the author and the source text’ (Shakrina, 2013: 4). Still, Nida’s theory is discussed and criticized more than Newmark’s theory, but Munday considers it is because these theories gives a similar understanding of translation and equivalence between the ST and TT, as well as ‘the importance of the TT reader’ (Munday, 2001: 46). However, Newmark criticizes the equivalent effect between two languages; he considers that ‘the success of equivalent effect is “illusory” [...] and it is inoperant if the text is out of (TL) space and time’ (Munday, 2001: 44).

2.2.3. Koller’s theory on equivalence

Werner Koller is a German scholar who worked in the field of translation (Munday, 2001; Panou, 2013). He is well known for his ‘detailed examination of the concept of equivalence and its linked term *correspondence*’ (Panou, 2013: 3). Thus ‘*correspondence* involves the comparison of two language systems where differences and similarities are described contrastively, whereas *equivalence* deals with equivalent items in specific ST-TT pairs and

contexts' (ibid., also discussed in Munday, 2001: 46). The roots of his theory on equivalence could be found in Nida's formal and dynamic equivalence theory, but Koller has analysed in more detail the concept of equivalence by offering five types of equivalence (Munday, 2001: 46). According to Koller, the five types of equivalence are: (1) denotative equivalence, (2) connotative equivalence, (3) text-normative equivalence, (4) pragmatic equivalence, and (5), formal equivalence.

The proposal put forward by Koller has been further elaborated by other linguists, In Munday's view, *denotative equivalence* 'is related to equivalence of the extralinguistic content of a text' (Munday, 2001: 47). Baker explains it as the process when 'SL and TL words supposedly referring to the same thing in the real world' (Baker, 2001: 77). According to Fawcett, denotative equivalence refers to the object or concept (Fawcett, 1997: 53) which means that the ST and the TT should have the same denotations, or 'extralinguistic content'.

The second of Koller's subtypes is *connotative equivalence* which is 'related to the lexical choices, especially between near synonyms' (Munday, 2001: 47), or as Baker explains it is when 'the SL and TL words trigger the same or similar associations in the minds of native speakers of the two languages' (Baker, 2001: 77). This type could be referred also to 'stylistic equivalence' as it deals with the synonyms in different contexts (Munday, 2001: 47). Cited in Munday, Koller himself admits that this equivalence is 'one of the most difficult problems in translation, and in practice is often only approximate' (Koller, 1979b/89: 189, cited in Munday, 2001: 48). When dealing with connotative equivalence, it must take into account that many factors could affect the translation, e.g. formality, social usage, stylistic effect, frequency emotion, evaluation, geographical origin, and range (ibid.). However, as the translator is the person who decides which synonym is the *nearest* synonym from the SL to the TL, it may cause ambiguity for the reader because the synonym selected could be understood in different contexts in the TT.

The third subtype is *text-normative equivalence* which refers to the text type. This equivalence focuses on the use of words in the same or similar context, and how to transfer them from the SL to TL (Baker, 2001: 77). Munday explains that it focuses on the word 'usage in different communicative situations' (Munday, 2001: 48), i.e. different approaches would be used for legal texts and different approaches for instructions for use etc. (Fawcett, 1997: 53).

The fourth, *pragmatic equivalence*, is also called communicative equivalence, and like Newmark's communicative translation, it also refers to Nida's dynamic equivalence (Munday, 2001: 47). It means that pragmatic equivalence is a receiver–oriented approach.

Munday adds that this equivalence 'analyse(s) the communicative conditions valid for different language pairs and texts' (ibid. 48).

Finally, *formal equivalence*, also referred to as 'expressive equivalence,' focuses on 'the form and aesthetics of the text, including word plays and the individual stylistic features of the ST (ibid. 47). Munday adds that it should not be confused with Nida's 'formal equivalence' as Nida's formal equivalence focuses on ST, but Koller's term analyses the possible equivalence in 'rhyme, metaphor and other stylistic forms' where new terms in the TL could also be created (ibid. 48).

There are many other scholars who have introduced definitions and types of equivalence, for instance, Mason (1990) who distinguishes between *author-centred*, *text-centred* and *reader-centred* translating, or Toury (1995) who divides translation into *source-oriented* or *target-oriented* translation (Sidiropoulou, 2004: 4). However, their approaches are derivative, made on the basis of the previously discussed definitions of equivalence. According to Vinay & Darbelnet, equivalence is a process which 'replicates the same situation as in the original, whilst using completely different wording' (Vinay & Darbelnet, 1958/1995:342, cited in Shuttleworth and Cowie, 1997: 51), which is more of a necessity for translating fixed expressions such as proverbs and idioms etc. (ibid.). Still, the main task in translation is to 'replace each SL item with the most suitable TL equivalent' (Shuttleworth and Cowie, 1997: 50). They also confirm that every category of equivalence, which is introduced by different linguists, contain 'a particular type of ST-TT relationship' (ibid.). Munday mentions that while some scholars criticise equivalence as the problem in the translation science, others still accept it as a central concept in the translation theory (Munday, 2001: 49). Yet another problem that is discussed time and again is ways of resolving the problem of *non-equivalence.*

2.2.4.1. Equivalence as a translation problem

As discussed earlier, different ideas and definitions have been created to introduce the concept of the equivalent translation. Cited in Fawcett, Catford considers that 'the central problem of translation practice is that of finding TL translation equivalents (Catford, 1965: 21, cited in Fawcett, 1997: 54). There has not really been any consensus examining and providing a cohesive position on all the different theories because each scholar has their own point of view on this term. (Raof, 2001: 5).

While Nida created a theory on dynamic and formal equivalence, Hatim and Mason considered that there is a problem regarding the term *equivalence* in translation theory because there is no such a thing as a complete equivalence since there is 'no such a thing as a formally or dynamically equivalent […] TL version of a SL text' (Hatim and Mason, 1990: 8). Cited in Munday, Jakabson also considers that 'there is ordinarily no full equivalence between code-units' (Jakabson, 1959/2000: 114, cited in Munday, 2001: 36). As he explains, translation between two different languages (interlingual translation) involves replacing all the message in one language, not the code-units separately, for the message in another language (ibid.).

Also Newmark, despite his theory on equivalence which was discussed above, confirms that the concept of ideal translation is 'illusory', and that the concept of equivalence 'can only be an approximation' (Raof, 2001: 6). Raof introduces *approximation* as a widely accepted term between scholars who deal with the theory of translation (ibid. 5-6). As there is 'no such a thing' as 'identical equivalents', translators should think of approximation when translating rather than equivalence (ibid.). Another scholar cited in Raof speaks of equivalence as the basic problem of translation as 'apart from being imprecise and ill-defined, it presents an illusion of symmetry between languages which hardly exists beyond the level of vague approximation' (Snell-Hornby, 1995: 22, cited in Raof, 2001: 5).

As mentioned above, Baker also believes that equivalence is a relative notion as it could be affected by a variety of cultural or linguistic differences (Baker, 1992: 6). Also Simms (cited in Raof) considers that as 'there is no such a thing as pure synonymy within a language, there is no such thing as pure lexical equivalence between the languages' (Simms, 1997: 6, cited in Raof, 2001: 6). It is also mentioned that the cultural differences within the translation process is one of the main stumbling blocks to find lexical equivalents in TL (ibid.). According to Koller, the concept of equivalence is relative because it is regulated 'by the historical-cultural conditions under which texts are produced and received in the target culture, and […] by a range of sometimes contradictory and scarcely reconcilable linguistic-textual and extra-linguistic factors and conditions' (Koller, 1995: 196, cited in Raof, 2001: 7). Additionally, as mentioned in the previous chapter, Vinay and Darbelent have said that the equivalent translation means to reflect the same situation from SL to TL by using completely different wording (Vinay & Darbelnet, 1958/1995:342, cited in Shuttleworth and Cowie, 1997: 51), so that there is no necessity of drawing exact parallels between SL and TL, but to translate as close as possible to the SL.

All the previously mentioned approaches can be said to contribute to the new term *untranslatability*, which is an integral component when discussing the problem of finding an acceptable equivalent translation from SL to TL. As discussed by Shuttleworth and Cowie, untranslatability is caused by 'differences between source and target cultural phenomena or by the simple non-existence of a TL word to label a given item' (Shuttleworth and Cowie, 1997: 180), although they do add that this situation arises only in the word-level and could be substituted by paraphrasing or compensation (ibid.). This corresponds to Baker's mentioning that translation problems begin from 'the lack of equivalence at word-level' (Baker, 1992: 10). Raof adds that not only a lack of equivalence at word-level is a problem, but there is a 'lack of equivalence at lexical, textual, grammatical, or pragmatic level'. (Raof, 2001: 9).

The fact that there is no absolute synonymy between two lexical units in different languages can lead to non-equivalence in the translation (Raof, 2001: 9-10). According to the Natural Semantic Metalanguage, Raof provides data indicating that approximately fifty per cent of words in all languages have equivalents in other languages (ibid. 9). Thus, the translators are around half the time mostly dealing with cases of non-equivalence or untranslatability.

2.2.4.2. Types of non-equivalence

Differences between particular environments such as cultural, political, legal or social lead to non-equivalence as each nation is unique and also it's the language is unique (Baker, 1992: 18, Raof, 2001: 10). However, Baker introduces the point that each set of words corresponds to the particular field or division, which in linguistics is called the semantic field. She says that most languages have common semantic fields, such as in terms of *emotions, distance, beliefs, time* etc., where the general words characterizing particular semantic fields will mostly have equivalents in other languages (Baker, 1992: 18-19). The problem starts with sub-divisions of the semantic fields, where 'the more detailed a semantic field is in a given language, the more different it is likely to be from related semantic fields in other languages' (ibid. 18). Apart from problems in translating lexical units, one must remember that there are also words which do not corresponds grammatically, structurally or stylistically to the target language words (Raof, 2001: 12). Baker introduced 11 types of situations where non-equivalence was seen to occur, and provides strategies on how to deal with them. However, she also adds that 'it is impossible to offer absolute guidelines for dealing with the various

types of non-equivalence which exist among languages' (Baker, 1992: 17-20). Descriptions of cases when non-equivalence occurs in translations follow.

The first of Baker's cases when non-equivalence occurs is in *culture-specific concepts,* when the SL offers a concept which is unfamiliar or 'totally unknown' for the target culture. This may include any unique cultural differences such as religious beliefs or types of food etc., which are not known in any other culture, thus there is no such word/equivalent in the other language (ibid. 21).

The second type is when *the source-language concept is not lexicalized in the target language* which means that the target culture understands the idea of the given ST, but there are no such words in TL to express it. In other words, there is no lexicalized equivalent in TL (ibid.).

The third type of non-equivalence is when *the source-language word is semantically complex*. It refers to the situation when in the SL there is a single word to express some kind of a concept while in the TL it could be expressed in a more complex sentence to explain the concept (ibid: 22). Baker adds that this case is a 'common problem in translation'. (ibid.).

The fourth type of non-equivalence is when *the source and target languages make different distinctions in meaning,* i.e. where if in one language creates more distinctions for one meaning, the other language would not consider it 'as an important distinction' (ibid.).

The fifth type of non-equivalence is *when the target language lacks a superordinate* when the TL has no 'general word to head the semantic field', although there could be specific words for sub-divisions of this field (ibid.). But this is not as common a case as in the next (sixth) *when the target language lacks a specific term* because usually TL has a general term for a field (superordinate), but does not have specific terms which characterize it's superordinate (ibid: 23).

The seventh case of non-equivalence is when there are *differences in physical or interpersonal perspectives* because what is physically more important for one language, could not be that important for another (ibid.). So for example, in the SL some kind of physical actions are expressed in more than one lexical item, but in the TL there is only one expression/word for it.

The eighth is when there are *differences in expressive meaning*. There may be a word in the TL which has the same 'propositional meaning' to the SL word, but the expressive meaning may differ, thus a 'translator can sometimes add the evaluative element' to the TT to not lose the expressive meaning from the ST (ibid.).

The ninth case is when there are *differences in form* which means that there 'is often no equivalent in the target language for a particular form in the source text' (ibid.). For example, in English there are created derivatives with suffixes and prefixes, but in other language there is no such an equivalents. For example, the term "inherit" in Latvian means "mantot", but "disinherit" is "atstāt bez mantojuma", thus while in English you need to only add the prefix *–dis,* in Latvian translation one needs to add *atstāt bez* to have precise translation of English term.

The tenth type of non-equivalence is when there are *differences in frequency and purpose of using specific forms*. As an example Baker mentions the English continuous *–ing* form (ibid: 25). In the Latvian language there is no such form, e.g. *I run* or *I am running*, which in Latvian does not exist in this form, so in translation it would be *es skrienu* in both cases, but if in Latvian would add *šobrīd* or *tagad* (e.g. *es šobrīd skrienu)*, then it would correspond to English phrase *I am running* and it would make a difference in the frequency.

The final of Baker's types of non-equivalence is *the use of loan words in the source text*. Loan words can add the 'subject matter' of the text, but it is not always possible to find 'a loan word with the same meaning in the target language' (ibis.). This leads to the problem called 'false friends' which are words or expressions which have the same form in two different languages but the meanings in each language is completely different (ibid.). Also Žīgure (2006: 192-203) discusses the problem with False Friends, particularly in legal language. An example is the English word *civil* which in Latvian means *pilsonis*, *civils*, *pieklājīgs* or *laipns,* while in Latvian the term *civils* is translated into English as *civil* or *civilian.*

To summarize this chapter, 'equivalence is no longer a set of criteria which translations have to live up to, but is rather the group of features which characterizes the particular relationships linking each individual TT with its ST' (Shuttleworth and Cowie, 1997: 51). Although there are different theories on equivalence, it is effectively just guideline to assess the relationship between languages. Likewise just as there are many types of equivalences introduced by different scholars, so there are also many types of non-equivalence which have been raised, but, as Baker states, 'not every instance of non-equivalence […] is going to be significant' (Baker, 1992: 26). It is not possible 'to reproduce every aspect of meaning for every word in a source text' (ibid.). The most common cases of non-equivalency are when there the SL and the TL cultures are completely different; when the SL is semantically complex; and the SL concept is not lexicalized in the TL (Baker, 1992: 20-6). In the case of

legal translation and the transfer of terms it is the differences between the common law system and the civil law system that interact in the case of English – Latvian and Latvian – English translations.

3. ANALYSIS OF PROBATE-RELATED TERMS IN THE TRANSLATION OF REGULATION NO. 650/2012 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 4 JULY 2013

This chapter analyses probate-related terms in the translation of Regulation No. 650/2012 of the European Parliament and of the Council of 4 July 2013. These relate to jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the European Certificate of Succession, and to examine probate-related terms the present research attempts to correlate the employed Latvian equivalents with terminological equivalents used in the Latvian Civil Law of 1937, specifically the Chapter on Inheritance Law.

3.1. Methodology

In order to achieve the aim of the present research, which is to analyse probate-related terms used as equivalents in the Latvian translations of English legal texts, the following documents were used for qualitative analysis of the transfer of probate – related terms: Regulation No. 650/2012 of the European Parliament and of the Council of 4 July 2013 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession (further Regulation 650/2012) the Latvian Civil Law of 1937, chapter on Inheritance Law. The analysis also included probate-related terms given by legal dictionaries in both languages.

Regulation No. 650/2012 was adopted on 4 July, 2013 with the aim of harmonizing succession law across EU member states. Regulation No. 650/2012 has been translated into all the official languages of EU. In this Regulation, probate-related terms are the officially approved terms, recognized by the European Parliament and the Council as it is an official document concerning all EU countries. All the translations of the given Regulation are equal in their legal effect and the content and interpretation must be identical to prevent any ambiguity and ensure clarity and precision. The Latvian Civil Law of 1937 was formulated and enacted in 1938, reinstated in 1992 and regulates probate-related matters in Latvia, prescribing likewise terminology to be used in all succession related matters.

As to the theory, qualitative approach deals with the structure and characteristics of the text or items analysed (Litosseliti, 2010: 52). To enhance the analysis, probate-related terms were introduced with their definitions in English, mostly provided by Black's Law Dictionary (1968) or the Farlex Legal online dictionary (online 4). Latvian equivalents for probate-related terms were taken from the Latvian translation of Regulation No. 650/2012 and compared with terminology used in the Latvian Civil Law of 1937 and The Glossary of the Civil Law of 1937, as well as equivalents given in other dictionaries such as the English–Latvian online dictionary *Letonika* (online 5), the Dictionary of Legal Synonyms (1993), and the LZA database (online 8) etc. . The analysis of the terms and suggestions were formulated according to the theory on term formation principles and the theory on equivalence between the source language and the target language.

3.2. The Latvian Civil Law of 1937 and Regulation (EU) No 650/2012 as the source of probate-related terminology

The Latvian Civil Law of 1937 is used as one of the sources to find the relevant probate-related terminology to be discussed. The Latvian Civil Law was adopted on 28th January, 1937 according to www.likumi.lv. Therefore this law along with its terminology is eighty years old, however, the English translation of this law was published in 2001. According to the Legal Dictionary (online 4), the civil law system, which traces its roots to ancient Rome, is governed by doctrines developed and compiled by legal scholars over time. The civil law system is adopted in most European countries and also for example in South America, while a common law system is adopted in the UK and most of the countries of the Common wealth as well as its former colonies that include the United States of America and Canada.

Nevertheless, it should be stressed that the document of Regulation No. 650/2012 was originally written in English and it has been translated since into all official EU languages. As English is the lingua franca and one of the official languages of the European Union, in the case of translating English legal texts into Latvian the effort is complicated by the fact that terminology of civil law must be used in conveying concepts that have originated in common law.

3.3. Terms related to probate proceedings

The term *probate* and its collocations are widely used in the jurisdiction of English speaking countries. The roots of this term come from Latin *probatum* "a thing proved", but in the jurisdiction have been for the subject of debate since 1960's (online 4). Firstly, it was introduced in the United States legislation, thus the term is used in the common law system. According to the Black's Law Dictionary, the term *probate* means

> 'A judicial act or determination of a court having competent jurisdiction establishing the validity of a will. The proof before an ordinary, surrogate, register, or other duly authorized person that a document produced before him for official recognition and registration, and alleged to be the last will and testament of a certain deceased person, is such in reality' (Black's Law Dictionary, 1968: 1365).

Another definition of *probate* is 'the court process by which a will is proved valid or invalid. The legal process where in the estate of a decedent is administered' (online 4). It means that probate includes all the process to prove that the will is valid, which is under the Inheritance law. This term is that, although used in all English speaking countries, is not used in the English translation of the Latvian Civil Law or any other legal document translated from Latvian into English. There are no precise equivalents of this term and its collocations in Latvian from English. According to the English – Latvian online dictionary *Letonika* (online 5), the term "probate" means "testamenta apstiprinājums", or "to probate" is "testamenta apstiprināšana". The Legal dictionary offers Latvian equivalents "testamenta pierādīšana", "testamenta īstuma pierādījums", "testamenta apstiprināšana", "apliecināta testamenta kopija" (Juridisko Terminu vārdnīca, 2008: 374). "Probate" is "testamenta atzīšana par spēkā esošu" (Dictionary of Legal Synonyms, 1993). The term is found also in the following collocations: "probate process", "probate court", "probate matters", "probate jurisdiction", "probate code, probate duty" and "probate proceeding" "probate judge".

According to the Legal Dictionary, *probate process* involves 'collecting the decedent's assets, liquidating liabilities, paying necessary taxes, and distributing property to heirs' (online 4). Whilst *Probate proceeding* is 'general designation of the actions and proceedings whereby the law is administered upon the various subjects within probate jurisdiction' (Black's Law Dictionary, 1968: 1366).

Probate court is 'a special court with power over administration of estates of deceased persons, the probate of wills, etc.' (online). 'The court of probate may decide that a given

instrument is a will, and yet the court of construction may decide that it has no operation, by reason of perpetuities, illegality, uncertainty, etc.' (Black's Law Dictionary, 1968: 386). According to legal dictionary "probate court" is "testamentu tiesa" (Dictionary of Legal Synonyms, 1993)

Probate matters are 'matters pertaining to the settlement of estates of deceased persons' (ibid: 1366).

Probate judge is 'the judge of a court of probate' (ibid.)

Probate jurisdiction is 'the exercise of the ordinary, generally understood power of a probate court, which includes the establishment of wills, settlement of decedents' estates, supervision of guardianship of infants, control of their property, allotment of dower, and other powers pertaining to such subjects' (ibid).

Probate code is 'The body or system of law relating to all matters of which probate courts have jurisdiction' (ibid.).

Probate duty is 'a tax laid by government on every will admitted to probate or on the gross value of the personal property of the deceased testator, and payable out of the decedent's estate' (Black's Law Dictionary, 1968: 1366). In the English – Latvian online dictionary *Letonika* "Probate duty" is translated as "mantojuma nodeva" (online 5).

On the basis of Latvian dictionaries and it's offered translations for the term "probate" and according to the definitions given for probate-related terms by Black's Law dictionary the closest equivalents in Latvian could be as follows:

Probate – Testamenta apstiprināšana
Probate process – testamenta izpildes process
Probate proceeding – testamenta izpildes process
Probate court – Testamentu izpildes tiesa
Probate matters – Tieslietas attiecībā pret testamenta izpildi
Probate judge – Testamentu apstiprināšanas tiesnesis
Probate jurisdiction – testament izpildes jurisdikcija
Probate code – Testamenta apstiprināšanas kodekss
Probate duty – testamenta apstiprināšanas nodeva

In actual fact, the diversity of variants for the term "probate" is not a welcome development as certain uniformity is required and thus it seems more logical to select the meaning "testamenta izpilde" as the definitive equivalent for the term "probate" in Latvian legal terminology. It must be noted that none of the previously discussed terms have been used in the English translation of the Latvian Civil Law of 1937. Nor has it been used in the English text of Regulation (EU) No 650/2012.

3.4. The Analysis of Inheritance and Succession Term use

In Regulation (EU) No 650/2012 probate-related matters go under the term *succession* which according to the Legal Dictionary means ‘the statutory rules of inheritance of a dead person's estate when the property is not given by the terms of a will’ (online 4). Other dictionary adds that it is ‘the devolution of title to property under the law of descent and distribution’ (Black’s Law Dictionary, 1968: 1599). In Latvian translation of “succession” in Regulation (EU) 650/2012 is “mantošana”. E.g.:

> (60) | In order to take into account the different systems for dealing with matters of **succession** in the Member States, this Regulation should guarantee the acceptance and enforceability in all Member States of authentic instruments in matters of **succession**.
>
> (60) | Lai ņemtu vērā dalībvalstu atšķirīgās sistēmas **mantošanas** lietu risināšanai, šai regulai būtu jānodrošina publisku aktu **mantošanas** lietās akceptēšana un izpildāmība visās dalībvalstīs.

The LZA database translates “succession” as “mantošana” or “secība”. Other dictionary offers “secība”, “virkne” and “mantošana” as the last option. *Juridisko Terminu Vārdnīca* (2008: 435) translates this term as “tiesību pēctecība”, “mantošana” or “īpašums, kas pāriet mantojumā”. The Dictionary of Legal Synonyms (1993: 2151) also gives the first meaning of this term “secība” and the second meaning “pēctecība” and “mantošana”. The Glossary of the Civil Law does not offer such a term at all. Thus, the English term “succession” has more than one meaning in Latvian which makes it ambiguous. Another term used to “succession” is “sukcesija” (Juridisko Terminu Vārdnīca, 2002: 171) which according to the online dictionary *Tezaurs* means ‘tiesību pēctecība’ (online 7). Thus it means that a person who receives the inheritance, receives also all the obligations which are linked to the inheritance. The term “sukcesija” is a loan word, and this term could be used between the professionals of this field, because the term does appear only in one dictionary of all the dictionaries used for the present research. However, in view of the main principles laid down for term formation in Latvian loan words are not considered to be a welcome practice in Latvian terminology.

In the English translation of Civil Law of the Republic of Latvia the focus is not on the succession of heirs who stand to inherit but on the estate of the deceased *inheritance* that means

> ‘Whatever one receives upon the death of a relative due to the laws of descent and distribution, when there is no will. However, inheritance has come to mean anything received from the estate of a person who has died, whether by the laws of descent or as a beneficiary of a will or trust’ (online 4).

According to the LZA database, the equivalent of this term in Latvian is “mantojums”, “mantošana”, “pārmantošana”, “testamentārais mantojums”, and “iedzimšana”. The Glossary of Civil Law gives the translation “mantojums” (the Glossary of Civil Law, 2001: 82). The translation “testamentārs mantojums” refers to the other term “testamentary inheritance” (discussed below). “Pārmantošana” and “iedzimstība” are associated with characteristics, diseases or talents which could be “inherited” from preceding generations. Another dictionary gives the following equivalents: “mantojums” or “mantošana” (online 6). Juridisko Terminu Vārdnīca (2008: 264) lists the following equivalents: “mantojams nekustams īpašums” and “mantošana”, but Dictionary of Legal Synonyms (1993: 282) - “mantošana”, “mantojums”..

In Regulation 650/2012 the term “succession to the estate of a deceased person” has the Latvian equivalent “mirušā atstātā mantojuma mantošana” which could be considered as word-for-word translation and is offered also in the LZA database.

Another term used in Regulation 650/2012 is “succession proceedings” which has the Latvian equivalent “tiesvedība mantošanas lietā”. In this case the previously discussed term “probate proceedings” could have been used as it would cover all the process of succession..

Another term used in Regulation 650/2012 is “succession property” with the Latvian equivalent “mantojamais īpašums” while the “European Certificate of Succession” has the Latvian equivalent “Eiropas mantošanas apliecība”.

In Latvia there are three ways how to inherit. The first way is with “intestate succession”. The term used in both documents, the Civil Law and Regulation 650/2012, is “intestate succession” with the Latvian equivalent “likumiskā mantošana”. However, it must be noted that there are two equivalents for “intestate succession” - “mantošana, trūkstot testamentam” listed by the Dictionary of Legal Terms (Juridisko Terminu Vārdnīca, 2008: 435), and “likumiskā mantošana” given by the LZA database. Preference should be given to the equivalent “likumiskā mantošana” as it is the term used in the Latvian Civil Law of 1937 while the second equivalent might have appeared due to some misinformation and lack of information..

Another way how to inherit is with “testamentary inheritance” which is ‘succession to an estate under and according to the last will and testament of the decedent’ (Black’s Law Dictionary, 1968: 841) with the Latvian equivalent “testamentārā mantošana” which is used in the Civil Law of 1937 and given in the LZA.

The last type of the possibility to inherit is “contractual inheritance” which is used in the Latvian Civil Law of 1937 as “līgumiskā mantošana”.

Another term from Regulation 650/2012 and the Inheritance law, which should be discussed, is "opening of the succession" with the Latvian equivalent "mantojuma atklāšana". In the Civil Law and the Glossary of Civil Law (2001: 92) the term "mantojuma atklāšanās" is used and it can assumed that the different equivalents have appeared due to the translator's lack of knowledge of Latvian civil law terminology.

The next term used in the probate-related terminology is "the right to accept or to waive the succession" and the equivalent given is "tiesības pieņemt vai atraidīt mantojumu". In the Chapter on Inheritance Law English terms used are "acceptance of an inheritance" and "renunciation of an inheritance", in the latter case due to some reason ignoring the existing English equivalent and using another term "renunciation" although, according to most dictionary sources, the given word means 'an act or instance of relinquishing, abandoning, repudiating, or sacrificing something, as a right, title, person, or ambition, like in: *the king's renunciation of the throne'* (online 10). The LZA database also gives the definition of "the right to accept or to waive the succession" as "tiesības pieņemt vai atraidīt mantojumu" (online 8). It can be assumed that the term was entered into the database at a later date and the translation of the Civil Law and the Glossary have not been updated.

The term "exclusion from inheritance" is another term related to probate matters. It has several Latvian equivalents - in the Latvian Civil Law the equivalent is "atstumšana no mantojuma", The term used in Regulation 650/2012 is a terminological synonym "disinheritance" with the same Latvian equivalent "atstumšana no mantojuma". The Dictionary of Legal Synonyms (1993: 215) gives the equivalent "atņemt mantošanas tiesības", while in the English – Latvian online dictionary *Letonika* gives the equivalent "izslēgt no mantojuma" (online 5) that is frequently used by the general public, presumably, as a loan from the Russian language.

"The right of inheritance" used in the Latvian Civil Law of 1937 has the equivalent "mantošanas tiesības" in the Latvian text . In Regulation 650/2012 the term "the rights in the context of a succession" which in the Latvian has the equivalent "tiesības attiecībā uz mantošanu". The LZA database offers both English terms "succession rights" and "inheritance rights" as equivalents for "mantošanas tiesības". The Dictionary of Legal Synonyms gives (1993: 1112) "pēctecības tiesības" as the equivalent for "right of succession".

The term "inheritance contract" used in the Latvian Civil Law of 1937, and "agreement as to succession" used in Regulation 650/2012 have one Latvian equivalent "mantojuma

līgums" which has been recorded also in the LZA database as "agreement as to succession" - "mantojuma līgums" (online 8).

The terms "inheritance duty" and "inheritance tax" have the Latvian equivalent "mantojuma nodoklis" (online 8) thus in a way creating confusion as the inheritance tax is paid in common law countries, while in Latvia heirs pay the inheritance duty, which is calculated in percentage terms from the value of the estate. The Latvian equivalent for the term "succession/inheritance duty" should change to "mantojuma nodeva" to comply with law.

3.5. Types of the inheritance

The term "inheritance" has the Latvian equivalent "mantojums" and it covers itself all the movable and immovable property which is possible to inherit, while the term "succession" (Latvian "mantošana") includes all the encumbrances and duties which come together with inheritance. There is a cluster of terms that are used in probate-related matters and designate specific material relationship to inheritance.

The first term that should be discussed is "legacy". According to the Glossary of Common Probate Terms "legacy" means 'an old legal word meaning a transfer of personal property by will. The more common term for this type of transfer is bequest or devise' (Online 9). "Legacy and "bequest" are equivalent terms and denote property of any kind left to a persona s a gift by the deceased. Black's Law Dictionary points out that 'in strict common-law terminology "legacy" and "device" do not mean the same thing and are not interchangeable, later being used only in relation to real estate' (Black's Law Dictionary, 1968: 1113). The Latvian equivalent "legāts" used in the translation of Regulation 650/2012 and the Chapter on Inheritance law has been incorporated in Latvian legal terminology with the formulation of the Civil Law of 1937. A.Būmanis in his "Civīltiesību vārdnīca" gives the origin of the term in Latin *legatum,* meaning *legacy* or *gift* (Būmanis, 1937::25). Juridisko Terminu Vārdnīca lists two Latvian equivalents "legāts" and "atsevišķa mantojuma priekšmeta testamentārs novēlējums" (Juridisko Terminu Vārdnīca, 2008: 214), while Dictionary of Legal Synonyms lists also the meaning "novēlējums" (Dictionary of Legal Synonyms, 1993: 293). The English – Latvian online dictionary *Letonika* lists "mantojums" and "novēlējums" (online 5). All of the equivalents are in active usage; however, distinction must be made as "legacy" and "bequest" still designate a particular gift made by the deceased

to a specific person, and the Latvian equivalent “mantojums” can easily be misinterpreted to mean the iestate.

According to the Black’s Law Dictionary, the term “estate” ‘designates the property (real or personal) in which one has a right or interest; the subject-matter of ownership’ (Black’s Law Dictionary, 1968: 643). Another, more specific definition is provided by the Farlex Legal Dictionary:

> When used in connection with probate proceedings, the term encompasses the total property that is owned by a decedent prior to the distribution of that property in accordance with the terms of a will, or when there is no will, by the laws of inheritance in the state of domicile of the decedent’. (Online 4)

It means that everything a person owns either the realty or personally, is his “estate”. Latvian lexicographic sources list a whole set of equivalents for the term “estate”: “mantojums” or “mantojuma masa” (Dictionary of Legal Synonyms, 1993: 259), and “īpašums”, “mantiska interese par nekustamu īpašumu” (Juridisko Terminu Vārdnīca, 2008: 214), as well as another term is given “estate of decedent” (“mirušā īpašums”) (ibid.). The LZA database gives the following equivalents: “mantojums”, “īpašums” or “manta”, as well it gives the term “estate of the deceased person” (“mirušā atstātā manta”) (Online 8). In Regulation 650/2012 the term ‘estate” apperas in several other terms:

1. “The assets of the estate” with the Latvian equivalent “mantojumā ietilpstošā manta”. The LZA database offers also “mantojamais īpašums”, but “mantojumā ietilpstošā manta” is more precise equivalent in the given case as it specifies the composition of the estate.

2.“Administrator of the estate” with the Latvian equivalent “mantojuma pārvaldnieks”, and “administer the estate” - “pārvaldīt mantojumu”, in direct conformity with the terminology used in Latvian Civil Law of 1937 the term “pārvaldīt mantojumu”.

3. In Regulation 650/2012 the term “estate” is used in its both meanings – as property and as inherited property, and only the context allows to choose the appropriate Latvin equivalent, which certainly puts to test the translator’s background knowledge of Latvian legal terminology.

> (37)| […] For reasons of legal certainty and in order to avoid the fragmentation of the succession, that law should govern the succession as a whole, that is to say, all of the property forming part of **the estate**, irrespective of the nature of

> the assets and regardless of whether the assets are located in another Member State or in a third State.
>
> (37)| […] Juridiskās noteiktības labad un lai izvairītos no mantošanas sadrumstalotības, ar minētajiem tiesību aktiem būtu jāreglamentē mantošana kopumā, proti, viss īpašums, kas veido daļu no **mantojuma**, neatkarīgi no mantas veida un neatkarīgi no tā, vai manta atrodas kādā citā dalībvalstī vai trešā valstī. (Regulation 650/2012)

And

> (50) | […] The binding effects of such an agreement as between the parties, should be without prejudice to the rights of any person who, under the law applicable to the succession, has a right to a reserved share or another right of which he cannot be deprived by the person whose **estate** is involved.
>
> (50) | […] Šāda līguma saistošo spēku starp pusēm, nebūtu jāskar tādas personas tiesības, kurai saskaņā ar mantošanai piemērojamiem tiesību aktiem ir tiesības uz neatņemamo daļu vai citas tiesības, kuras tai nevar atņemt persona, uz kuras **īpašumu** tas attiecas. (Regulation 650/2012).

Two other terms used in the English translation of the Latvian Civil Law are "tangible property" and "intangible property" for Latvian terms "ķermeniska lieta" and "bezķermeniska lieta". Black's Law Dictionary defines "tangible property" as property 'which may be felt or touched, and is necessarily corporeal, although it may be either real or personal' (Black's Law Dictionary, 1968: 1627) while "intangible property" is defined as property, which 'has no intrinsic and marketable value, but is merely' the representative or evidence of value, such as certificates of stock, bonds etc.' (ibid: 946). The LZA database lists several Latvian equivalents for the term "tangible property" "materiāls īpašums" and as well "ķermeniska lieta", and "intangible property" as "nemateriāls īpašums" or "bezķermeniska lieta" (online 8). In the context of probate it would be advisable to use Latvian equivalents "ķermeniska lieta" and "bezķermeniska lieta" as terms used in the Civil Law although practice shows that legal professionals themselves are not consistent in using appropriate terminology and often the language of the Civil Law has been considered to be outdated as it was developed and adopted in the 30ties of the 20th century.

3.6. Terms Referring to Parties in Probate Proceedings

Probate proceedings include several parties - "heirs", "legatees", "testator", "deceased", "successor", "executor of the will", "the surviving spouse", "descendants", "ascendants", "estate-leaver" and "beneficiaries". Besides these terms, there are also other derivatives which are used to describe processes which include these persons.

“Heir” in both of the documents is translated as “mantinieks”, this term is unequivocal. Derivatives which are created from the term “heir” and are offered by the Legal Dictionary are: “heirdom” (“mantošana, mantojums”), “heirship” (“mantinieka statuss”, “mantinieka tiesības”) and “heiress” (“mantiniece”) (Juridisko Terminu Vārdnīca, 2008: 254).
Another term used in the Inheritance law and in the Glossary of Civil Law is “heir by intestacy” which translates as “likumiskais mantinieks”.

> 780. Ja tuvākais **likumiskais mantinieks** iecelts bez viņa ziņas par mantinieku testāmentā, tad ar mantojuma atraidījumu, neatkarīgi no tam, kādos izteicienos tas izteikts, viņš nezaudē tiesību mantot pēc testāmenta.
>
> 780. If the nearest **heir by intestacy** has been appointed heir in a will without his or her knowledge, then by a renunciation of the inheritance, regardless of the manner of its expression, he or she shall not lose the right to inherit pursuant to the will. (The Latvian Civil Law of 1937)

The word “intestacy” has no official Latvian translation, but according to the definition provided by the Black’s Law Dictionary, it means “the state of condition of dying without having made a valid will, or without having disposed by will of a part of his property” (Black’s Law Dictionary, 1968: 1032). The Legal Dictionary offers “heirs by intestacy” with the meaning “mantinieks pēc likuma”, “mantinieks, ja nav testamenta” (Juridisko Terminu Vārdnīca, 2008: 254).. The given practice is not advisable as terms used in the approved Civil Law should be used and any other variant used as an equivalent even though it conveys the same content cannot be considered to be the officially approved equivalents in the TL for the term of the SL.

Another type of “heirs” is “forced heir” with the equivalent Black’s Law Dictionary in the Civil Law, also listed by the LZA database and the Glossary of Civil Law. According to the Black’s Law Dictionary the term designates ‘persons whom the testator or donor cannot deprive of the portion of his estate reserved for them by law, except in cases where he has a just cause to disinherit them’ (Black’s Law Dictionary, 1968: 774). It would be interesting to investigate the etymology of the term “forced heir” in particular the conditions that necessitated the use of the adjective “forced”, however, it is not the subject of the present research.

Another term used to designate an heir is a “legatee”. According to the Online Legal Dictionary, it means

> ‘a person or organization receiving a gift of an object or money under the terms of the will of a person who has died.Although technically a legatee does not receive real property (a devisee), "legatee" is often used to designate a person who takes anything pursuant (according) to the terms of a will. The best generic term is beneficiary, which

> avoids the old-fashioned distinctions between legatees taking legacies (personal property) and devisees taking devises (real property),terms which date from the middle ages'.

According to the Black's Law Dictionary, it is 'the person to whom a legacy is given' (Black's Law Dictionary, 1968: 1043). The Latvian equivalent used in the Civil Law is "legatārs". A. Būmanis' Dictionary of Civil Law Terms (Civīltiesisko terminu vārdnīca) gives the origin of the term "legatārs": legatārs, Lat. *legatarius*, *honoratus*. Germ. *der Honorirte*, *Bedachte*, Russ. *легатарій*" (Būmanis 1937 : 25) revealing that the etymology of the Latvian equivalent легатарій. The LZA database offers two equivalents "legātārs" and "mantinieks" while the English – Latvian online dictionary *Letonika* offers only "mantinieks" (online 5), but the Glossary of the Civil Law offers only "legātārs" (the Glossary of the Civil Law, 2001: 87) which would be more appropriate in this case as it would not create any ambiguity of the meaning because the term "mantinieks" has a wider meaning and could refer also to other types of inheritance while the term "legātārs" refers only to the case of "legacy".

Another term that should be mentioned is the term "successor" - according to the Black's Law Dictionary, it means 'one that succeeds or follows; one who takes the place that another has left, and sustains the like part or character; one who has been appointed or elected to hold an office after the term of the present incumbent' (Black's Law Dictionary, 1968: 1600). It could refer to a person's status in the society, company or anything else, in the Royal Families the successor of the King etc. The LZA database gives the following equivalents for the term "succession" as "pēctecīgā aktivitāte", "pēctecis" or "pārņēmējs" while the English-Latvian dictionary lists the equivalents "pēctecis" and "pārņēmējs". In the Glossary of the Civil Law the English term "successor" is given in the following terminological designations - "successor to the rights" or "successor in interest" with the Latvian equivalent "tiesību pēcnieks". In the context of inheritance law the term "successor" has the Latvian equivalent "pēcnieks" (the Glossary of the Civil Law, 2001: 105). Juridisko Terminu Vārdnīca offers the following equivalents "tiesībpārņēmējs" and "mantinieks" (Juridisko Terminu Vārdnīca, 2008: 435). Even though creativity is highly commendable in the context of legal texts it can cause confusion and Latvian equivalents used in the Civil Law should be used. According A. Būmanis' Dictionary of Civil Law Terms (Civīltiesisko terminu vārdnīca), the term "tiesību pēcnieks" has been taken over from Latin *successor* which, presumably is also the origin of the English term "successor" (Būmanis 1937: 55).

Another cluster of terms refers to persons who leave the inheritance: "deceased", "estate-leaver" and "testator". According to the Black's Law Dictionary, the term "deceased"

designates ‘a dead person’ (Black’s Law Dictionary, 1968: 493), while the term “testator” designates ‘one who makes or has made a testament or will; one who dies leaving a will’ (Black’s Law Dictionary, 1968: 1645). The Latvian equivalent “mirušais” is used in the Chapter on Inheritance Law and Regulation 650/2012; however, the term “estate-leaver” that has the Latvian equivalent “mantojuma atstājējs” in the Chapter on Inheritance Law and the Glossary of the Civil Law is not listed in English legal dictionaries, and presumably it has been formed in the process of translating the Latvian Civil Law into English. The term “testator” with the Latvian equivalent “testātors” has Latin origin given also in A. Būmanis’ Dictionary of Civil Law Terms: Lat. *testator,* Germ. *testator*, Russ. *завещатель* (Būmanis 1937 : 54). The term “testators” has also synonyms, thus Juridisko Terminu Vārdnīca lists “testators” and “novēlētājs” (Juridisko Terminu Vārdnīca, 2008: 449), the LZA database lists also the term “mantojuma atstājējs”. “Mantojuma atstājējs” would be more acceptable for Latvian than “testators” as it is a foreign word according to ISO TC term formation principles (see *preference for the native language*). Nevertheless, the term “testātors” is officially approved equivalent used in the Chapter on Inheritance Law and Regulation 650/2012.

The next term used in both the Civil Law and Regulation 650/2012 is a “surviving spouse” which in both of the cases has the Latvian equivalent is used as “pārdzīvojušais laulātais”. The definition of the term is ‘a person whose spouse has died and who has not remarried’ (online 4). The LZA database, as well as the Dictionary of Legal Synonyms gives the same equivalent for English term into Latvian. The Latvian term “atraitnis/atraitne”, which corresponds to English definition of the term “surviving spouse” meaning a person who has not married after the demise of his/her spouse, is used in communication by the general public laymen (online 7).

The next term is “beneficiary” meaning ‘one for whose benefit a trust is created […] A person having the enjoyment of property of which a trustee, executor, etc., has the legal possession.’ (Black’s Law Dictionary, 1968: 199). The LZA database offers several equivalents “labuma guvējs”, “labuma saņēmējs”, “ieguvējs” “beneficiārs” (online 8). The same can be said about the English –Latvian online dictionary Letonika offering the following equivalents - “saņēmējs”, “labuma guvējs” and “labumguvējs” (online 5). The existence of several variants of equivalents is not a practice that should be stimulated as it may generate confusion and misunderstanding and the translator/intepreter may be accused of professional incompetence and certain consistency of use should be achieved, in particular in the case of legal terms and their equivalents.

The last two terms that should be discussed are “descendants” and “ascendants”. The definition of the term “descendant” is ‘one who is descended from another; a person who proceeds from the body of another, such as a child, grandchild, etc., to the remotest degree’ (Black’s Law Dictionary, 1968: 530) while the term “ascendant” denotes a person ‘with whom one is related in the ascending line; one's parents, grandparents, great-grandparents, etc.’ (Black’s Law Dictionary, 1968: 146). According to the Legal dictionary (Juridisko Terminu Vārdnīca, 2008: 61-187) the term “descendant” has the Latvian equivalent “pēcnācējs” and the term “ascendant” – the Latvian equivalent “sencis”. The same equivalents are also listed by the English – Latvian online dictionary *Letonika* - “ascendant” as having equivalents “priekštecis” and “sencis”, and the “descendant” having the equivalents “pēcnācējs” and “pēctecis” (online 5). Latvian equivalents used in the Latvian Civil Law of 1937, “augšupējais” for “ascendant” and “lejupējais” for “descendant” have been omitted and they are found only in the the LZA database that lists Latvian equivalents “augšupējs radinieks” and “lejupējs radinieks”. This again raises the issue of the reliability of Latvian lexicographic sources, in particular in the field of law that require very thorough review to incorporate all the missing entries. .

3.7. Latinisms

There are several Latin terms in Regulation 650/2012, given without any translations in the English language and in the Latvian language. These are internationally accepted legal terms - Latinisms that as a rule are used in their original form and translation if provided is given for clarification: “inter vivos”, “in rem”, “lex rei sitae” and “lex situs”, “forum necessitatis”. “Inter vivos” (in-tur-veye-vohs) means

> Latin term for "among the living," usually referring to the transfer of property by agreement between living persons and not by a gift through a will. It can also refer to a trust (inter vivos trust) which commences during the lifetime of the person (trustor or settlor) creating the trust as distinguished from a trust created by a will (testamentary trust) which comes into existence upon the death of the writer of the will (online 4).

According to the Dictionary of Legal Synonyms (1993: 285) “Inter vivos” means “starp dzīvajiem “dāvinājums; darījums, ar kuru kāda persona īpašumu nodod citai”. The Latin term “inter vivos trust” has also an English equivalent “living trust” (online 5, online 9). In Regulation 650/2012 it has been used in the term “disposition inter vivos” with the

Latvian equivalent “darījumi inter vivos” without any explanation assuming that the reader’s competence would be sufficient for interpretation of the given legal concept.

The Latin term “in rem” means

> From the Latin "against or about a thing," referring to a lawsuit or other legal action directed toward property, rather than toward a particular person. Thus, if title to property is the issue, the action is "in rem." The term is important since the location of the property determines which court has jurisdiction, and enforcement of a judgment must be upon the property and does not follow a person. "In rem" is different from "in personam," which is directed toward a particular person (online 4).

No Latvian equivalent has been identified for this term and in the Regulation 650/2012 it has been used as “right in rem” with the Latvian equivalent “in rem tiesības”.

The next term “lex rei sitae” ‘describes ‘a legal doctrine of property law and of International private law. It is Latin for "the law where the property is situated". The law governing the transfer of title to property is dependent upon, and varies with, the lex rei sitae’ (online 4). An explanation of this doctrine has been found in Latvian “mantas atrašanās vietas likums” (Juridisko Terminu vārdnīca, 2008: 314). In Regulation it is used as “for immovable property, the lex rei sitae” and left unchanged in its original form in Latvian as “attiecībā uz nekustamo īpašumu, lex rei sitae”.

Two Latin terms have been found in English translation of the Chapter on Inheritance Law - “per capita” and “per stirpes”. The term “per capita” is ‘a term used in the descent and distribution of the estate of one who dies without a will. It means to share and share alike according to the number of individuals’ (online 4). The English – Latvian online dictionary gives the following Latvian equivalent for this term - “uz cilvēku”. However, in the Chapter on Inheritance Law an older equivalent has been used “pēc galvām”, which nowadays is mostly found in casual communication and has been superseded in more formal communication by the equivalent “uz cilvēku”. The term “per stripes” ‘(Latin, *by roots* or *stocks*; *by representation*)’ describes the situation when ‘a group represents a deceased ancestor. The group takes the proportional share to which the deceased ancestor would have been entitled if still living’ (online 4). Latvian lexicographic sources do not offer any equivalents while in the Chapter on Inheritance Law the Latvian equivalent for the term “per stirpes” is “pēc ciltīm”.

Use of Latin terms is common practice in the system of common law while in the Latvian civil law system Latin terms are a rarity rather than a regularity even though Latin studies constitute part of the training of legal professionals. Likewise the Latvian practice of providing Latvian equivalents for Latin terms is controversial as Latin terms have entered

legal theory from Roman law and describe a certain concept in a much more comprehensible way that any Latvian equivalent could do and most probably it would be wiser to use those terms in their original form with an explanation provided rather that desperately trying to form Latvian equivalents.

In summary, the research analysis gives grounds to conclude that in most cases dynamic equivalence has been sought in the transfer of English terms to Latvian terminology. In some cases Latvian equivalents might seem somewhat archaic and perhaps they should be substituted by more recent coinages, however, that would mean that the whole terminological system built during the time when the Civil Law of 1937 was formulated should be reviewed and altered, The analysis of the lexicographic sources has revealed the existence of several variants of equivalents that often are used in communication concurrently, in particular by the general public and also by legal professionals. The view that civil law terminology should be reviewed and updated has also been expressed time and again by the legal profession, although with great caution because of the scope of work that it would imply and to date no decision has been taken.

CONCLUSIONS

The precise use of terminology becomes an even more significant factor as the European Union proceeds to harmonize legislation across the member states. Probate matters also become more significant due to globalization and free movement of labour and capital across countries. One of the legislative harmonisation efforts related to cross-border succession is Regulation No. 650/2012 of the European Parliament and of the Council of 4 July 2013 on jurisdiction, applicable law, recognition and enforcement of decisions and the acceptance and enforcement of authentic instruments in matters of succession and also the European Certificate of Succession that tend to harmonize the legal basis and practices in all EU member states. These documents are translated into all the official languages of the European Union and it brings to the light the need for terminological equivalence in translation. In view of the above the present research was dedicated to the analysis of probate-related term transfer from English into Latvian.

Term formation process is very important for each subject field. Term formation depends on various factors and modes such as the subject area in which the term is used, the nature of the people who are involved in the field where the particular term will be used or the origin of the stimulus for term formation. According to ISO, there are seven principles which should be adhered to when creating a new term; transparency, consistency, appropriateness, linguistic economy, derivability, linguistic correctness and preference for a native language. Although, there are rules and guidelines to follow in creating new terms, the process may prove to be quite complicated in view of restrictions and various considerations that should be taken into account. One of the main problems is terminological equivalence.

Equivalence is ‘some kind of sameness’ between terms in the source language and in the target language, at times elusive and at times difficult to achieve as many factors should be taken into account cultural, political, social differences between the source language and the target language. Several types of equivalence have been identified by scholars - formal equivalence and dynamic equivalence (Nida), equivalence achieved through semantic translation and communicative translation (Newmark), and five types of equivalence proposed by Koller: (1) denotative equivalence which refers to the same denotation for object or concept in the real word between the TL and the SL; (2) connotative equivalence which is target-oriented; (3) text-normative equivalence is text-oriented; (4) pragmatic

equivalence which is receiver-oriented and (5) formal equivalence which focuses on stylistic features of the ST.

Despite the multitude and diversity of approaches equivalence still remains a tantalising goal to achieve and it is also proved by non-equivalence when it is almost not possible to find the best equivalent for the TL due to cultural differences between the SL and the TL, semantic complexity of the SL, differences in the word form, syntactical differences between different languages etc.

The findings of the present research demonstrate the significance of the problem also in the case of Latvian legal terminology. In the case of Latvian – English and English – Latvian translations two different legal systems interact – the common law system and the civil law system where concepts may have a different legal content and appropriate equivalents are difficult to find as the concept of the SL does not exist in the TL.

The term “probate” it-self has not approved equivalents in Latvian terminology. According to the English – Latvian online dictionary *Letonika* (online 5), the term “probate” means “testamenta apstiprinājums”, or “to probate” is “testamenta apstiprināšana”. The Legal dictionary offers Latvian equivalents “testamenta pierādīšana”, “testamenta īstuma pierādījums”, “testamenta apstiprināšana”, “apliecināta testamenta kopija” (Juridisko Terminu vārdnīca, 2008: 374). “Probate” is “testamenta atzīšana par spēkā esošu” (Dictionary of Legal Synonyms, 1993). In actual fact, the diversity of variants for the term “probate” is not a welcome development as certain uniformity is required and thus it seems more logical to select the meaning “testamenta izpilde” as the definitive equivalent for the term “probate” in Latvian legal terminology. It must be noted that none of the previously discussed terms have been used in the English translation of the Latvian Civil Law of 1937. Nor has it been used in the English text of Regulation (EU) No 650/2012. It can be concluded that dynamic equivalence has been sought in this case, not always successfully achieved.

The analysis of the lexicographic sources has revealed the existence of several variants of equivalents that often are used in communication concurrently, in particular by the general public and also by legal professionals: “beneficiary” - “saņēmējs”, “labuma guvējs”, “labuma saņēmējs”, “ieguvējs” “beneficiārs”; “tangible property” - “materiāls īpašums” , “ķermeniska lieta”; “intangible property” - “nemateriāls īpašums” , “bezķermeniska lieta”.

The existence of several variants of equivalents may generate confusion and misunderstanding and the translator/interpreter may be accused of professional incompetence and certain consistency of use should be achieved, in particular in the case of legal terms and their equivalents (online 8). In the context of probate it would be advisable to use Latvian

equivalents used in the Civil Law although practice shows that legal professionals themselves are not consistent in using appropriate terminology and often the language of the Civil Law has been considered to be outdated as it was developed and adopted in the 30ties of the 20th century.

Another group of terms used in English legal texts is Latin terms “inter vivos”, “forum necesitais” and “in rem”, which is common practice in the system of common law while in the Latvian Civil Law system Latin terms are rarely used and in most cases they are followed by an explanation. The Latvian practice of attempting to provide Latvian equivalents for Latin terms is controversial as Latin terms have entered legal theory from Roman law and describe a certain concept in a much more comprehensible way that any Latvian equivalent could do and most probably it would be wiser to use those terms in their original form with an explanation provided rather that desperately trying to form Latvian equivalents.

To conclude, the hypothesis which was set out at the beginning of the research: “The terminological transfer of legal concepts from the common law system into the civil law system must achieve equivalence of meaning and the same legal impact in the target language that the concept has in the source language” has been validated as in most cases dynamic equivalence has been sought to be achieved. Problems that have been uncovered during the research include the existence of several terminological variants, certain ignorance of the officially approved equivalents in Latvian, inconsistency in the use of correct legal terms in Latvia as well as absence of Latvian equivalents for legal concepts in English.

Further research might be focused on a more in-depth analysis of other aspects related to probate, the etymology of Latvian legal terms as well as possibilities of upgrading or modernising Latvian terminology in the field of civil law.

THESES

1. The ongoing globalization and free movement of labour and capital has gradually revealed the necessity of aligning and approximating legislation related to cross-border succession in the EU to prevent further complications caused by the diversity of rules prescribing the applicable legal procedure.
2. Two documents Regulation No. 650/2012 of the European Parliament and of the Council of 4 July 2013 on jurisdiction, applicable law, recognition and enforcement of decisions and acceptance and enforcement of authentic instruments in matters of succession and on the European Certificate of Succession, translated into all working EU languages have highlighted the problem of terminological equivalence as the key condition to facilitate avoiding misinterpretation of legal norms.
3. In the case of Latvian – English and English – Latvian translations two different legal systems interact – the common law system and the civil law system where concepts may have a different legal content and appropriate equivalents are difficult to find as the concept of the SL does not exist in the TL.
4. The analysis of the lexicographic sources has revealed the existence of several variants of Latvian equivalents that often are used in communication concurrently, in particular by the general public and also by legal professionals
5. The existence of several variants of equivalents for legal terms may generate confusion and misunderstanding and certain consistency of use should be achieved, in particular in the case of legal terms and their equivalents.
6. In the context of probate it would be advisable to use Latvian equivalents used in the Civil Law although practice shows that legal professionals themselves are not consistent in using appropriate terminology and often the language of the Civil Law has been considered to be outdated as it was developed and adopted in the 30ties of the 20th century.
7. The Latvian practice of attempting to provide Latvian equivalents for Latin terms is controversial as Latin terms have entered legal theory from Roman law and describe a certain concept in a much more comprehensible way that any Latvian equivalent could do and it would be wiser to use those terms in their original form with an explanation provided.
8. In the terminological transfer of legal concepts from the common law system into the civil law system in probate-related texts from English into Latvia dynamic

equivalence has been sought or ‘the principle of equivalent effect’ has been followed to seek the closest natural equivalent in the target language to the source-language message.

REFERENCES

1. Apinis, M., (ed.), (2002) *Latviešu- Angļu, Angļu-Latviešu Juridisko Terminu Vārdnīca*. Rīga: Kamene.
2. Baker, M. (1992). *In Other Words.* London and New York: Routledge.
3. Baker, M. (2001). *Routledge Encyclopaedia of Translation Studies.* London and New York: Routledge.
4. Black's Law Dictionary. 4th ed. (1968) St. Paul, Minn.: West Publishing Co.
5. Būmanis, A. (1937) *Civīltiesību Terminoloģijas Vārdnīca.* Rīga: n.d.
6. Cabré, M. T. (1999) *Terminology, Theory, Methods and Applications*. Amsterdam/Philadelphia: John Benjamins Publishing Company.
7. Daugavvanags, A. and Kļimoviča, N. (2008) *Juridisko Terminu Vārdnīca*. Rīga: Izdevniecība Avots.
8. *Dictionary of Legal Synonyms: Latvian-English-Latvian.* (1993) Riga: American Bar Association.
9. Fawcett, P. (1997). *Translation and Language. Linguistic Theories Explained.* Manchester: St. Jerome Publishing.
10. Hacken, P. and Panacova, R., (ed.) (2015) *Word Formation and Transparency in Medical English.* Newcastle: Cambridge Scholars Publishing.
11. Hatim, B. and Mason, I. (1990). *Discourse and the Translator.* New York: Longman.
12. Kageura, K. (2000) *The Dynamics of Terminology: A descriptive theory of term formation and terminological growth.* Amsterdam: John Benjamins Publishing Company.
13. Litosseliti, L. (2010) *Research Methods in Linguistics*. London and New York: Continuum International Publishing Group.
14. Munday, J. (2001). *Introducing Translation Studies. Theories and Applications.* London and New York: Routledge.
15. Roaf, A.H. (2001). *Qur'an Translation Discourse: Discourse, Texture and Exegesis.* London and New York: Routledge.
16. Sager, J.C. (1997) Term Formation. In Wright, S. E. and Budin, G. (eds.) *Handbook of Terminology Management. Volume 1: Basic Aspects of Terminology Management* (pp. 25-41). Amsterdam/Philadelphia: John Benjamins Publishing Company.

17. Sager, Juan C. (1990) *A Practical Course in Terminology Processing*. Amsterdam: John Benjamins Publishing Company.
18. Shuttleworth, M. and Cowie, M. (1997). *Dictionary of Translation Studies.* Manchester: St. Jerome Publishing.
19. Sidiropoulou, M. (2004). *Linguistic Identities through Translation*. Amsterdam ad New York: Editions Rodopi B.V.
20. Skujiņa, V. (2002) *Latviešu Terminoloģijas Izstrādes Principi*. 2nd ed. Riga: LVI.
21. *The Civil Law of Latvia* (2001) Tulkošanas un Terminoloģijas Centrs.
22. *The Civil Law of Latvia: Glossary of Terms.* (2001). Tulkošanas un Terminoloģijas Centrs.
23. Tiersma, P.M., (1999) *Legal Language.* Chicago and London: University of the Chicago press.
24. Venuti, L. (2000). *The Translation Studies Reader.* London: Routledge.
25. Wright, S.E., Budin, G. *Handbook of Terminology Management: Volume 1.*Amsterdam: John Benjamins Publishing Company.
26. Wüster, E. (1979) *Introduction to the General Theory of Terminology and Terminological Lexicography*. Springer: Wien.
27. Zauberga, I. (2001) *Developing Translation Competence*. Riga: The University of Latvia.
28. Žīgure, V. (2006) English-Latvian False Friends in Legal Language. In Veisbergs, A. (ed.) *Pragmatic Aspects of Translation: Proceedings of the Fourth Riga International Symposium* (pp. 192-203). Riga: University of Latvia.

Scientific articles

1. Bilikiewitz, T. (1967) *On the linguistic correctness in pharmacological terminology.* Psychiatr. (3): 381-2
2. Cabré, M. T. (2000) Elements for a theory of terminology: Towards an alternative paradigm. In *Terminology. International Journal of Theoretical and Applied Issues in Specialized Communication*. 6 (1): pp. 35-57
3. Cabré, M. T. (2003) *Theories of terminology: Their description, prescription and explanation*: John Benjamins Publishing Company 9(2): pp. 163 – 199

4. Panou, D. (2013) Equivalence in Translation Theories: A Critical Evaluation. *Theory and Practice in Language Studies.* University of Leicester. 3(1): pp. 1-6
5. Rosenburg, J. (1976) Philosophical Studies. *An International Journal for Philosophy in the Analytic Tradition*. 30(3): pp. 171-184
6. Shakerina, S. (2013). Study of Nida's (formal and dynamic equivalence) and Newmark's (semantic and communicative translation) Translating Theories on Two Short Stories. *Merit Research Journals*. 2(1): pp. 1-7
7. Valeontis, K. and Mantzari, E. (2006) *The Linguistic Dimension of Terminology: Principles and Methods of Term formation*. Athens: International Conference on Translation and Interpretation.

Internet sources

1. *Regulation no 650/2012 of the European parliament and of the Council* (2012) Available on: http://eur-lex.europa.eu/legal-content/EN-LV/TXT/?uri=CELEX:32012R0650&from=EN [Accessed on May 9, 2017]

Online 1: Cambridge Dictionary. Available on: http://dictionary.cambridge.org/ [Accessed on May 9, 2017]

Online 2: *Terminology work – principles and methods.* The International Organization for Standardization ISO 704:2009. Available on: http://semanticweb.kaist.ac.kr/org/tc37/pdocument/standards/ISO%20704.pdf [Accessed on May 9, 2017]

Online 3: ISO: International Organization for Standardization. Available on: https://www.iso.org/about-us.html [Accessed on May 9, 2017]

Online 4: Farlex Legal Dictionary. Available from: http://legal-dictionary.thefreedictionary.com/ [Accessed on May 9, 2017]

Online 5: Angļu-latviešu vārdnīca Letonika. Available from: http://letonika.lv/groups/default.aspx?g=2&r=10331062&f=1 [Accessed on May 9, 2017]

Online 6: Glosbe - Daudzvalodu Tiešsaistes Vārdnīca. Available on: https://lv.glosbe.com/ [Accessed on May 9, 2017]

Online 7: Tezaurs Online Dictionary. Available on: http://tezaurs.lv/ [Accessed on May 9, 2017]

Online 8: LZA TK Terminu Datubāze. Available on: http://termini.lza.lv/akadterm/index.php [Accessed on May 9, 2017]

Online 9: Glossary of Common Probate terms. Available on: http://www.sdcourt.ca.gov/pls/portal/docs/PAGE/SDCOURT/PROBATE2/GLOSSARY-PUBLIC.PDF [Accessed on May 9, 2017]

Online 10: Online Dictionary. Available on: http://www.dictionary.com/ [Accessed on May 9, 2017]

APPENDIX

Table 1. **Probate-related terms. English-Latvian**

English term	Translation of it in Regulation 650/2012 or Inheritance Law	Translations offered by Dictionaries
A disposition of property upon death	Pēdējās gribas rīkojums	Pēdējās gribas rīkojums
Administer the estate	Pārvaldīt mantojumu	Pārvaldīt mantojumu
Administrator of the estate	Mantojuma pārvaldnieks	Mantojuma pārvaldnieks
Agreement as to succession	Mantojuma līgums	Mantojuma līgums
Ascendants	Augšupējais	Augšupējais, augšupējais radinieks, priekštecis, sencis
Beneficiary	Labuma guvējs	Labuma guvējs, labuma saņēmējs, ieguvējs, beneficiārs
Contractual inheritance	Līgumiskā mantošana	Līgumiskā mantošana, Mantošana pēc līguma
Deceased	Mirušais	Mirušais
Descendants	Lejupējais	Lejupējais, lejupējais radinieks, pēcnācējs, pēctecis
Estate	Mantojums, īpašums	Mantojums, īpašums, mantojuma masa, mantiska interese par nekustamu īpašumu, manta
Estate of decedent	Mirušā īpašums	Mirušā īpašums
Estate of the deceased person	Mirušā atstātā manta	Mirušā atstātā manta
Estate-leaver	Mantojuma atstājējs	Mantojuma atstājējs
European Certificate of Succession	Eiropas mantošanas apliecība	Eiropas mantošanas apliecība
Exclude from inheritance	Atstumt no mantojuma	Atstumt no mantojuma, Atņemt mantošanas tiesības
Forced heir	Neatraidāmais mantinieks	Neatraidāmais mantinieks
Heir	Mantinieks	Mantinieks
Heir by intestacy	Likumiskais mantinieks	Likumiskais mantinieks, mantinieks pēc likuma
Heirdom		Mantošana, mantojums
Heirship		Mantinieka status, mantinieka tiesības
Inherit	Mantot	Mantot
Inheritable		Mantojams
Inheritance	Mantojums, Mantošana	Mantojums, mantošana, pārmantošana, iedzimstība, testamentārs mantojums, mantojams nekustams īpašums
Inheritance contract	Mantojuma līgums	Mantojuma līgums
Inheritance/succession duty		Mantojuma nodoklis
Inheritance/succession tax		Mantojuma nodoklis

Intangible property	bezķermeniska lieta	bezķermeniska lieta, nemateriāls īpašums
Intestate succession	Likumiskā mantošana	Likumiskā mantošana
Legacy	Legāts	Legāts, atsevišķa mantojuma priekšmeta testamentārs novēlējums, novēlējums, mantojums
Legatee	Legātārs	Legātārs, mantinieks
Mutual will	korespektīvs testaments	
Opening of the succession	Mantojuma atklāšana	Mantojuma atklāšana, mantojuma atklāšanās
Probate		Testamenta apstiprinājums, Testamenta apstiprināšana, Testamenta pierādīšana, Testamenta īstuma pierādījums, Apliecināta testamenta kopija
Probate code		
Probate court		Testamentu tiesa
Probate duty		
Probate judge		
Probate jursidiction		
Probate matters		
Probate proceedings		Mantošanas tiesvedība, testamenta izpildes process, testamenta lietas izskatīšana tiesā
Probate process		
Probate to will/probated will		
Succesion	Mantošana, Mantojums	Mantošana, secība, tiesību pēctecība, Virkne, secība, īpašums kas pāriet mantojumā sukcesija,
Succession proceedings	Tiesvedība mantošanas lietā	Procesuālā darbība, Lietas izskatīšana tiesā, Tiesas procedūra, Tiesvedība, prāva
Succession property	Mantojamais īpašums	Mantojamais īpašums
Succession to the estate of a deceased person	Mirušā atstātā mantojuma mantošana	Mirušā atstātā mantojuma mantošana
Successor	Pēcnieks	Pēctecīgā aktivitāte Pēctecis Pārņēmējs Tiesībpārņēmējs
Surviving spouse	Pārdzīvojušais laulātais	Pārdzīvojušais laulātais
Tangible property	ķermeniska lieta	ķermeniska lieta, materiāls īpašums
Testament		Testaments, griba
Testamentary inheritance	Testamentārā mantošana	Testamentārā mantošana
Testator	Testator	Testators, novēlētājs, mantojuma atstājējs

The assets of the estate	Mantojumā ietilpstošā manta	Mantojumā ietilpstošā manta Mantojamais īpašums
The right of inheritance	Mantošanas tiesības	Mantošanas tiesības, pēctecības tiesības
The right to accept the succession	Tiesības pieņemt mantojuma	Mantojuma pieņemšana, tiesības pieņemt mantojumu
The right to waive succession	Tiesības atraidīt mantojumu	Tiesības atraidīt mantojumu
Will	Testāments	Griba, testaments, izteikt gribu, novēlēt

Dokumentārā lapa

Bakalaura darbs "analysis of probate-related terminology in English - Latvian translations" (ar testamenta izpildi saistītās terminoloģijas analīze tulkojumos no angļu valodas latviešu valodā) izstrādāts LU Humanitāro zinātņu fakultātē.

Ar savu parakstu apliecinu, ka pētījums veikts patstāvīgi, izmantoti tikai tajā norādītie informācijas avoti un iesniegtā darba elektroniskā kopija atbilst izdrukai.

Autors: Linda Lūķe

Rekomendēju/nerekomendēju darbu aizstāvēšanai

Vadītāja: Associate Prof. Dace Liepiņa

Recenzents:

Studiju metodiķe: Sintija Karule

Darbs iesniegts Anglistikas/Sastatāmās valodniecības un tulkošanas nodaļā 24.05.2017.

Darbu pieņēma:

Darbs aizstāvēts bakalaura gala pārbaudījuma komisijas sēdē

2017. gada…… jūnijā, prot. Nr. ….., vērtējums ………………..

Komisijas sekretāre: