

***Dissertationes legilinguisticae 6***  
**Legilinguistic studies 6**

Studies in Legal Language and Communication

***Dissertationes legilinguisticae***  
**Legilinguistic studies**

***Dissertationes legilinguisticae 6***  
**Legilinguistic studies 6**

Studies in Legal Language and Communication

Investigating Equivalents  
in Polish-Hungarian Translation

Contrastive Parametric Study of Legal Terminology

Karolina Kaczmarek

Wydawnictwo Naukowe CONTACT  
Poznań 2017

***Dissertationes legilinguisticae***  
**Legilinguistic studies**

Studies in Legal Language and Communication

Editor-in-chief: Aleksandra Matulewska  
Co-editor: Karolina Gortych-Michalak

© Copyright the Author and Institute of Linguistics of Adam Mickiewicz  
University

Volume 6

ADVISORY BOARD

Marcus Galdia  
Fernando Prieto Ramos  
Hannes Kniffka  
Artur Kubacki  
Maria Teresa Liziowa  
Judith Rosenhouse

Reviewer:  
Pátrovics Péter

ISBN 978-83-65287-56-4

Wydawnictwo Naukowe CONTACT  
Poznań 2017

# Contents

1. Introductory Remarks.....	7
1.1. Purpose, Scope of Research .....	8
1.2. Research Hypothesis .....	8
1.3. Analysed Corpora.....	9
2. Relevant Dimesions for Polish-Hungarian Translatology .....	11
2.1. Branch of law to which the term refers .....	11
2.2. The time of source text creation and text status (valid or not valid).....	14
2.3. The author of the text or utterance – legal or not legal lect....	19
2.4. Text language variety .....	21
2.5. Remarks on relevant dimentions in the light of civil law and civil procedure .....	23
3. Flexible meanings.....	25
4. Semantic relations binding Polish and Hungarian legal terms .....	33
4.1. Relation of synonymy .....	34
4.1.1. Synonymous terms occurring in legislative lect .....	34
4.1.2. Synonymous terms occurring in legislative lects and other legal lects.....	37
4.1.3. Synonymous and hyperonymous terms depending on the branch of law.....	42
4.1.4. Synonymous terms inside and outside of Hungary.....	44
4.1.5. Synonymy of more or less complex language forms of the same term .....	47
4.1.6. Synonymy of terms with collocations.....	54
4.2. Relation of polysemy .....	56
4.2.1. Intra- and interlingual polysemy in the aspect of legal and vernacular lects.....	56

4.2.2. Polysemy or synonymy depending on the branch of law.....	59
4.2.3. Polysemy and synonymy of terms depending on time of text creation and type of text .....	62
5. False cognates.....	65
6. Taboo in legislative texts. Euphemisms, metaphors, archaisms ....	69
7. Translational Algorithm Application and Directives .....	83
7.1. Algorithm for monosemic term.....	83
7.2. Algorithm for linguistic polysemy .....	91
7.3. Algorithm for synonymous terms .....	95
7.4. Algorithm for legally polysemic terms .....	102
7.5. Algorithm for the term without an equivalent.....	109
8. Choosing translational equivalents for different communicative communities.....	117
9. Closing remarks.....	129
10. Summary in Polish.....	137
11. Bibliography.....	141

The financial support granted by the National Science Centre of the Republic of Poland (Sonata Bis program – the research grant no. **DEC-2012/07/E/HS2/00678**, **titled: Parametrisation of legilinguistic translatology in the scope of civil law and civil procedure**) has enabled to finance research into the following language pairs listed in the alphabetic order: Polish-Chinese, Polish-English, Polish-Hungarian, Polish-Modern Greek, Polish-Spanish, Polish-Swedish.

## 1. Introductory Remarks

Polish and Hungarian language differ significantly. Polish belongs to the group of Indo-European languages and Hungarian belongs to the Finno-Ugric group of languages. But in the same time it may be said that Poland and Hungary belong to the same cultural area, similar systems of values and also very similar systems of law build on the base of ancient Roman and continental (European) law system. Both countries are also post-communist. Historical process of law formation was very similar in both countries. It may be illustrated with the historical process of civil law development. For the reason of complicated political situation the civil law had not been codified until the 50-ies of 20th century in both countries. After the Second World War Poland and Hungary fell under Soviet domination. Under the Constitution of 1949 the Hungarian People's Republic was established, and under the Constitution of 1952 the People's Republic of Poland was established, however, both countries were still under Soviet influence. The first civil codes which have been treated as a base for modern unified civil law, were accepted in 1959 in Hungary and in 1964 in Poland. The labour unrest, which took place in the early 1980s in Poland, transformed into the Solidarity movement and led to big changes in social life and law systems of many countries in the Middle and East Europe. In the wake of „Round Table” negotiations in Poland and so-called „Triangle Table” negotiation in Hungary, the process of political system transformation began. Since the transition, especially in the 90s, social and legal structure has been changed totally in Poland and Hungary. Both Poland and Hungary accepted the free market system and in 2004 joined the European Union. Since the 90s the civil code in both country has been modified a lot of times. In 2013 the Parliament of Hungary accepted the new statute, the new Civil Code of Hungary, which came into force in March 2014. Most of the modifications relate to such areas of law as family law, company law, law regarding civic organizations. The structure and content of the new text differ in some aspects from the old one, but it is still very similar to the Polish Civil Code and, what is very important from the aspect of translation, most legal terms are the

same or similar. That is why two codes may be regarded as adequate corpora for searching for appropriate translational equivalents.

### **1.1. Purpose, scope of research**

In the presented work some ways of determining translational equivalents for terms and expressions used in Polish and Hungarian legal language are pointed out, which are stated on the basis of tentative theory of legal translation presented by Matulewska (2013). The process of verification / falsification of the theory has been carried out by extracting terms from the Polish Civil Code and the Code of Civil Procedure and then finding potential equivalents in Hungarian by choosing the most proper expressions for different recipients in given circumstances. One of the basic steps of the research was to determine the set of relevant dimensions, starting with dimensions for Polish legal language and continuing with the dimensions which should be taken into consideration when translating into Hungarian. The research method includes the comparison of parallel texts, the analysis of comparable texts, the method of making the legal linguistic reality axiomatic, and the hypothetical-deductive method which are jointly called the parametric approach to legal translation (see Matulewska 2013).

As the theoretical foundations have already been described in detail in Matulewska (2013), and also in the first part of the series (Matulewska 2017, Search for Equivalents in Legal Translation), rather the pragmatic approach of translating Polish and Hungarian legal terms will be presented here, testing the theoretical foundations proposed by Matulewska in 2013.

### **1.2. Research hypothesis**

Concepts of the Polish and Hungarian legal reality are similar to a large extent. Therefore it is frequently possible to find sufficient translational equivalents for the Polish – Hungarian pair of languages in the area of legal language. In most cases almost one-to-one



equivalent may be established, that is to say, the target language equivalent with a very close meaning to the source text term. It is because legal systems of both countries are based on the same or very similar legal foundations due to similar political history of both countries. Many Polish and Hungarian statutes may be even treated as quasi-parallel because of similar legal problems discussed in them and very similar macro and micro structures. On the basis of such legislative texts proper equivalents may be determined. Although for some terms we may find a few potential equivalents in target language, if we compare the potential equivalents in respect to relevant dimensions, we usually find out the target text equivalent which shares the largest number of properties with the source text term under scrutiny. Thus, as a result of parametrization, we may choose the most equivalent term out of the set of potential equivalents. However, there are some exceptions, that is to say, for some terms we do not have sufficient equivalents and we need to resort to the techniques of providing equivalents for non-equivalent or partially equivalent terminology.

### **1.3. Analyzed corpora**

The research corpora both in Polish and Hungarian encompassed mainly statutory instruments in the field of civil law and civil procedure, that is to say:

1. the following statutes of Polish law:
  - the Civil Code of 1964 as amended,
  - the Code of Civil Procedure of 1964 as amended, and
2. the following statutes of Hungarian civil law:
  - Act IV of 1959 on the Civil Code of the Republic of Hungary, first published as Civil code of the Hungarian People's Republic<sup>1</sup> as amended,
  - Act V of 2013 on the Civil Code of Hungary<sup>2</sup> and
  - the Hungarian Code of Civil Procedure of 1952 as amended<sup>3</sup>

---

<sup>1</sup> 1959. IV. törvény a Magyar Köztársaság Polgári Törvénykönyvéről

<sup>2</sup> 2013. évi V. törvény a Polgári Törvénykönyvről

<sup>3</sup> 1952. évi III. törvény a polgári perrendtartásról

- the Hungarian Code of Civil Procedure of 2016<sup>4</sup> and some other related statutes.

In some cases also the criminal codes or statutes regulating other branches of law were analyzed, mainly to examine if the dimension of the branch of law affects the choice of equivalents for the analyzed terms. Also non-statutory texts and statements were examined when analyzing possible meanings of terms in less formal communicational situations.

---

<sup>4</sup> 2016. évi CXXX. törvény a polgári perrendtartásról

## **2. Relevant Dimensions for Polish-Hungarian Translatology**

Because the legal systems in Poland and Hungary are very similar, it is possible to take into consideration only a few dimensions as relevant.

Looking for translational equivalents of legal terms for Polish-Hungarian pair of languages the following dimensions should be considered as relevant:

- the branch of law to which the term refers,
- the time of source text creation and text status (valid or not valid),
- the author of the term or utterance (legal or not legal texts, formal or informal communicational situation),
- text language variety.

### **2.1. Branch of law to which the term refers**

Both in Polish and in Hungarian it may occur that meaning of the term depends on the branch of law. It seems to be a rule that the terms differ in such general branch of law as civil law, criminal law, administrative law and labour law. The terms in more specific branches have rather the same meaning as the terminology of general branch to which the specific branch belongs, but there may be exceptions. The term may be used in any statute in a specific meaning but in such a case it is usually defined at the beginning of the text. The meanings of similar terms may be examined within one legal system and one language, and in comparison with two or more legal systems and two or more languages.

As an example of polysemy in meaning which results from the different branches of law the Polish term *egzekucja* may be discussed. It is used mostly in civil law or in administrative law. In the Polish civil law the term means attachment of payments taken by debt enforcement officer, which is ordered by court in form of warrant of execution, on the base of statute about executive proceedings. It should be distinguished from the execution as an enforcement, action taken to collect debts and the executive proceedings which means

procedures taken by court. Also in administrative law the term *egzekucja* means the process of collecting debts by empowered authorities and enforced by authorized persons. There are three kind of enforcements: enforcement of pecuniary benefits, enforcement of nonpecuniary benefits and enforcement on immovable property (Cioch, Studzińska 2012).

In criminal law the term *egzekucja* means realising death penalty. We may also distinguish some sub-meanings in the field of civil law; therefore we shall focus on the term *egzekucja* which means ‘debt enforcement proceedings’ and on possible equivalent terms in Hungarian. Thus, Hungarian translational equivalents for the analyzed Polish terms will be proposed.

Actually, for the reason of accuracy, the longer terms: *egzekucja komornicza* ‘execution made by a debt enforcement officer’ in civil law and *egzekucja administracyjna* ‘administrative execution, ‘administrative debt enforcement proceedings’ in administrative law should be used. Moreover, there is a term *windykacja* ‘recovery of receivables, vindication’ used in similar circumstances, for procedures accomplished by financial institutions or companies collecting debts. Vindication (debt enforcement) means legal actions taken by a creditor to recover debts owed by individuals or businesses. There are two possible steps for enforcement: amicable debt collection and judicial debt collection. Amicable debt collection means that the creditor calls the debtor to settle his/her liabilities, reminds the debtor about delays in payments in writing or by telephone or by any other means and enters into negotiations about settlement. When the debtor is not willing to cooperate, then the creditor take steps to obtain an order of payment from court and judicial debt collection is instigated. In the end, the judicial officer selected by the creditor undertakes enforcement action (Pogonowski 2007).

For the Polish term *egzekucja* used as a synonym of the term *egzekucja komornicza* two terms used in statutory instruments may be proposed as Hungarian translational equivalents: 1. *végrehajtás* and 2. *bíróági végrehajtás*. In Hungarian statute regulating debt enforcement proceedings ordered by court<sup>5</sup> within the framework of civil law procedure those two terms are regarded as synonyms. It is clarified at the beginning of the statute by a definition in the brackets, which has the following form: *bíróági végrehajtás (a továbbiakban:*

---

<sup>5</sup> 1994. évi LIII. Törvény a bírósági végrehajtásról

*végrehajtás*) ‘debt enforcement proceedings ordered by court (hereinafter referred to as: debt enforcement proceedings)’. In source-language-oriented translation into Polish the utterance ‘egzekucja sądowa (dalej: egzekucja)’ would be proposed as equivalent and in target-language-oriented translation it would be ‘egzekucja komornicza (dalej: egzekucja)’.

For the Polish term *egzekucja* used as a synonym of the term *egzekucja administracyjna* two terms used in statutory instruments may be proposed as Hungarian translational equivalents: 1. *végrehajtás* ‘debt enforcement proceedings’ and 2. *közigazgatási végrehajtás* ‘debt enforcement proceedings ordered by administrative authorities’. Translating the second Hungarian term into Polish the utterance ‘egzekucja administracyjna’ would be proposed as translational equivalent and there would be no difference for source- or target-language-oriented translation. In Hungarian statute regulating debt enforcement proceedings ordered by administrative authorities<sup>6</sup> within the framework of administration law procedure both a shorter and longer term is treated as the same, synonymous term, alike in the statute regulating similar procedures in civil law.

For the Polish term *windykacja* ‘vindication (enforcement)’ two terms may be proposed as Hungarian translational equivalents: 1. *behajtás* and 2. *adósság behajtás*. Coterminously to the terms discussed above, both terms may be applied in texts with the same meaning, thus they may be regarded as synonyms. As for now in Hungary there is no separate statute about eviction, thus the terms proposed here are not based on statutory texts but on texts prepared by lawyers or statements made in informal situations of communication (Wopera 2013).

For Polish term *firma windykacyjna* ‘debt collection company’ the Hungarian term *behajtó cég* may be proposed. The Hungarian term with meaning ‘to collect somebody’s property because of debts’ differ from the term used in similar procedures made by court or authorities, likewise in Polish legal language. However, in Polish the form of term is absolutely different but in Hungarian it is partly homonymic, *végrehajtás* – *behajtás* and it may be misleading for translators who sometimes take advantage of the agglutinative properties of Hungarian language and make translational conclusions only on the basis of parts of words.

---

<sup>6</sup> 1994. évi LIII. Törvény a bírósági végrehajtásról

It may be noticed that the Polish terms *egzekucja komornicza* ‘execution made by a debt enforcement officer’, *egzekucja administracyjna* ‘administrative execution, ‘administrative debt enforcement proceedings’ and *windykacja* ‘recovery of receivables, vindication’ and Hungarian terms *végrehajtás* and *behajtás* are convergent in the following dimensions:

- the author of the source-text: legislator,
- source-text status – statute,
- the time of source text creation – binding legislation,
- source-text legal reality – Middle East Europe legal reality.

The terms are synonymic, that is to say, in those dimensions they take on the same properties, referring to collecting debts.

The terms are complementary first of all in the dimension of branch of law. Such branches of law may be considered here as civil law, administrative law, civil procedure, administrative procedure, mediations and other regulations. The meaning of terms and the procedure differ in respect to dimension of branch of law, that is to say, in that dimension they take on different properties. They are based on different rules of law. There are different procedures for actions and the situation of debtors in the light of the law differs significantly.

## **2.2. The time of source text creation and text status (valid or not valid)**

The dimension of time is very important for Polish – Hungarian translators. As we said before, the Polish and Hungarian law has been continuously changing in a very intensive way for the last 20 years. Many terms are not valid in law anymore but they still exist in communication in some way, because they are known by ordinary people in the meaning they had been used in for 50 years. Lots of new terms have been launched into law for the last few years only, sometimes the new term replaced the old one with similar meaning and sometimes the old terms have acquired a new meaning or its meaning has broadened. Such kinds of changes in terminology are characteristic both for Polish and Hungarian legal language. The changes may be made in a very similar way and roughly in the same

time. In that case it may be a relatively easy task to find in Hungarian legal language proper translational equivalents for new Polish terms. But in many cases changes in law have not been made simultaneously in both countries. In consequence, finding a proper equivalent for two terms, which were created not only in two countries and in two languages, but practically in two different systems of law: socialistic and democratic may require implementing more complicated translational procedures.

Changes in terminology depending on valid or invalid statutes can be illustrated by the example of the Polish term *sąd* 'court' and the names of Hungarian courts.

The Hungarian court system was always strictly connected with the administrative division of the state. Nowadays the public administration in Hungary is in fact based on two branches: 1. governmental and 2. self-governmental. The governmental administration is organized into two basic units: *megye* 'voivodeship, county' and *járás* 'district, county'. The self-governmental administration is organized in the frame of *község* 'parish', which is the smallest organizational unit of administration. A few *község* 'parishes' are united under administration of *járás* 'district, county' and a few *járás* 'districts, counties' are united under administration of *megye* 'voivodeship, county'. A particular kind of division is made for the capital city. Budapest has a statute of the city with the right of *megye* 'voivodeship, county' and each of 23 districts of the capital city function as *járás* 'district, county'. Moreover, there is a self-government for the capital city as a whole and self-governments for each district of the city separately. Also a few biggest cities in the country have a statute of the city with the right of *megye* 'voivodeship, county'.

The basic principles for court structures in Hungary were established in the statute of 1869<sup>7</sup>. There were 4 kinds of courts established: *járásbíróság* 'district court' (Polish 'sąd rejonowy'), *törvényszék* 'regional court' (Polish 'sąd okręgowy'), *ítélőtábla* 'court of appeal' (Polish 'sąd apelacyjny'), *Kúria* 'Supreme Court' (Polish 'Sąd Najwyższy'). In the early period additionally a qualifier *királyi* 'royal' (Polish 'królewski') was used for courts. That 4-level court structure was transformed after the II World War – when law of Hungary changed on the basis of the Soviet model, notably the Soviet

---

<sup>7</sup> 1869. évi IV. Törvénycikk a bírói hatalom gyakorlásáról

Constitution of 1936 and Soviet statute of 1938 about courts. The first significant change of courts structure in Hungary was made in the statute of 1949<sup>8</sup>. The statute eliminated - firstly in criminal procedure - the court of third level - *ítélőtábla* 'court of appeal'. The further changes in the court system were made even without implementing statutes but with decree law. In such a way historical Hungarian names of courts were eliminated and such names were established, which were compatible with the Soviet system. Thus *Kúria* changed its name to *Legfelsőbb Bíróság* 'Supreme Court', *ítélőtábla* to *felsőbíróság* 'court of appeal', *törvényszék* to *megyei bíróság* 'county court'. By the statute of 1950<sup>9</sup> *felsőbíróság* was eliminated, thereby the possibility of appeal to the court of third level was abolished. That means that four-level court system was replaced by three-level socialistic court system.

The name of court of first instance – *járásbíróság* 'district court' is connected with Hungarian administrative unit *járás* 'district'. Such a unit existed in Hungary until 1983 but after reforms *járás* 'district' was eliminated and only two units: *megye* 'voivodeship, county' and *község* 'parish' were retained. Thus the name of *járásbíróság* 'district court' was changed to *helyi bíróság* 'local court, district court'. The name of court of second instance was *megyei bíróság* 'county court', respectively to *megye* 'voivodeship, county' administration unit. At the beginning in *megyei bíróság* not only appeals but also some type of cases on the first level were heard but after some time the role of that court evolved rather into appellate institution. The name of the court of the third instance was *Legfelsőbb Bíróság* 'Supreme Court' which supervised decisions of other types of courts.

The 3-level court structure changed for 4-level structure in 1997 when the Fundamental Law of Hungary was amended<sup>10</sup> and the new statute about structure of courts was implemented<sup>11</sup>. First of all the institution of *ítélőtábla* 'court of appeal' was restored with similar

---

<sup>8</sup> 1949. évi XI. törvénycikk a népnek a büntető igazságszolgáltatásban való részvételéről és a fellebbvitel egyszerűsítéséről

<sup>9</sup> 1950. évi IV. törvény a Magyar Népköztársaság Alkotmányának módosításáról

<sup>10</sup> 1997. évi LIX. Törvény a Magyar Köztársaság Alkotmányának módosításáról

<sup>11</sup> 1997. évi LXVI. törvény a bíróságok szervezetéről és igazgatásáról



function to the old *felsőbírótság* ‘superior court’ to take some cases from *Legfelsőbb Bírótság* ‘Supreme Court’. To sum up, 4 court levels were established again (the labour courts and administrative courts are not discussed here). On first level there was *helyi bírótság* ‘local court’. The name of that kind of court differed depending on the fact if it was in Budapest or beyond the capital city. By virtue of size and number of inhabitants, which is much bigger than in other cities of Hungary, in Budapest more courts were established. The name of court there - *kerületi bírótság* ‘district court’ – was taken from the name of administrative unit of the city: *kerület* ‘district’, for example *Budapest XX., XXI. Kerületi Bírótság* ‘District Court for the XX. and XXI. Districts’. Moreover, there were two courts for biggest areas with special, divided tasks: *Pesti Központi Kerületi Bírótság* ‘Central District Court of Pest’ and *Budai Központi Kerületi Bírótság* ‘Central District Court of Buda’. They referred to the former division of Budapest into historical cities: Buda (and also ancient city – Óbuda) and Pest, which functioned as independent cities until their unification in 1873. In other Hungarian cities the name of that type of court was *városi bírótság* ‘municipal court’ with the name of the city at the beginning. As it was said before, the statute implemented such a division in 1997 but practically the institution of *helyi bírótság* ‘local court’ functioned with that name from 1994. On the second level *megyei bírótság* ‘county court’ functioned but in Budapest the name of the court at that level was *Fővárosi Bírótság* ‘Budapest-Capital Regional Court’. Those types of courts heard some kind of cases of first level, which were specified in the statute and also functioned as appellate institution and a supervisor of decisions made by *helyi bírótság* ‘local court’. As it was said before, on the third level *ítélőtábla* ‘court of appeal’ was restored, theoretically in the statute of 1997, but practical directives about organizational matters only were established in the statute of 2002<sup>12</sup>. On the fourth level *Legfelsőbb Bírótság* ‘Supreme Court’ was established, which supervised decisions of other courts.

The last significant change in court names was made in 2012. An amendment to article 25-28 of the new Fundamental Law of Hungary from April of 2011 made a legal base for reformation of court system. Moreover, the statute about structures and functioning

---

<sup>12</sup> 2002. évi XXII. Törvény az ítélőtáblák és a fellebbviteli ügyész szervezetének és illetékességi területének megállapításáról

of Hungarian courts was approved in 2011 and entered into force from the beginning of 2012<sup>13</sup>. According to the new statements of Fundamental Law of Hungary the court system has a few levels. Though in that Constitution the amount of court levels is not determined, the new statute about courts upholds the system of four levels.

The need for renewal after socialistic period is stressed in the new Fundamental Law of Hungary of 2011. In the framework of court system reform, the old, traditional names have been restored, referring to the times before Soviet domination, that means to the times before the period which is considered as very disadvantageous for Hungary. The new Fundamental Law of Hungary among other things changes the name of Hungarian Supreme Court from *Legfelsőbb Bíróság* to *Kúria*, which was the traditional name of that institution from 14th century, while the statute of 2011 about courts changes the names of other courts. The name of *megyei bíróság* ‘county court’ was changed to *törvényszék* ‘regional court’ and names of particular courts are not connected with the name of a voivodeship (county) any more but with the name of the city they are placed in, for example *Pécsi Törvényszék* ‘Pécs Regional Court’, *Gyulai Törvényszék* ‘Gyula Regional Court’. When the administrative units *járás* were reinstated in Hungary at the beginning of 2013 the names of courts were changed. The name *helyi bíróság* changed to *járásbíróság*, with the name of a particular unit before the name of the court, for example *Debreceni Járásbíróság* ‘Debrecen Regional Court’, *Tatabányai Járásbíróság* ‘Tatabánya Regional Court’ (Bóka 2010, Mezey, Bódiné Beliznay 2007, Stipta 1998). Such significant changes in names of national institutions are treated in Hungary as symbolic and important for national culture.

---

<sup>13</sup> 2011. évi CLXI. törvény a bíróságok szervezetéről és igazgatásáról

## **2.3. The author of the text or utterance – legal or not legal lect**

It is crucial when looking for Hungarian translational equivalents for Polish legal terms to ascertain what was the status of the text with used term and who was the author of that text.

Terms may have similar meaning but they may not function as synonyms when used in separate communicational situations. It should be considered whether the term has been applied in legal or non-legal texts, or has been used by lawyers or non-lawyers and in what kind of circumstances. Some terms are usually applied in language for special purposes, for example in legal lect, and some of them are used rather in vernacular language. Both in language for special purposes and in vernacular language various lects may be distinguished, and within the framework of those lects different terms may have similar meanings.

Generally comparison of legislative texts is treated here as the most reliable base for setting up translational equivalents for legal terms. If such a method is not possible, comparison of terms used in the lect of lawyers is useful. Comparing of terms used in vernacular language seems to be the least reliable method. It is because of the expectation that statutory texts are formulated by specialists in respect to law meanings and tradition of formulating legal texts.

However sometimes such a method may be misleading without comparing the use of terms in a few diversified contexts. Legislator may use a shorter form only with one explanation for a comprehensive term at the beginning of the statute. Moreover, there may be used various forms for collocations of terms, and using one or another form may be rather random than preserved by legal tradition.

The language for special purposes is divided into specific branches, for example the language of the law, economic language, medical language. For the reason of comparing Polish and Hungarian terms it is useful to distinguish at least two lects in the framework of language of the law: the legislative lect, which means the language of statutes and other legal lects, that means languages of texts and statements connected with law reality. Moreover, legal terms may be also used in vernacular language. A lot of types of non-legal texts may be considered. Texts may be created by a person, whose profession is connected with law, like a lawyer, or a judge or a professor of law – in

this case such used terms may be regarded as professional; or they may be created by any person who would like to communicate something connected with legal matters – then the terms may be more connected to vernacular language than to law language.

The terms which may be found in Polish statutory instruments sometimes differ from the terms used in other languages for special purposes or in vernacular language, thus Polish legal lect used to be more pure than other professional lects. The economic or medical lects have many borrowings, because economists and doctors often work, do research and communicate in the international environment. Using terms which are easily recognized in many countries make communication more precise and faster. The same situation may be observed in Hungarian languages for special purposes, therefore sometimes borrowings in Polish and Hungarian are very similar within the framework of the same lect.

That kind of diversity may be illustrated by the example of term *umowa* ‘contract’. As a synonym to that term, the term *kontrakt* ‘contract’ may be used - in suitable circumstances. In Polish statutory instruments (legislative lect) usually the term *umowa* is used and in other languages for special purposes as the synonym of *umowa* the term *kontrakt* is used. In rare cases the term *kontrakt* also may be used in Polish statutes. We may find it, for example, in the statute dated 2004.04.20 about The National Development Plan<sup>14</sup> where the term *kontrakt wojewódzki* ‘voivodeship contract’, in a shorter form *kontrakt* ‘contract’ is used, but the context of using that term is connected with the law of European Union. In legislative lect the term *umowa o zarządzanie przedsiębiorstwem* ‘enterprise management agreement’ is used (The Act of 1981.09.25 on Management in State-Owned Company<sup>15</sup>). As the Hungarian translational equivalent for the Polish term *umowa* in the Hungarian legislative lect in most cases the term *szerződés* should be applied. There may be also terms similar in meaning but used in specific contexts, for example *egyezmény*, *megállapodás*, which are used rather in the context of international agreements. The term *contractus* also was used in Hungarian legislative language but nowadays it is regarded as an archaism. It may be found in Hungarian court decisions from 19th century based on statutes from those times. In other legal lects and in a vernacular

---

<sup>14</sup> Ustawa z dnia 20 kwietnia 2004 r. o Narodowym Planie Rozwoju

<sup>15</sup> Ustawa z dnia 25 września 1981 r. o przedsiębiorstwach państwowych

lect in Polish the term *kontrakt* is used very often. For example, instead of the term *umowa o zarządzanie przedsiębiorstwem* the term *kontrakt menedżerski* 'management contract' is used as a synonym. In Hungarian economic language for the term *kontrakt menedżerski* 'management contract' such translational equivalents as *vezetői szerződés* 'management contract' or '*gazdálkodási megállapodás* 'management contract' may be found. In Polish economic lect the term *kontrakt futures* 'futures contract' is used. In Hungarian economic lect there are two translational equivalents used as synonyms: *határidős ügylet* and *határidős kontraktus*. It may be observed that the first equivalent is built from words which belong to the „national” language. The second equivalent is a hybrid. It may be assumed that the first word of term: *határidős* is „national” and the second word is a borrowing from English. But in a such case, it should have a form similar to the Polish form: *kontrakt*. The form *kontrakctus* refers to an archaic word used in Hungarian law in 19th century, which was based on the Latin word '*contractus*'. There are two possibilities here: 1. the etymology of the word *kontractus* is the same as the etymology of English *contract* and Polish *kontrakt* word, 2. the word *kontractus* used in modern economic expressions is a borrowing from English but it was adapted to the needs of the modern Hungarian language on the basis of the archaism. A similar phenomenon may be observed when analyzing such terms used in vernacular language connected with economic matters, like *kontrakt piłkarski* 'football player contract' or *kontrakt lekarski* 'doctor employment contract'. For the first term at least two translational equivalents may be used as synonyms: *labdarúgó szerződése* 'football player contract' and *labdarúgó kontraktusa* 'football player contract' and for the second term at least two translational equivalents may be considered, such as *orvos szerződése* 'doctor employment contract' and *orvos kontraktusa* 'doctor employment contract'.

## 2.4. Text language variety

As a result of the provisions of the Treaty of Trianon, which was signed in 1920 and for Hungary it officially ended the Word War I, over 30% of Hungarians were left outside their country. Citizens of the Kingdom of Hungary living in settlements often located very close

to Hungarian border became citizens of Romania, Czechoslovakia, the Kingdom of Serbs, Croats and Slovenes, and Austria (Romsics 2007). After the World War II there were only small changes in that situation, some countries transformed their form and name, but Hungarians who lived there have been permanently left outside Hungary. Nowadays in the Republic of Hungary nearly 10 million people live, and more than 2 400 000 Hungarians live on the lands of the old Kingdom of Hungary, with a status of national minority. With regard to different data, depending of the sources of information, about 1 500 000 Hungarians live in Romania, 500 000 in Slovakia, 300 000 in Serbia – most of them in Autonomous Province of Vojvodina, 170 000 in Ukraine, 70 000 in Austria, 17 000 in Croatia and 10 000 in Slovenia (Bori, Masát 2008). Notwithstanding non-favorable circumstances, the Hungarians bothered to maintain the culture and language of their nation, though they had few opportunities to do that. Although the Hungarian language is treated as an official language of national minority in most of the post-Trianon territory, it was isolated from the Hungarian language which had been developing in the Republic of Hungary for almost a hundred years. That have resulted in delamination of the language for variations inside those countries. Therefore, as a result of isolation (archaisms) or assimilation (influence of other languages) some differences there may be found between Hungarian legal texts of those countries and Hungary.

Those phenomena may be illustrated by the example of the already discussed Polish term *egzekucja* ‘attachment of payments’ with such possible Hungarian equivalents as *végrehajtás* and *egzekúció*.

In some journal texts written for Hungarians in Slovakia in the Hungarian language, which touch upon legal matters or communication with local or national authorities the term *egzekúció* may be found as a synonym of the term *végrehajtás* which is used both in Hungary and in Slovakia. Moreover, as the synonym of the term *végrehajtó* ‘debt enforcement officer’ the term *egzekutor* or *exekutor* is used. The term *egzekúció* existed in the Hungarian language in the past and had the meaning of execution of property, but it is not used nowadays and the word is recognised as an archaism. In the Slovak language the term *exekúcia* exists and it is used currently in the meaning of Hungarian *végrehajtás*. In the Slovak language the term *exekutor* also exists. As it may be presumed, the Hungarian term *egzekutor*, which was found in a Hungarian text in Slovakia and which

is homonymic with the Polish term *egzekutor*, was created as a kind of hybrid. On the one hand, it is probably a borrowing from the Slovak language, on the other hand, the term was adjusted to the existing Hungarian word. Both terms are derived from a Latin word *exsecutio* (in Polish ‘wykonanie’, in English ‘performance, execution, indictment’). The “Latin” terms are used in Hungarian texts in Slovakia interchangeably with Hungarian words *végrehajtás* and *végrehajtó* (Szabó 2009). One of the reasons for the fact that the old Hungarian terms are still used in Slovakia may be that they are similar to the Slovak language and that they made the communication with Slovaks easier.

## **2.5. Remarks on relevant dimensions in the light of civil law and civil procedure**

It may be stated that in Hungarian the same hierarchy of relevant dimensions may be applied both for civil law and for civil procedure.

It must be stressed that there are very similar branches of law in Polish and Hungarian legal systems, for example the abovementioned civil law, civil procedure, criminal law, administrative law, labour law, etc. Such branches are divided into sub-branches, which also are very similar. For example, within the framework of civil law we may enumerate property law, law of obligations, family law, etc. The legal systems are coterminous not only on the level of branch of law but also have similar types of statutes with alike regulations. For example, the civil codes of both countries regulate among others:

- a person as subject of law and in this scope also such matters as legal capacity, capacity to contract or a limited capacity to contract, exclusion of capacity to contract, placement under guardianship, etc.,
- general rules governing legal persons and in this scope also the legal capacity of legal person, legal person’s name, property, liability, foundation of legal person, decision making, structure and representation of the legal person, guarantees of the lawful operation of the legal person

- inherent rights such as the right to life, health and physical integrity, right to bear name, to reputation and honor, prohibition of discrimination, right to respect the private life
- associations and foundations,

and many other matters alike. Such correspondence in law systems does not exclude distinctions in the ways of using terminology.

Similarly to substance civil law also the substance civil procedure on Hungary is very similar to Polish procedure. There are similar types of courts and cases. District courts as courts of first instance in civil cases have jurisdiction in first instance of all actions which are not delegated under the competence of regional courts by law or in some types of cases under the competence of the Curia (Supreme Court). The decisions (judgment) of the court of the first instance may be appealed. Frequent civil cases that are adjudged by the civil courts in Poland and Hungary are for example: legal disputes under property- and assets law, divorce and other cases under family law, legal disputes relating to condominium, legal disputes relating to inheritance law, legal disputes relating to joint property, legal disputes relating to damages, legal disputes relating to contracts or legal disputes relating to consumer contracts.



### 3. Flexible meanings

In many cases meaning of legal terms may be very wide. Such kind of flexible utterance is often implemented into national law fulfilling the function of *general clause* (in Polish 'klauszula generalna', in Hungarian 'generális klauszula'). On the one hand using terms with flexible meanings in Acts is indispensable to enable implementing provisions of the Act in many various situations and circumstances, on the other hand it may cause troubles with proper interpretation. Such utterances like *zasady współżycia społecznego* 'the principles of community life, public policy' and *zwyczaj miejscowy* 'local custom' may illustrate that question. The terms relate to such attitudes, which are established and accepted in the social consciousness. Such social norms are sometimes regulated by national or local law and sometimes not.

Translative unit (Polish): *zwyczaj miejscowy* 'local custom'

The utterance *zwyczaj miejscowy* 'local custom' or expressions with similar meanings are known and used in many legal systems. In vernacular language the expression means, that some kind of behaviour is expected and accepted by local society. Local customs are usually formulated for a long period of time and are limited to territorial or cultural scope. In fact it means that two dimensions overlap:

- practice of social life not regulated by law and
- legal system regulating some aspects of social life.

Such utterances like *zasady współżycia społecznego* 'the principles of community life' and *zwyczaj miejscowy* 'local custom' may be found in the following provision of Polish Civil Code<sup>16</sup>:

Article 287. The scope of land servitude and the manner of its exercise shall, in the absence of other data, be determined according to the

---

<sup>16</sup> Ustawa z dnia 23 kwietnia 1964 r. - Kodeks cywilny, art. 287. Zakres służebności gruntowej i sposób jej wykonywania oznacza się, w braku innych danych, według *zasad współżycia społecznego* przy uwzględnieniu *zwyczajów miejscowych*.

principles of community coexistence while taking local customs into account. (translated by: Lex Omega)

As utterance with meaning, which is very close to the meaning of the term *zwyczaj miejscowy* 'local custom' the expression *zwyczaj przyjęty w danym środowisku* 'a custom adopted in a given community' may be regarded, which is used in the following provision of Polish Civil Code<sup>17</sup>:

Article 922.§ 3. The estate debts shall also involve the expenses of the decedent's funeral to the extent that the customs accepted within a given environment so require, the expenses of the inheritance proceeding, the obligation to satisfy claims for the reserved portion and the obligation to perform ordinary legacies and instructions, as well as other obligations envisaged by the provisions of this Book. (translated by: Lex Omega)

Possible translational equivalents (Hungarian):

- 1) helyi szokás
- 2) helyi szokások és gyakorlat
- 3) az adott üzletágban szokásos
- 4) az adott piacon szokásos módon
- 5) minden szokás, amelynek alkalmazásában a felek korábbi üzleti kapcsolatukban megegyeztek
- 6) minden gyakorlat, amelyet egymás között kialakítottak
- 7) az adott üzletágban a hasonló jellegű szerződés alanyai által széles körben ismert és rendszeresen alkalmazott szokás.

As translational equivalents for Polish term *miejscowy zwyczaj* the Hungarian term *helyi szokás* 'local custom' would be proposed. However, though the term is linguistically similar to the Polish term *miejscowy zwyczaj* it is usually not used in modern Hungarian legislation. Such expression like *helyi szokások és gyakorlat* 'local customs and practices' (in Polish: 'zwyczaj i praktyka miejscowa')

---

<sup>17</sup> Ustawa z dnia 23 kwietnia 1964 r. - Kodeks cywilny, art. 922.§ 3. Do długów spadkowych należą także koszty pogrzebu spadkodawcy w takim zakresie, w jakim pogrzeb ten odpowiada *zwyczajom przyjętym w danym środowisku* [...].

may be found in old Hungarian legal text, for example in the Act no. XIX on 1923 about afforestation on Alföld lowlands)<sup>18</sup>.

Instead, in binding Hungarian Civil Code such utterances may be found like:

- 1) *az adott üzletágban szokásos* ‘commonplace in the given sector’<sup>19</sup>:

Article 6:247. §(1) The contractor shall deliver the works within the framework of a procedure of acceptance or verification. During the procedure the parties shall perform the checks and tests commonplace in the given sector, which are deemed necessary to verify whether performance is in conformity with the contract.

- 2) *az adott piacon szokásos módon* ‘usually employed in the commercial sale of the consignment’<sup>20</sup>:

Article 6:264. §(3) Unless proven to the contrary, it shall be presumed that the sale of the consignment is conducted under the principle of reasonable commercial practices if: b) the sale takes place under normal market terms usually employed in the commercial sale of the consignment.

- 3) *minden szokás, amelynek alkalmazásában a felek korábbi üzleti kapcsolatukban megegyeztek* and *minden gyakorlat, amelyet egymás között kialakítottak* ‘any usage which they have agreed on in prior business dealings’ and ‘any practice they have established between themselves’<sup>21</sup>:

---

<sup>18</sup> 1923. évi XIX. Törvénycikk az alföldi erdő telepítéséről és a fásításokról

<sup>19</sup> 2013. évi V. Törvény a Polgári Törvénykönyvről, 6:247. §(1) A vállalkozó a művet átadás-átvételi eljárás keretében köteles átadni, amelynek során a felek elvégzik *az adott üzletágban szokásos* azon vizsgálatokat, amelyek a teljesítés szerződésszerűségének megállapításához szükségesek.

<sup>20</sup> 2013. évi V. Törvény a Polgári Törvénykönyvről, 6:264. §(3) Az ellenkező bizonyításáig vélelmezni kell, hogy a küldemény értékesítése a kereskedelmi ésszerűség követelményei szerint történik, ha az értékesítésre b) a küldemény kereskedelmi forgalma során általában alkalmazott, *az adott piacon szokásos módon* kerül sor.

<sup>21</sup> 2013. évi V. Törvény a Polgári Törvénykönyvről, 6:63. § (5) A szerződés tartalmává válik *minden szokás, amelynek alkalmazásában a felek korábbi üzleti kapcsolatukban megegyeztek*, és *minden gyakorlat, amelyet egymás között kialakítottak*.

Article 6:63. § (5) Under the contract the parties shall be bound by *any usage which they have agreed on in prior business dealings and by any practice they have established between themselves.*

- 4) *az adott üzletágban a hasonló jellegű szerződés alanyai által széles körben ismert és rendszeresen alkalmazott szokás* ‘usage which would be considered generally applicable and widely known in the given sector’<sup>22</sup>:

Article 6:63. § (5) Furthermore, the parties shall be bound by *a usage which would be considered generally applicable and widely known in the given sector by parties to similar contracts [...].*

It may be noticed, that the Hungarian expressions are often more precise than such general statement like “local custom” because usually give kind of frames, like for example branch of law it refers to. However, although the term *helyi szokás* ‘local custom’ usually is not used in Hungarian Acts, it is often used in other legal texts, in texts written by lawyers or by journalists. The term may be used in the context of legal systems, social life and local culture. The term is also used in the context of religious laws, like for example catholic laws or islam laws, that means in the contexts of such kind of laws, which are implemented in many countries and cultures.

Translative unit (Polish): *zasady współżycia społecznego* ‘the principles of community life’

The clause of *the principles of community life* in Poland (Polish: *zasady współżycia społecznego*) was taken in 1964 directly from the (soviet) Russian civil law system and replaced the traditional terms of *reasonableness* and *good faith*. During the communist time the term were to be understood as moral rules and principles regulating inter human relations which are commonly accepted in a given period of time. After systemic changes of 90-ies the term thereafter is used in Polish civil law but the interpretation of it was accommodated to the new principles of social co-existence. It may be stated, that the Polish

---

<sup>22</sup> A szerződés tartalmává válik továbbá minden, *az adott üzletágban a hasonló jellegű szerződés alanyai által széles körben ismert és rendszeresen alkalmazott szokás.*

legal concept of the *zasady współżycia społecznego* may be now again interpreted as the equivalent to the principles of *reasonableness* and *good faith* (Grzybek, 2015).

Possible translational equivalents (Hungarian):

- 1) szocialista együttélés elve
- 2) jóerkölcs, közerkölcs
- 3) társadalmi együttélés szabályai
- 4) társadalmi együttélés általánosan elfogadott szabályai.

In Hungary very similar way of thinking about the meaning of the corresponding terms may be observed, though also some differences may be noticed. In the Hungarian Civil Law of 1959 the term *szocialista együttélés elve* may be found, which could be literally translated as ‘socialistic principles of community life’ (literally in Polish: ‘socjalistyczne zasady współżycia społecznego’). After systemic changes in 90ies the term was changed by The Act no. XIV of 1991 on Changing Some Points in Hungarian Civil Code of 1959.<sup>23</sup> It is said there, that when the statute of 1991 enter into force, the term *szocialista együttélés elve* ‘socialistic principles of community life’ shall expire. Moreover, instead of the utterance *szocialista együttélés elve* the term *jóerkölcs* ‘good morals’ should be used. The Hungarian term *jóerkölcs* ‘good morals’ sometimes is translated into English as ‘good manners’. However, the expression *good manners* has not only legal but also an ethical meaning, and these meanings are semantically different (homonymy).

The term *közerkölcs* (literally ‘common morals’) means such rules, which are commonly accepted by society, also if there is no legal rule about that. The term *közerkölcs* may be found in Hungarian Acts, which relate to international law, like for example *Convention on the Rights of the Child* of 1989. In that rule, which had been written in two languages, as the equivalent of the Hungarian term *közerkölcs* the English term *public order* is used.

The term *társadalmi együttélés szabályai* ‘the principles of community life’ is lexically very close to Polish term *zasady współżycia społecznego* and it is usually understood as set of norms accepted by society. The other similar form of the expression *társadalmi együttélés általánosan elfogadott szabályai* ‘generally

---

<sup>23</sup> 1991. évi XIV. Törvény a Polgári Törvénykönyv módosításáról

accepted principles of community life' emphasizes the fact, that the norms are commonly accepted by society. However, the term is used rather in texts connected with social life than in legislative texts, like for example in statutes, books of instructions and the like.

On the base on information mentioned above the following postulates may be formulated:

1. The concept of „local custom” is known and used both in Polish and Hungarian legal system but the Hungarian terms with similar meaning used in Acts are usually more precise.
2. In Hungarian the term *helyi szokás* is commonly used, but usually in the context of social life, modern and folksy local traditions.
3. In Hungarian the term *helyi szokás* is understandable in legal context, particularly in context of foreign legal systems.
4. The meaning of the term *zasady współżycia społecznego* in Polish legal system changed continuously and sometimes significantly, but the lexical form of the term has not changed.
5. The Hungarian utterance with meaning similar to the meaning of Polish term *zasady współżycia społecznego* changed his lexical form in legal lect (legislation).

Determining translational equivalents for the Polish term *zwyczaj miejscowy*, taking into consideration dimension of the lect, the following directives may be formulated:

1. For Polish term *zwyczaj miejscowy*, with respect to legal lect (legislation), more precise equivalent should be used in Hungarian, like for example *az adott üzletágban szokásos* 'common place in the given sector' or *az adott piacon szokásos módon* 'usually employed in the commercial sale of the consignment'.
2. As an equivalent for Polish term *zwyczaj miejscowy* the Hungarian term *helyi szokás* should be used.

Determining translational equivalents for the Polish term *zasady współżycia społecznego*, with respect to the dimension of time of source text creation, source-text legal reality and meaning, the following directives may be formulated:

3. If the term is used in the period of socialistic legal system, as an equivalent for Polish term *zasady współżycia społecznego* the Hungarian term *szocialista együttélés elvei* should be used.
4. If the term is used after the systemic changes of 90-ies, as an equivalent for Polish term *zasady współżycia społecznego* the Hungarian term *jóerkölcs* should be used.
5. If the term is used in other LSP texts, in texts describing socialistic legal reality, as an equivalent for Polish term *zasady współżycia społecznego* the Hungarian term *társadalmi együttélés szabályai* or the term *társadalmi együttélés általánosan elfogadott szabályai* should be used.
6. If the term is used in the context of European Union or in texts explaining domestic or foreign legal systems, for Polish term *zasady współżycia społecznego* the Hungarian term *közérkölc*s should be used.

Analysing the question of general clauses in Polish and Hungarian legal systems and connected terminology it may be stated, that determining translational equivalents the historical aspect must be taken into consideration. The development of Polish and Hungarian legal systems based on similar values, customs and historical circumstances created similar way of understanding of many legal concepts. Consequently, the understanding of the concept of local custom should be similar, even if there are some distinctions in a way of formulating the question and precisising terms.

The historical aspect is important also when determining the translational equivalents for such general clause like principles of community life. Both in Polish and Hungarian legal system the Soviet legal system influenced the way of understanding the term. It may be noticed, that after changes of law the meaning of the term could change without changes in his lexical form or the old forms were modified, or the new lexical forms were implemented. Thus, in the case of the idea of principles of community life and also in the case of some other general clauses, more precise analysis of terms' meanings may be necessary, notably taking into consideration the dimension of time of text creation.





#### 4. Semantic relations binding Polish and Hungarian legal terms

The chapter below deals with issue of semantic relations and, to be more exact, synonymy, hyperonymy and polysemy of legal terms. Such linguistic phenomena may be the source of difficulties or even incorrect translation of legal texts.

As an example of legal synonymy in respect to the chosen dimension firstly the use of term *know-how* is examined. In the process of establishing possible translational equivalents in Polish also hyperonyms of that term are taken into consideration. Then the term *biegły sądowy* is analyzed. It is studied if the shorter form of the term – *biegły* or a word *expert* may be considered as his synonyms. In the next step synonymous and hyperonymous terms depending of branch of law are analyzed. It is demonstrated how legal reality may influence legal language on the example of such Polish terms as *egzekucja* and *wykonanie orzeczenia*. The next question is illustrated by the example of the term *osoba fizyczna* ‘natural person’ is legal synonymy which exists or does not exist depending on place of using the term, actually if the expression is used inside and outside of Hungary. Moreover, such kind of synonymy is mentioned, which results from more or less complex language forms. Using of one or another form may be accidental or may depend on collocations or grammatical requirements.

The second part of the chapter is devoted mainly to relation of polysemy. Polysemy of expressions is analyzed from intra- and interlingual perspective in respect to chosen dimensions on the example of (among others) such Polish terms as *egzekucja* and *komornik*. What is interesting, polysemy and synonymy of expressions depending on the time of text creation and the type of text were found. The problem is illustrated by such Polish terms as *poborca skarbowy* and *celnik*.

In the third part of chapter the problem of false cognates is discussed. Such phenomenon may be observed particularly in the case of expressions where similarity of Polish and Hungarian legal terms is based on common Latin etymology. As may be also observed, English translational equivalents may have the same Latin etymology as Polish and Hungarian expression. It is illustrated by an example of such terms as *prawo cywilne*, *civil law* and *civiljog*.

On the basis of discussed legal and linguistic facts some postulates and directives are put forward. As a result of that, for all discussed expressions, which are quoted to illustrate the relation of synonymy, hyperonymy, polysemy and for the phenomenon of false cognates occurring in statutory lect and other legal lects, possible translational equivalents are proposed.

The main properties of terms in respect to chosen dimensions will be summarized in parametric tables and linguistic and translational conclusions will be drawn.

## **4.1. Relation of synonymy**

Synonymy may be analysed from the perspective of language properties, in respect to dimensions of legal lect or vernacular lect or from the perspective of legal meaning.

Legal synonymy means here that different terms have similar meaning in the framework of the same branch of law or in various branches of law, for example one term is based on Hungarian language and another term with a similar meaning is a borrowing from a foreign language.

### **4.1.1. Synonymous terms occurring in legislative lect**

A case study of equivalents for the Polish term *know-how*

In Polish Acts the term *know-how* is used rarely and does not have a synonym in Polish legal language. The term is defined in Polish Act on Personal Income Tax from 1991<sup>24</sup>. According to the definition embraced in the Act the term means the value of evidenced knowledge (information) which may be used in industrial, scientific or commercial activities<sup>25</sup>.

---

<sup>24</sup> Ustawa z dnia 26 lipca 1991 r. o podatku dochodowym od osób fizycznych

<sup>25</sup> Art. 5a. Ilekroć w ustawie jest mowa o: 34) komercjalizowanej własności intelektualnej - oznacza to: c) równowartość udokumentowanej wiedzy

For the term *know-how* used in Polish legislative and economic language there are a few possible translational equivalents in Hungarian language and at least two of them are recognized as synonyms within the framework of Hungarian civil law. The new term *védett ismeret* has been implemented into new Hungarian Civil Code of 2013 but the term *know-how* is also used in that Act as a synonym. As a title of the article 2:47 in source language (Hungarian) the English borrowing is used and defined in the Act the first place but the new Hungarian term is added in bracket just after that: “Az üzleti titokhoz való jog. Know-how (védett ismeret)”. Before the term *védett ismeret* was implemented into Hungarian law only the English borrowing had been used<sup>26</sup> in spite of the rule that foreign words should not be used in national legislation, for example:

Agreement between the Republic of Argentina and the Republic of Hungary for the Promotion and Reciprocal Protection of Investments.

(1) The term “investment” [...] include particularly but not exclusively: d) intellectual property law, particularly copyright, patents, industrial patterns, trademarks, trade names, technical procedures, *know-how* and good-will.

From among terms of Polish civil law the term *tajemnica przedsiębiorstwa* ‘trade secret’ may be considered as a term with similar meaning to *know-how*. However, that term is not a synonym but a hyperonym in respect to *know-how*. *Know-how* is connected with commercial or service activity of company and the trade secret has considerably broader meaning, involving *know-how*, information about property and liabilities of the company, personal data about employees and details of contracts.

In translation of Hungarian Civil Code into English (Wolters Kluwer 2013) for the term *üzleti titok* two translational equivalents are

---

(informacji) nadającej się do wykorzystania w działalności przemysłowej, naukowej lub handlowej (*know-how*).

<sup>26</sup> 2000. évi XVI. Törvény a Magyar Köztársaság és az Argentin Köztársaság között a beruházások elősegítéséről és kölcsönös védelméről Budapesten, 1993. február 5-én aláírt megállapodás kihirdetéséről.

(1) A „beruházás” kifejezés, [...] magában foglal különösen, de nem kizárólag: d) szellemi tulajdonjogokat, ideértve különösen a szerzői jogokat, szabadalmakat, ipari mintákat, védjegyeket, kereskedelmi neveket, technikai eljárásokat, *know-how*-t és good-will-t;”

used: ‘trade secrets’ and ‘commercial secrecy’. The term *üzleti titok* defined in that Act may be regarded as a hyperonym to the term *védett ismeret*, similarly to Polish, where the term *tajemnica przedsiębiorstwa* is a hyperonym to the term *know-how*. It is stated in article 2:47 of the new Hungarian Civil Code of 2013<sup>27</sup>.

2:47. § [Right to commercial secrecy. Know-how.]

1. *Trade secrets* shall include any fact, information and other data, or a compilation thereof, connected to economic activities, which are not publicly known or which are not easily accessible to other operators pursuing the same economic activities, and which if obtained and/or used by unauthorized persons, or if published or disclosed to others are likely to imperil or jeopardize the rightful financial, economic, or commercial interest of the owner of such secrets, provided the lawful owner is not subject to actionability in terms of keeping such information confidential.

2. *Commercial secrecy* shall also apply to technical, economic and other practical knowledge of value held in a form enabling identification, including accumulated skills and experience and any combination thereof (hereinafter referred to as "*know-how*"), if acquired, used, disclosed or published in violation of the principle of good faith and fair dealing.

---

<sup>27</sup> Text in source language:

2:47. § [Az üzleti titokhoz való jog. Know-how (védett ismeret)]

(1) *Üzleti titok* a gazdasági tevékenységhez kapcsolódó minden nem közismert vagy az érintett gazdasági tevékenységet végző személyek számára nem könnyen hozzáférhető olyan tény, tájékoztatás, egyéb adat és az azokból készült összeállítás, amelynek illetéktelenek által történő megszerzése, hasznosítása, másokkal való közlése vagy nyilvánosságra hozatala a jogosult jogos pénzügyi, gazdasági vagy piaci érdekét sértené vagy veszélyeztetné, feltéve, hogy a titok megőrzésével kapcsolatban a vele jogszerűen rendelkező jogosultat felróhatóság nem terheli.

(2) Az *üzleti titok*kal azonos védelemben részesül az azonosításra alkalmas módon rögzített, vagyoni értéket képviselő műszaki, gazdasági vagy szervezési ismeret, tapasztalat vagy ezek összeállítása (e törvény alkalmazásában: védett ismeret), ha a jóhiszeműség és tisztesség elvét sértő módon szerzik meg, hasznosítják, közlik mással vagy hozzák nyilvánosságra.

Therefore we may draw up the following four postulates:

1. In Polish there is no synonym for term *know-how* (in respect to the legislative lect), but the term *tajemnica przedsiębiorstwa* may be used as a hyperonym of the *know-how*.
2. As a synonym of Hungarian term *védett ismeret* in respect to the dimension of legislative lect the term *know-how* is used.
3. As a hyperonym of Hungarian term *védett ismeret* in respect to the dimension of legislative lect the term *üzleti titok* is used.

and consequently two translational directives:

5. As Hungarian translational equivalents for Polish term *know-how* at least three terms may be used: *üzleti titok*, *védett ismeret* and *know-how*, with restriction that the term *üzleti titok* is in relation of hyperonymy to the terms *know-how* and *védett ismeret*.
6. As Hungarian translational equivalents for Polish term *tajemnica przedsiębiorstwa* at least three terms may be used: *üzleti titok*, *védett ismeret*, *know-how*, with restriction that *védett ismeret* and *know-how* are in relation of hyponymy to the term *üzleti titok*.

#### **4.1.2. Synonymous terms occurring in legislative lects and other legal lects**

There are some Hungarian terms with similar meaning, which have been used in legislative lect or other legal lects, such as

- 1) *védett ismeret*
- 2) *know-how*
- 3) *megoldás titok* and
- 4) *tudásvagyon*.

The term *megoldástitok* is not defined nor in Acts nor in dictionaries. The meaning may be concluded from the semantic meaning of two words *megoldás* ‘solution’ and *titok* ‘secret’. Thus, in source-language-oriented literal translation into Polish for the term *megoldástitok* the equivalent *tajemnica rozwiązań* ‘secrecy of solutions’ may be proposed. That Hungarian term is used rarely and not in Acts but in papers about law. It may be deduced that it is

regarded as a synonym of *know-how*. Using that expression seems to be an attempt for replacing the English term with the Hungarian one, before such replacement by the term *védett ismeret* was made in the new Hungarian Civil Code.

Similarly to the term *megoldástitok*, the term *tudásvagyon* is not defined neither in Acts nor in dictionaries. The meaning may be concluded from the semantic meaning of two words *tudás* ‘knowledge’ and *vagyon* ‘property’. Thus, in source-language-oriented literal translation into Polish for the term *tudásvagyon* the equivalent *majątek z wiedzy* ‘property from knowledge’ would be proposed or in target-language-oriented translation the equivalent *wartość wiedzy* ‘value of knowledge’ would be proposed. It means that knowledge of somebody has its value, but not only in context of trade company. The general meaning of the word seems to be very close to meaning of *know-how* but practically neither in the legislation nor in other type of legal communication it is treated as a synonym of *know-how*. It is used rather in the context of university knowledge, for example in such collocationas *egyetemi tudásvagyon* ‘value of university knowledge’ or in the context of knowledge, which may be treated as national value, for example in such collocations as *hazai tudásvagyon* ‘knowledge, which may be a value for our country’, *magyar tudásvagyon* ‘knowledge, which may be a value for Hungary’.

The process of parametrization of the analysed terms is presented in table below.

Table no. 1a

Dimension	Polish term: <i>know-how</i>	Hungarian term: <i>know-how</i>
legislative lect	yes	yes
binding legislation	yes	yes
repealed legislation	yes	yes
other legal lects	yes	yes
vernacular lect	yes	yes
occasionalism	no	no

Table no. 1b

Dimension	Hungarian term: <i>védeett ismeret</i>	Hungarian term: <i>megoldástitok</i>	Hungarian term: <i>tudásvagyon</i>
legislative lect	yes	no	no
binding legislation	yes	no	no
repealed legislation	no	no	no
other legal lects	yes	yes	no
vernacular lect	yes	no	yes
occasionalism	no	yes	no

To sum up we may formulate the following directives:

1. As translational equivalents for Polish term *know-how* in Hungarian language at least four terms may be used: *védeett ismeret*, *know-how*, *megoldástitok* and *tudásvagyon*.
2. As Hungarian translational equivalents for Polish term *know-how* with respect to dimension of legislative lect two terms may be used: *védeett ismeret* and *know-how*.
3. As Hungarian translational equivalents for Polish term *know-how* in respect to dimension of legal lect three terms may be used: *védeett ismeret*, *know-how* and *megoldástitok*. The term *tudásvagyon* may not be used here because it is used in other lects and contexts, for example in context of university knowledge or social, national values.
4. As Hungarian translational equivalents for Polish term *know-how* in respect to dimension of binding legislation two terms may be used: *védeett ismeret* and *know-how*. The term *megoldástitok* may not be used here because it is an occasionalism not used in legislation but minted by lawyers to have any “national” equivalent for English borrowing *know-how*. After implementing “national” term *védeett ismeret* into the new Civil Code the term *megoldástitok* is not used any more.
5. As Hungarian translational equivalent for Polish term *know-how* in respect to dimension of repealed legislation only one term is

proper: *know-how* – the English borrowing used before the new Hungarian Civil Code got into force.

6. As Hungarian translational equivalents for Polish term *know-how* with respect to the dimension of vernacular lect at least three terms may be used: *védett ismeret*, *know-how* and *tudásvagyon*.

#### A case study of equivalents for the Polish term *biegły sądowy* ‘court expert’

Another term analysed from perspective of significance of type of lect for setting adequate translational equivalents is Polish term *biegły sądowy* ‘court expert’. The Polish term means a kind of expert, who is designated by court for preparing opinion about a specified case. Such expert may be designated from the list of experts who have legitimation for preparing expert’s opinions for courts. The court may also decide about designating a person beyond the list for preparing an opinion, if that person has adequate expertise. The term *biegły sądowy* is often shortened to the term *biegły*.

In Polish three terms may be treated as synonyms: *biegły sądowy*, *biegły*, *ekspert*. In Hungarian three terms may be treated as synonyms: *igazságügyi szakértő*, *bírósági szakértő* and *szakértő*. The shorter form of the term used in Polish (*biegły*) is more precise than Hungarian shorter form of the term (*szakértő*) because the Polish term (used as a noun) is usually used in context of court procedure and the Hungarian term *szakértő* is used in many contexts, meaning any kind of expert. Thus the shorter form is used much more often in Polish legal language than in Hungarian, where for the reason of accurateness the adjective (*igazságügyi* or *bírósági*) is usually given, both in legal and vernacular lect.

The process of parametrization of the analysed terms is presented in table below.

Table no. 2a

Dimension	Polish term: <i>biegły sądowy</i>	Polish term: <i>biegły</i>	Polish term: <i>ekspert</i>
legislative lect	yes	yes	no



other legal lects	yes	yes	yes – rarely
vernacular lect	no	no	yes – rarely

Table no. 2b

Dimension	Hungarian term: <i>igazságügyi szakértő</i>	Hungarian term: <i>bíróági szakértő</i>	Hungarian term: <i>szakértő</i>
legislative lect	yes	no	no
other legal lects	yes	yes	yes – rarely
vernacular lect	no	yes	yes – rarely

Having analyzed the material we may formulate the following translational directives:

1. For Polish term *biegły sądowy* three Hungarian terms bound by relation of synonymy may be proposed as translational equivalents: *szakértő*, *igazságügyi szakértő* and *bíróági szakértő* but *szakértő* may not be precise enough; thus in context of law it is rarely used.
2. As translational equivalent for Polish term *biegły sądowy* with respect to the dimension of legislative lect in Hungarian the term *igazságügyi szakértő* should be used.
3. In source-language-oriented literal translation into Polish as the translational equivalent for *igazságügyi szakértő* the term *biegły wymiaru sprawiedliwości* may be proposed.
4. As Hungarian translational equivalent for Polish term *biegły sądowy* with respect to the dimension of other legal lects the terms *igazságügyi szakértő* and *bíróági szakértő* may be used.
5. As translational equivalent for Polish term *biegły sądowy* with respect to the dimension of vernacular lect in Hungarian the term *bíróági szakértő* may be proposed.
6. In source-language-oriented literal translation into Polish as the translational equivalent for *bíróági szakértő* the term *ekspert sądowy* may be proposed.

#### 4.1.3. Synonymous and hyperonymous terms depending on the branch of law

A case study of equivalents for the Polish terms *egzekucja* and *wykonanie orzeczenia* ‘enforcement of judgment’

As it was already stated in the Chapter about hierarchy of relevant dimensions, the term *egzekucja* in Polish law means attachment of payments taken by a debt enforcement officer, which is ordered by the court in the form of warrant of execution, on the basis of the Polish Act on Enforcement Proceedings<sup>28</sup>. In Polish law the term *egzekucja* is used primarily in civil and administrative law, but for hundreds of years it has existed also in criminal law with the meaning of carrying out the death penalty. Thus in Polish legal system such penalty was abolished years ago and also the term which would have such a meaning is not used any more. To avoid associations with death penalty in criminal cases, the expression *wykonanie orzeczenia* ‘enforcement of judgment’ is usually used, which is in relation of hyperonymy with the term *egzekucja*. In Hungarian law the situation is very similar and there has been no death penalty for some years too. The Hungarian equivalent of Polish term *egzekucja* used in civil law meaning “the enforcement of the judgment” is the term *végrehajtás*. That term is used in civil law in legislative text and does not have such connotations with death penalty carried out in the framework of criminal law as in Polish. In criminal law it is possible (without taking into consideration dimension of text) to use such utterance as *halálbüntetés-végrehajtása* ‘carrying out death penalty’ or *kivégzés* ‘execution’.

Therefore we may draw up the following postulates:

1. In Polish the term *egzekucja*, with respect to dimension of branch of law: civil law and criminal law, may be treated as a hyponym of the term *wykonanie orzeczenia*.
2. As Hungarian translational equivalent for Polish term *egzekucja* the following terms may be proposed: *végrehajtás*, *büntetés-végrehajtás* and *kivégzés*.

---

<sup>28</sup> Ustawa z dnia 29 sierpnia 1997 r. o komornikach sądowych i egzekucji

The process of parametrization of the analysed terms is presented in the tables below.

Table no. 3a

Dimension	Polish term: <i>egzekucja</i>	Polish term: <i>wykonanie orzeczenia</i> <sup>29</sup>
branch of law: civil law	yes	yes
binding legislation of civil law	yes	yes
repealed legislation of civil law	yes	yes
branch of law: criminal law	yes	yes
binding legislation of criminal law	no	yes
repealed legislation of criminal law	yes	yes

Table no. 3b

Dimension	Hungarian term: <i>végrehajtás</i>	Hungarian term: <i>halálbüntetés végrehajtása</i>	Hungarian term: <i>kivégzés</i>
branch of law: civil law	yes	no	no
binding legislation of civil law	yes	no	no
repealed legislation of civil law	yes	no	no
branch of law: criminal law	yes	yes	yes
binding legislation of criminal law	yes	yes	no
repealed legislation of criminal law	yes	yes	yes

<sup>29</sup> The term is used here as a hyperonym of the term *egzekucja*.

Thus, we may formulate the following translational directives:

1. As Hungarian translational equivalent for Polish term *egzekucja*, with respect to the dimension of branch of law: civil law, the term *végrehajtás* should be used.
2. As Hungarian translational equivalent for Polish term *wykonanie orzeczenia*, with respect to the dimension of branch of law: civil law – both in binding and repealed legislation, the term *végrehajtás* should be used.
4. As Hungarian translational equivalent for Polish term *egzekucja* with respect to the dimension of branch of law: criminal law, in repealed legislation, the term *halálbüntetés végrehajtása* or the term *kivégzés* may be used.

#### 4.1.4. Synonymous terms inside and outside of Hungary

A case study of equivalents for the Polish term  
*osoba fizyczna* ‘natural person’

The term *osoba fizyczna* means the person, which is a single human being, and has particular rights in civil law. A kind of antonym of the term *osoba fizyczna* is the term *osoba prawna* ‘legal person’ which means an organization or a group of people who acts within some legislative framework.

In Polish the term *osoba fizyczna* ‘natural person’ is unambiguous and there is no term which could be treated as synonym of it, neither in legal nor in any other lect. In vernacular language two words of the term used separately may have a lot of meanings and synonyms, but not when they are used together.

For Polish term *osoba fizyczna* two translational equivalents in Hungarian may be proposed: *természetes személy* and *fizikai személy*. The word *személy* means ‘person’ and the word *természetes* is semantically close to English word ‘natural’ and the Polish word ‘naturalny’. The word *fizikai* has at least two meanings: *physical* in the context of science and *physical* ‘corporeal’. In the second meaning the Hungarian synonym is the word *testi* and the translational equivalent in Polish is *cielesny* ‘bodily’. The Hungarian word *fizikai* and the Polish word *fizyczny* have the same etymology from Greek word

φύσις *physis* ‘nature’ and in vernacular lect they generally have similar meaning. Moreover, the words in two languages have similar collocations like for example *fizikai munka* – *praca fizyczna* ‘physical work’, *fizikai erőszak* – *przemoc fizyczna* ‘physical abuse’.

It should be noticed that use of one or another term strongly depends on the area where the Hungarian language is used. As it was mentioned before, there are differences between Hungarian language used in Hungary and in areas which were left over the Kingdom of Hungary after Word War I.

For the Polish term *osoba fizyczna* the translational equivalent used in the area of Hungary is *természetes személy*. The term *fizikai személy* is not used there. However, in the Hungarian language in Romania, Slovakia and Serbia (Vojvodina) the two terms *természetes személy* and *fizikai személy* are used as synonyms. Basically, the first term is proper, but in practice two terms are used and they are understood as synonyms by recipients of Hungarian texts in those countries.

In Roman language the translational equivalent of Hungarian *fizikai személy* is *persoană fizică*, in Slovak language: *fyzická osoba*, in Serb language: *физичколице*. Thus, the term *fizikai személy* as a synonym of *természetes személy* may be regarded as a kind of borrowing from languages of the countries where Hungarian minority lives. Such borrowing probably would not be understandable for recipients living in Hungary.

In some Polish-Hungarian dictionaries (Kovács 1992) and in some texts translated from Polish into the Hungarian language for the term *osoba fizyczna* the equivalent *fizikai személy* is used. Since that term is not used in legislative lect in Hungary, such translation should be assessed as inappropriate and the term should be treated as false cognate. In Hungarian vernacular lect such utterance as *fizikai személy* may be understood in the meaning of a person who physically, bodily exists, but such a collocation is rare and used rather in literary texts than in everyday life communication.

Therefore, we may formulate the following translational directives:

1. For Polish term *osoba fizyczna* two Hungarian terms connected by relation of synonymy may be proposed as translational equivalents: *természetes személy* and *fizikai személy*.

The process of parametrization of the analysed terms is presented in table below.

Parametric table no. 4

Dimension	Polish term: <i>osoba fizyczna</i>	Hungarian term: <i>természetes személy</i>	Hungarian term: <i>fizikai személy</i>
text language variety: in Hungary	-	yes	no
text language variety: outside Hungary (Romania, Slovakia and Serbia)	-	yes	yes
text language variety: in Polish-Hungarian translation	yes	yes	yes

2. As translational equivalent for Polish term *osoba fizyczna* with respect to the dimension of language variety in Hungarian language used in the area of Hungary the term *természetes személy* should be used.
3. As translational equivalent for Polish term *osoba fizyczna* with respect to the dimension of language variety in Hungarian language used in the area of Hungary the term *fizikai személy* should not be used.
4. As translational equivalent for Polish term *osoba fizyczna* with respect to the dimension of language variety in Hungarian language used in the areas which were left over the Kingdom of Hungary after World War I, such as Romania, Slovakia and Serbia two terms *természetes személy* or *fizikai személy* may be used, but only for recipients from those countries, not for recipients from Hungary and not for Hungarians from other countries which communicate in the language used in Hungary.

#### 4.1.5. Synonymy of more or less complex language forms of the same term

Such utterances which are based on the same legal term, but differ in some way because they are used in different collocations or their grammatical form differs, are regarded here as synonyms.

Comparison of terms is based here on the dimension of lect. Forms more extended from lexical or grammatical perspective appear to be used rather in statutory instruments. Such texts should be very precise and pure and there are traditional, sometimes archaic forms used in such types of texts. In other types of legal communication shorter forms would rather be expected, which is dictated by communicational economy of the language. However, it may be observed that utterances used in Acts are rather shorter and simpler than utterances used in other legal texts and in vernacular text where expressions are often longer and more complicated.

A case study of equivalents for the Polish terms  
*przetarg, postępowanie o udzielenie zamówienia*  
and *postępowanie przetargowe* ‘tender’

The term *przetarg* ‘tender’ used in Polish Acts, for example in the Civil Code<sup>30</sup>:

Article 70<sup>1</sup> § 1. A contract may be executed through an auction or tender.

Article 70<sup>2</sup> § 1. A bid made during an auction ceases to be binding if another auction participant (bidder) makes a more favorable bid unless the terms and conditions of the auction provide otherwise.

It is understood as a kind of competition, where companies or institutions may submit an offer for a service or a product and the best offer is chosen. In the Polish Act of 29 January 2004 on Public

---

<sup>30</sup> Kodeks Cywilny, art. 70<sup>1</sup>. § 1. Umowa może być zawarta w drodze aukcji albo przetargu.

Kodeks Cywilny, art. 70<sup>2</sup>. § 1. Oferta złożona w toku przetargu przestaje wiązać, gdy została wybrana inna oferta albo gdy przetarg został zamknięty bez wybrania którejkolwiek z ofert, chyba że w warunkach przetargu zastrzeżono inaczej.

Procurement Law (art. 2 paragraph 7a of the Act )<sup>31</sup> as a synonym of the term *przetarg* ‘tender’ the expression *postępowanie o udzielenie zamówienia* ‘procedure for public tender’ is used. It is clarified in the Act that the term should be understood as procedure which is started by public announcement or by dispatching an invitation to submit a tender or by dispatching an invitation to negotiate, in order to make a selection of candidates for carrying out the works. In fact, the expression should be treated as a hyperonym of the term *przetarg*, but practically the terms are often used as synonyms. Moreover, the term *przetarg* seems to be used more often, maybe just for the reason that its linguistic form is shorter (the frequency of occurrence has been established on the basis of a simple Google test). Also the term *postępowanie przetargowe* ‘tendering procedure’ is sometimes used.

The utterance, which may be proposed as Hungarian translational equivalent here is the term *közbeszerzési eljárás* ‘tendering procedure’, which is used in the Hungarian Civil Code. Though in other Hungarian legislative texts and in other legal texts two forms are used:

- *közbeszerzési eljárás* ‘tendering procedure’– longer form, which is characteristic for Acts,
- *közbeszerzés* ‘tender’– synonymic but shorter form, which is used more often in other legal texts.

The process of parametrization of the analysed terms is presented in the tables below.

Table no. 5a

Dimension	Polish term: <i>przetarg</i>	Polish term: <i>postępowanie o udzielenie zamówienia</i>	Polish term: <i>postępowanie przetargowe</i>
legislative lect	yes	yes	no
other legal lects	yes	yes – rarely	yes

---

<sup>31</sup> Ustawa z dnia 29 stycznia 2004 r. Prawo zamówień publicznych (art. 2 pkt 7a)



Table no. 5b

Dimension	Hungarian term: <i>közbeszerzési eljárás</i>	Hungarian term: <i>közbeszerzés</i>
legislative lect	yes	yes – rarely
other legal lects	yes – rarely	yes

Therefore, we may draw up the following two postulates:

1. As a synonym of Polish term *przetarg* the terms *postępowanie o udzielenie zamówienia* and *postępowanie przetargowe* may be used.
2. As a synonym of Hungarian term *közbeszerzési eljárás* the term *közbeszerzés* may be used.

and consequently six translational directives:

3. As a possible Hungarian translational equivalent for Polish term *przetarg* two terms may be used: *közbeszerzési eljárás* and *közbeszerzés*.
4. As a Hungarian translational equivalent for Polish term *przetarg* with respect to dimension of legislative lect the term *közbeszerzési eljárás* should be used. The term *közbeszerzés* may be also used, but, taking into consideration frequency of use of those expressions in a chosen lect, the term *közbeszerzési eljárás* is more adequate than *közbeszerzés*.
5. As a Hungarian translational equivalent for Polish term *przetarg* with respect to dimension of other legal lects the term *közbeszerzés* should be used. The term *közbeszerzési eljárás* may be also used, but taking into consideration frequency of use of those expressions in a chosen lect, the term *közbeszerzés* is more adequate than *közbeszerzési eljárás*.
6. As a Hungarian translational equivalent for Polish term *postępowanie o udzielenie zamówienia* with respect to dimension of legislative lect the term *közbeszerzési eljárás* would be proposed. The term *közbeszerzés* may be also used, but taking into consideration frequency of use of those expressions in a chosen lect the term *közbeszerzési eljárás* is more adequate than *közbeszerzés*.

7. As a Hungarian translational equivalent for Polish term *postępowanie o udzielenie zamówienia* with respect to dimension of other legal texts the term *közbeszerzés* would be proposed. The term *közbeszerzési eljárás* may be also used, but taking into consideration frequency of use of those expressions in a chosen text the term *közbeszerzés* is more adequate than *közbeszerzési eljárás*.
8. As Hungarian translational equivalent for Polish term *postępowanie przetargowe* with respect to dimension of other legal texts the term *közbeszerzés* would be proposed. The term *közbeszerzési eljárás* may be also used, but taking into consideration frequency of use of those expressions in a chosen text, the term *közbeszerzés* is more adequate than *közbeszerzési eljárás*.

#### A case study of equivalents for the Polish term *w drodze przetargu*

Some legal terms may be used in a few collocations. For example, the utterance from the Polish Civil Code *w drodze przetargu* ‘by tender’ is comparable with the utterance *közbeszerzési eljárás útján* used in Hungarian Acts. In source-language-oriented literal translation into Polish the expression ‘w drodze postępowania przetargowego’ would be proposed. Also the equivalent *közbeszerzés útján* ‘by tender’ would be proposed but with restriction that it is used rather in communication between lawyers than in Acts. In source-language-oriented literal translation into Polish the equivalent *w drodze przetargu* would be proposed. It means that terms in two languages which seem to be nearest to each other in Polish and Hungarian are used in different texts.

The process of parametrization of the analysed terms is presented in table below.

Table no. 6

Dimension	Polish term: <i>w drodze przetargu</i>	Hungarian term: <i>közbeszerzési eljárás útján</i>	Hungarian term: <i>közbeszerzés útján</i>
legislative lect	yes	yes	yes – rarely
other legal lects	yes	yes – rarely	yes

Therefore, we may formulate the following translational directives:

1. As a translational equivalent for Polish expression *w drodze przetargu* with respect to the dimension of legislative lect the Hungarian term *közbeszerzési eljárás útján* should be used.
2. As a translational equivalent for Polish expression *w drodze przetargu* with respect to the dimension of other legal lects the Hungarian term *közbeszerzés útján* should be used.

A case study of equivalents for the Polish terms *komornik sądowy* and *komornik* ‘executor, debt enforcement officer’

The typical example of intralingual synonymy within the framework of legislative lect is illustrated by the term *komornik sądowy* ‘debt enforcement officer’. The term means a person who is appointed by the court to carry out debt enforcement procedure. The Polish Act on Enforcement Procedure<sup>32</sup> launches the shorter form of the term – *komornik* with an explanation characteristic for statutory texts: *komornik sądowy, zwany dalej „komornikiem* ‘debt enforcement officer, appointed by court, in the following part of text called “debt enforcement officer”’. The two terms may be treated as synonyms in respect to at least two dimensions: dimension of lect and dimension of branch of law. In legal lect the term *komornik* seems to be used more often, probably because the term is shorter. For avoiding vagueness it is defined on the beginning of the statute about enforcement proceedings as synonym of *komornik sądowy*. Also on vernacular lect the term *komornik* is used more often than *komornik sądowy*, because

<sup>32</sup> Ustawa z dnia 29 sierpnia 1997 r. o komornikach sądowych i egzekucji

the meaning of that the shorter term is generally regarded as quite synonymic with the longer term.

Similar type of synonymy may be found in Hungarian legal language. As a possible translational equivalent such utterances as: *végrehajtó*, *bíróági végrehajtó* and *önálló bíróági végrehajtó* may be considered. Each of the term may be treated as a synonym in the dimension of branch of law. However, in the parallel Hungarian Act on Enforcement Procedure<sup>33</sup> the shorter term *végrehajtó* is used. Similarly to Polish, at the beginning of the Hungarian Act, before using a shorter term the explanation in bracket is added *bíróági végrehajtó (a továbbiakban: végrehajtó)* ‘debt enforcement officer appointed by the court (in the following part of Act: debt enforcement officer)’. In target-language-oriented translation into Polish as equivalent the expression *komornik sądowy (zwany dalej „komornikiem”)* would be proposed. Longer utterances like *bíróági végrehajtó* and *önálló bíróági végrehajtó* are used in communication between lawyers or in non-statutory texts connected with law. In vernacular lect, in informal communicational situations often the shortest form of the term (*végrehajtó*) is used. Rarely (as an occasionalism) the term *független bíróági végrehajtó* is used, which in source-language-oriented literal translation into Polish could be translated as *niezależny komornik sądowy*, literally in English ‘independent debt executor appointed by court’. In vernacular lect the adjective *független* is regarded as a synonym of adjective *önálló*. Therefore, in informal communicational situation words may be replaced and the meaning of such a form should be understandable for the recipient. However, in legislative lect such collocation is not used.

Table no. 7a

Dimension	Polish term: <i>komornik</i>	Polish term: <i>komornik sądowy</i>	Hungarian term: <i>végrehajtó</i>
legislative lect	yes	yes – rarely	yes
other legal lects	yes	yes	yes – rarely

<sup>33</sup> 1994. évi LIII. törvény a bírósági végrehajtásról

vernacular lect	yes	yes – rarely	yes
occasionalism	no	no	no

Table no. 7b

Dimension	Hungarian term: <i>bírószági végrehajtó</i>	Hungarian term: <i>önálló bírószági végrehajtó</i>	Hungarian term: <i>független bírószági végrehajtó</i>
legislative lect	yes	no	no
other legal lects	yes	yes	no
vernacular lect	yes – rarely	yes – rarely	yes – rarely
occasionalism	no	no	yes

Therefore, we may draw up the following two postulates:

1. In Polish language as synonym of the term *komornik sądowy* the term *komornik* is used.
2. In Hungarian language as synonyms of the term *végrehajtó* such terms as *bírószági végrehajtó*, *önálló bírószági végrehajtó* and *független bírószági végrehajtó* are used.

and consequently four translational directives:

3. As Hungarian translational equivalents for Polish term *komornik* four terms may be used: *végrehajtó*, *bírószági végrehajtó*, *önálló bírószági végrehajtó* and *független bírószági végrehajtó*.
4. As Hungarian translational equivalents for Polish term *komornik* with respect to dimension of legislative lect the two terms: *végrehajtó* and *bírószági végrehajtó* would be proposed.
5. As Hungarian translational equivalents for Polish term *komornik* with respect to dimension of other legal lects three terms: *végrehajtó*, *bírószági végrehajtó* and *önálló bírószági végrehajtó* may be used.
6. As Hungarian translational equivalents for Polish term *komornik* with respect to dimension of vernacular lect four terms may be

considered: *végrehajtó*,  *bírósági végrehajtó*, *önálló bírósági végrehajtó* and *független bírósági végrehajtó*. However, the term *végrehajtó* is used more often than other form. Moreover, it must be noticed that the term *független bírósági végrehajtó* is an occasionalism used only in vernacular lect and may be understandable for the recipient communicating in informal situations but it is not used in legal language.

#### 4.1.6. Synonymy of terms with collocations

The legal terms may be used in characteristic, more or less important collocations. Diversity of collocations may depend on the lect and communicational situation. Utterances used both in legal and in vernacular lects may be linguistically right and have the same meaning, differing from stylistic perspective. Such diversity may be observed on the example of possible Hungarian translational equivalents for the Polish expression *dokonać egzekucji* or *podlegać wykonaniu w drodze egzekucji* ‘to levy execution, to enforce the debt’ (in meaning of civil law).

The process of parametrization of the analysed term *dokonać egzekucji* or *podlegać wykonaniu w drodze egzekucji* is presented in the tables below.

Table no. 8a

Dimension	Polish term: <i>dokonać egzekucji</i>	Hungarian term: <i>végrehajtásra kerül sor</i>	Hungarian term: <i>végrehajtás foganatosítása</i>	Hungarian term: <i>végrehajtás útján végrehajtani</i>
legislative lect	yes	yes	yes	yes
other legal lects	yes	yes	yes	yes

Table no. 8b

Dimension	Hungarian term: <i>végrehajtásra kerül</i>	Hungarian term: <i>végrehajtás alá kerül</i>	Hungarian term: <i>végrehajtást bírósági végrehajtás útján folytatni</i>
legislative lect	no	no	yes
other legal lects	yes	yes	yes

Therefore, we may draw up the following postulate:

1. In Hungarian such expressions as: *végrehajtásra kerül sor*, *végrehajtás foganatosítása*, *végrehajtást bírósági végrehajtás útján kell folytatni*, *végrehajtás útján kell végrehajtani*, *végrehajtásra kerül* and *végrehajtás alá kerül* are in relation of synonymy.

and, consequently, three translational directives:

2. As Hungarian translational equivalents for Polish expression *podlegać wykonaniu w drodze egzekucji* the following expressions may be proposed: *végrehajtásra kerül sor*, *végrehajtás foganatosítása*, *végrehajtást bírósági végrehajtás útján kell folytatni*, *végrehajtás útján kell végrehajtani*, *végrehajtásra kerül* and *végrehajtás alá kerül*.
3. For Polish expression *podlegać wykonaniu w drodze egzekucji* with the respect to dimension of legislative lect as a translational equivalent in Hungarian such expressions as *végrehajtásra kerül sor*, *végrehajtást bírósági végrehajtás útján kell folytatni*, *végrehajtás útján kell végrehajtani* and *végrehajtás foganatosítása* may be proposed.
4. For Polish expression *podlegać wykonaniu w drodze egzekucji* in respect to dimension of other legal lects, also lects of people communicating by using Internet forums connected with the questions of law, despite utterances mentioned above, such as *végrehajtásra kerül sor*, *végrehajtást bírósági végrehajtás útján folytatni*, *végrehajtás útján végrehajtani* and *végrehajtás*

*foganatosítása*, such expressions as *végrehajtásra kerül* and *végrehajtás alá kerül* may be used.

## 4.2. Relation of polysemy

Polysemy may be understood from the perspective of language properties, with diversity in respect to dimension of legislative lect or other legal lects or vernacular lect.

Legal polysemy means here that the same or similar term has different meanings in various branches of law, for example the same term may have distinct meanings within the framework of civil and administrative law.

The said Polish term *execution* may be treated as an example of polysemy both from legal and from language perspective. Also such connected terms as *komornik*, *egzekutor*, *windykator*, *poborca skarbowy* may be treated as polysemic. Some of those terms may be also in relation of synonymy with other terms.

### 4.2.1. Intra- and interlingual polysemy in the aspect of legal and vernacular lects

A case study of equivalents  
for the Polish term *egzekucja* ‘debt enforcement’

As it was mentioned before, in binding legislation of civil law the Polish term *egzekucja* means attachment of payments taken by debt enforcement officer. In repealed legislation of criminal law it could have the meaning of carrying out the death penalty.

In vernacular lect used in films, books, journals or texts of websites the Polish word *egzekucja* ‘lit. execution’ often has one of the two following meanings:

- carrying out the death penalty – it may be a historical article about legal system in Poland or the information about legal systems in other countries, where death penalty is still valid in criminal law,



- premeditated murder of a defenseless man – sometimes execution is connected with mass murder which happen during wars, both in historic and contemporary times.

The Polish word connected with that term is *egzekutor* ‘executioner’, with the meaning: the person who kills people. Use of the word in such meaning is characteristic for films and literature.

For Polish term *egzekucja* ‘debt enforcement’ as Hungarian translational equivalent in respect to dimension of civil law, and both legal and vernacular lects the term *végrehajtás* may be proposed. Concededly in Hungarian legal language the term *egzekúció* also was used some time ago, but in contrast to Polish it never had such polysemic meaning in law, which would depend on the branch of law – civil or criminal. The meaning of that term was always connected with collection of property in civil law thus functioned as a synonym of the word *végrehajtás*. However, it is not to be ruled out that the word will be implemented into legal and vernacular Hungarian language soon. For now it started to be used in informal communicational situations, in publications and articles in press connected with law. The term *egzekúció* also is starting to be used in vernacular lect, especially in the context of foreign films, in the meaning of carrying out the death penalty or in meaning of premeditated murder of a defenseless man. But the etymology of that *egzekúció* seems to be connected rather with modern borrowing from English *execution* than with the old Hungarian term. Undoubtedly, the fact that the term *egzekúció* has already existed in Hungarian language may contribute to transfer and preserve that term both in legal lect of civil law and in vernacular language.

The process of parametrization of the analysed terms is presented in table below.

Table no. 9

Dimension	Polish term: <i>egzekucja</i>	Hungarian term: <i>egzekúció</i>	Hungarian term: <i>végrehajtás</i>
binding legislation of civil law (in meaning of attachment of payments)	yes	no	yes

repealed legislation of civil law (in meaning of attachment of payments)	yes	yes	yes
repealed legislation of criminal law (in meaning of carrying out the death penalty)	yes	no	no
vernacular lect (in meaning of carrying out the death penalty)	yes	yes – rarely	no
vernacular lect (in meaning of murdering with calculation defenseless man)	yes	yes – rarely	no

Therefore, we may formulate the following translational directives:

1. For Polish term *egzekucja* two Hungarian terms may be proposed as translational equivalents: *egzekúció* and *végrehajtás*.
2. As a Hungarian translational equivalent for Polish term *egzekucja* in respect to the dimension of binding legislation of civil law (in meaning of attachment of payments) the term *végrehajtás* should be used.
3. As a Hungarian translational equivalent for Polish term *egzekucja* in respect to the dimension of repealed legislation of civil law (in meaning of attachment of payments) the term *végrehajtás* or the term *egzekúció* may be used.
4. As a Hungarian translational equivalent for Polish term *egzekucja* in respect to the dimension of repealed legislation of criminal law (in meaning of carrying out the death penalty) the term *egzekúció* should not be used.
5. As a Hungarian translational equivalent for Polish term *egzekucja* in respect to the dimension of vernacular lect (in meaning of carrying out the death penalty) the term *egzekúció* generally should not be used. However, it must be noticed that since it started to be used as English borrowing in informal communicational situations, the term may be understandable for some Hungarian recipients, particularly for those who tend to communicate in English.

6. As a Hungarian translational equivalent for Polish term *egzekucja* in respect to the dimension of vernacular lect (in meaning of premeditated murder of a defenseless man) the term *egzekúció* generally should not be used. However, it must be noticed that since it started to be used as English borrowing in informal communicational situations, the term may be understandable for some Hungarian recipients, particularly for those who tend to communicate in English.

#### 4.2.2. Polysemy or synonymy depending on the branch of law

A case study of equivalents  
for the Polish terms *komornik* and *egzekutor* ‘executor’

Polish term *komornik* ‘debt enforcement officer’ means the public officer working for the district court who is eligible to carry out debt enforcement procedure. The word is used only in civil law. In administrative law such type of action used to be done by administrative authorities namely by employees of public administration, and the job title in Polish is *egzekutor*. It may occur that in one case execution of property should be made both by court and by public administration – then the court usually reassigns one person for both kind of actions. In such a case the term *komornik* relates both to civil and administrative procedures.

For the Polish term *komornik* such Hungarian translational equivalents used in statutory instruments may be proposed as *végrehajtó*, *bíróági végrehajtó* and *önálló bíróági végrehajtó*. Those terms function as synonyms not only in the same lect but also in the same branch of law.

For the Polish term *egzekutor*, such Hungarian translational equivalents used in statutory instruments may be proposed as *végrehajtó* or *közigazgatási szerv végrehajtója*. The second utterance has a more expanded structure than its analogical term *bíróági végrehajtó*. It should be noticed that in Hungarian the synonym of the term *végrehajtó* is the word *egzekutor*, but that word practically is not used in modern language, neither in legislative lect nor in vernacular lect, and in Hungarian dictionaries it is described as an archaism.

In Hungarian such a term as *adóbehajtó* also exist, both in legal and in vernacular lects, with the meaning of person who collects tax debts in the framework of economic law. As Polish translational equivalent the term *poborca skarbowy* could be proposed here. It is also worth to notice that Hungarian term *adóbehajtó* is linguistically close to term *behajtó* ‘debt collector’ which is not used in the meaning of *komornik* or *poborca skarbowy* but in meaning of Polish term *windykator* as men collecting debts for commercial institutions in the framework of economic law.

The process of parametrization of the analysed terms is presented in table below.

Table no. 10a

Dimension	Polish term: <i>komornik</i>	Polish term: <i>egzekutor</i>	Polish term: <i>poborca skarbowy</i>	Polish term: <i>windykator</i>
branch of law: civil law	yes	no	no	yes - but only in particular context of economic law
branch of law: administrative law	no	yes	no	no
branch of law: tax law	no	no	yes	no
branch of law: economic law	no	no	no	yes

Table no. 10b

Dimension	Hungarian term: <i>végrehajtó</i>	Hungarian terms: <i>bíróági végrehajtó, önálló bíróági végrehajtó</i>
branch of law: civil law	yes	yes
branch of law: administrative law	yes	no

branch of law: tax law	no	no
branch of law: economic law	no	no

Table no. 10c

Dimension	Hungarian term: <i>közigazgatási szerv végrehajtója</i>	Hungarian term: <i>adóbehajtó</i>	Hungarian term: <i>behajtó</i>
branch of law: civil law	no	no	yes - but only in particular context of economic law
branch of law: administrative law	yes	no	no
branch of law: tax law	no	yes	no
branch of law: economic law	no	no	yes

Therefore we may draw up the following two postulates:

1. In Hungarian in respect to dimension of civil law such terms as *végrehajtó*, *bíróági végrehajtó*, *önálló bíróági végrehajtó* and *egzekutor* are in relation of synonymy
2. In Hungarian in respect to dimension of administrative law such terms as *végrehajtó*, *közigazgatási szerv végrehajtója* and *egzekutor* are in relation of synonymy.

and consequently four translational directives:

1. For Polish term *komornik*, in respect to the dimension of legislative lect such Hungarian translational equivalents may be proposed as *végrehajtó*, *bíróági végrehajtó*, *önálló bíróági végrehajtó* and *egzekutor*.
2. For Polish term *komornik*, in respect to the dimension of legislative lect and binding legislation such Hungarian translational equivalents may be proposed as *végrehajtó*, *bíróági végrehajtó* and *önálló bíróági végrehajtó*.

3. For Polish term *egzekutor*, in respect to the dimension of legislative act such Hungarian translational equivalents may be proposed as *végrehajtó* or *közigazgatási szerv végrehajtója* and *egzekutor*.
4. For Polish term *egzekutor*, in respect to the dimension of legislative act and binding legislation such Hungarian translational equivalents may be proposed as *végrehajtó* and *közigazgatási szerv végrehajtója*.

#### 4.2.3. Polysemy and synonymy of terms depending on time of text creation and type of text

A case study of equivalents  
for the Polish terms *poborca skarbowy* and *celnik*  
‘tax collector’, ‘customs officer’

As it was mentioned before, in the case of tax-resulting debts the execution is made by employee of revenue agency. The name of such an officer in Polish is *poborca skarbowy* ‘tax collector’. Both words of that expression have existed in Polish for hundreds of years. *Poborca* have been used in the context of levying many types of taxes and *skarb* means the Treasury. Thus the term *poborca skarbowy* is an archaism used only in one kind of enforcement proceedings connected with tax law. In the area of customs duties the word *celnik* ‘customs officer’ is used. The word *celnik* was taken from German language in 14th century, when in Polish towns German municipal concerns were implemented. The word *celnik* is also used in the Bible in the meaning of the profession connected with tax collection.

As a translational equivalent for Polish term *poborca skarbowy* the old, firmly established Hungarian term *adóvégrehajtó* may be proposed here. The term is strongly connected with the term *végrehajtó* by the added segment *adó* ‘tax’- in Polish ‘*podatek*’. In source-language-oriented literal translation into Polish as translational equivalent the term *egzekutor podatkowy* would be proposed. It may be noticed that in Hungarian the name of man collecting tax-related debts – *adóvégrehajtó* – is very similar to the name of job connected with execution of property for other types of debts – *végrehajtó*,

unlike Polish, were the term *poborca skarbowy* significantly differs from the term *komornik*. In Hungarian the term *adószedő* also exists as the name of officials who collect taxes. In source-language-oriented literal translation into Polish as a translational equivalent the utterance 'osoba zbierająca podatki' would be proposed, but it should be noticed that the word is treated in Hungarian as an archaism, and is not used in legal language nowadays. As archaic synonym of the word *adószedő* the word *vámszedő* with meaning 'the name of man collecting customs duties' may be regarded. That name is used in the Bible. In analogical way, in source-language-oriented literal translation of the word *vámszedő* into Polish as a translational equivalent the utterance 'osoba pobierająca cło, celnik' would be proposed. As in the case mentioned above, that Hungarian word is treated as an archaism, and is not used in legal language nowadays. In modern language as the possible translational equivalents for the Polish term *celnik* such Hungarian expressions may be proposed as *vám- és pénzügyőr* 'an official for financial and custom matters' – in source-language-oriented literal translation into Polish as a translational equivalent the term 'urzędnik do spraw finansowych i celnych' would be proposed – and *vámtisztviselő* 'an official for financial and custom matters' with source-language-oriented literal translation into Polish as 'urzędnik celny'.

The process of parametrization of the analysed terms is presented in table below.

Parametric table no. 11a

Dimension	Polish term: <i>poborca skarbowy</i>	Polish term: <i>celnik</i>	Hungarian term: <i>adóvégrehajtó</i>
binding legislation	yes	yes	yes
repealed legislation	yes	yes	yes

Parametric table no. 11b

Dimension	Hungarian term: <i>adószedő</i>	Hungarian term: <i>vámszedő</i>	Hungarian term: <i>vám- és pénzügyőr</i>	Hungarian term: <i>vámtisztviselő</i>
binding legislation	no	no	yes	yes
repealed legislation	yes	yes	no	no

Therefore we may draw up the following three postulates:

1. In Polish such terms as *poborca skarbowy* and *celnik* may be treated both as modern legal terms used in binding legislation and as archaisms used in repealed legislation.
2. In Hungarian such terms as *adóvégrehajtó*, *vám- és pénzügyőr* and *vámisztviselő* may be treated as modern legal terms used in binding legislation.
3. In Hungarian such terms as *adóvégrehajtó*, *adószedő* and *vámszedő* may be treated as archaic terms used in repealed legislation.

and consequently four translational directives:

4. As a Hungarian translational equivalent for Polish term *poborca skarbowy* in respect to dimension of binding legislation the term *adóvégrehajtó* should be used.
5. As a Hungarian translational equivalent for Polish term *poborca skarbowy* in respect to dimension of repealed legislation such terms as *adóvégrehajtó*, *adószedő* and *vámszedő* may be proposed.
6. As a Hungarian translational equivalent for Polish term *celnik* in respect to dimension of binding legislation such terms as *adóvégrehajtó*, *vám- és pénzügyőr* and *vámisztviselő* may be considered.
7. As a Hungarian translational equivalent for Polish term *celnik* in respect to dimension of repealed legislation such terms as *adóvégrehajtó*, *adószedő* and *vámszedő* may be proposed.



## 5. False cognates

Some terms of legal lect created on the basis of national language or borrowings function as synonyms. Some of legal terms both in Polish and Hungarian are based on Latin and thus they have similar forms. In most cases they have also similar meanings, but there are exceptions to that rule. The Hungarian term may be similar to Polish because of the same Latin etymology but may have a different meaning. For example, in three languages Polish, English and Hungarian the following terms seems to be equivalent: *prawo cywilne*, *civil law*, *civiljog*.

The Hungarian term *civiljog* is used to describe foreign law systems. That term may be used particularly in discussion about Ancient Rome system of law and continental system of law in contrast to systems of *common law* and *equity law*. The terminology sometimes does not reflect the differences in legal systems clearly enough. Despite the fact that the Hungarian law belongs to the system of continental law, the Hungarian term *polgári jog* is sometimes translated into English as *civil law*; thus it could be translated into Polish as *prawo cywilne*. Thus in Hungarian legal language sometimes the term *civiljog* may be used as an equivalent for Polish term 'prawo cywilne', but the question is more complicated here. For instance, in Hungarian language of lawyers the term *civiljog* - could be literally translated into English as *civil law* and into Polish as *prawo cywilne*. But the term *civiljog* may also be used to denote the law regulating non-governmental organizations (in Hungarian: *civilszervezet*, in Polish 'organizacja pozarządowa') – as in Hungarian Act of 2011 about non-governmental organisations<sup>34</sup> (the term was used first in the statute of 2011, which came into force at the beginning of 2012) – which may be treated as specific part (sub-branch) of civil law. Moreover, in some texts the term *civiljog* may be used as a synonym of the term *magánjog* – in Polish it would be an equivalent of the term *prawo prywatne* 'private law' (in contrast to *prawo publiczne* 'public law') where *magánjog* is in fact a hyperonym of civil law because

---

<sup>34</sup> Az egyesülési jogról szóló 1989. évi II. törvény helyébe 2012. január 1-jével az egyesülési jogról, a közhasznú jogállásról, valamint a civil szervezetek működéséről és támogatásáról szóló 2011. évi CLXXV. törvény (Civil tv)

both in Polish and Hungarian legal systems the civil law is a part of private law. In a broad sense private law includes not only civil law but also labour law and social rights. Thus the Polish term *prawo cywilne* 'civil law' may be regarded as a kind of hyperonym of the Hungarian term *civiljog* meaning the law regulating non-governmental organizations. The term *prawo cywilne* and *civiljog* are synonymous when the terms denote the branch of law regulating civil matters in the countries of continental Europe that have law based on Roman system.

To sum up it should be noted that in most cases for Hungarian term *civiljog* not the term *prawo cywilne* should be proposed but – depending on context – the term *prawo prywatne* 'private law' or the expression *prawo dotyczące organizacji pozarządowych* 'the law connected with non-governmental organizations' or other terms which clearly indicate differences between Hungarian civil law and the term *civiljog* used for description of legal systems in other countries, both from synchronic and diachronic perspective. It may be noted that the similarity of such terms as *prawo cywilne*, *civil law* and *civiljog* may lead to inaccurate translation.

The process of parametrization of the analysed terms is presented in table below.

Table no. 12a

Dimension	Polish term: <i>prawo cywilne</i>	Polish term: <i>prawo o organizacjach pozarządowych</i>	Polish term: <i>prawo prywatne</i>
legislative lect – branch of law: national civil law	yes	no	yes – hyperonym of private law
legislative lect – branch of law: national private law	yes – hyponym of private law	no	yes
legislative lect – branch of law: law about non-governmental	yes – hyponym of law about non-	yes	no

organizations	governmental organizations		
other legal lects – branch of law: foreign private law	yes	no	yes

Table no. 12b

Dimension	Hungarian term: <i>civiljog</i>	Hungarian term: <i>polgári jog</i>	Hungarian term: <i>magánjog</i>
legislative lect – branch of law: national civil law	no	yes	yes
legislative lect – branch of law: national private law	no	yes – hyponym of private law	yes
legislative lect – branch of law: law about non-governmental organizations	yes	yes – hyponym of law about non-governmental organizations	no
other legal lects – branch of law: foreign private law	yes	yes	yes

Therefore, we may draw up the following postulates:

1. In Polish such terms as *prawo cywilne* and *prawo prywatne* are in hyponymic – hyperonymic relation.
2. In Hungarian such terms as *civiljog*, *polgári jog* and *magánjog* in some circumstances may be treated as synonyms or hyperonyms and hyponyms.

and consequently translational directives:

1. For Polish expression *prawo cywilne*, with the respect to the dimension of legislative lect and branch of law: national civil law, as Hungarian translational equivalent the term *polgári jog* should be used.

2. For Polish expression *prawo prywatne*, with the respect to the dimension of legislative act and branch of law: national private law, as Hungarian translational equivalent the term *magánjog* should be used.
3. For Polish expression *prawo o organizacjach pozarządowych*, with the respect to the dimension of legislative act and branch of law: law about non-governmental organizations - as Hungarian translational equivalent the term *civiljog* should be used.
4. For Polish term *prawo cywilne*, with the respect to the dimension of other legal acts and branch of law: foreign private law - as Hungarian translational equivalent the terms *civiljog*, *polgári jog* and *magánjog* may be considered.

Analysing terms of Polish and Hungarian civil law it should be noticed that expressions used in the Polish Civil Code and in the Polish Code of Civil Procedure are similar, and possible terminological differences are not significant. Thus the same method of determining translational equivalents may be used both for civil law and civil procedure. In the chapter above it was pointed that different relations may be identified between legal terms, both in the same language and between terms in two languages. As it may be noticed, even in texts created with language of the law, which should be well-organised and strictly precise, there are many semantic relations which make the decision about choosing the most proper translational equivalent complicated.

## 6. Taboo in legislative texts. Euphemisms, metaphors, archaisms

The civil law rules incorporate very wide areas of social life. Among others such questions which are regulated by law include relatively sensitive issues, in some way difficult for emotional reasons, which refer to themes treated as social taboos such as human life, death, sexuality or health. Such questions are often expressed in literary language by euphemisms or metaphors. Although legal language, contrary to literary language, primarily pursues to indicate the essence of a matter by expressing it in possibly explicit ways, to be easy to interpret, in case of some utterances a kind of „attenuation” of meaning may be observed, either by applying lexical or grammatical tools. Apart from numerous linguistics interpretations on the question of euphemisms and metaphors, which are otherwise made mainly in context of literary language, for the purpose of legal language (genre: legislation) analysis such „attenuated” expressions will be treated here as euphemisms. That kind of smoothing may be accomplished for example by using words, which may be used in modern vernacular lect, but are generally recognised as archaic.

Translative units (Polish): *poczęcie*, *zapłodnienie* ‘conception’

The question may be illustrated by the word *poczęcie*, used for example in the following provision of Polish Civil Code<sup>35</sup>:

Article 927. § 2. However, a child already conceived at the time of opening the inheritance may be an heir provided that he is born alive.’  
(translated by: Lex Omega)

According to Dictionary of Polish Language (Szymczak: 1978) the word *poczęcie* commonly used in Acts is an archaism. As a modern synonym of that the noun *zapłodnienie* ‘conception’ is usually used. However, in most cases the word *zapłodnienie* is used in the context of technical description of biological processes and the word *poczęcie*

---

<sup>35</sup> Ustawa z dnia 23 kwietnia 1964 r. - Kodeks cywilny, art. 927. § 2. Jednakże dziecko w chwili otwarcia spadku już *poczęte* może być spadkobiercą, jeżeli urodzi się żywe.

seems to be more connected with parents, as the persons who are responsible for that process.

Possible equivalents (Hungarian):

- 1) fogamzás
- 2) fogantatás.

The meaning of the word *poczęcie* is expressed in Hungarian primarily by two words: *fogamzás* and *fogantatás*. There is also a verbal form of the Polish word *poczęcie*: *począć* and comparably in Hungarian verbal forms may be used, like *fogamzik* and *fogan*.

The word *fogantatás* is archaic, it is used in Bible, for example in such connotation like *szeplőtelen fogantatás* ‘immaculate conception’. In Hungarian Acts, particularly in the Civil Code, contrary to the Polish Civil Code, primarily the term *fogamzás* is used. The word is modern, neutral and commonly used in vernacular language and medical sciences for expressing the process of conception. For example, it is used in the name of contraceptive: *fogamzásgátló*. The word may be found in the following provision of the Hungarian Civil Code<sup>36</sup>:

2:2 (1) Each person, if born alive, shall have legal capacity from the day of conception.

(2) The three hundredth day preceding the date of birth shall be considered the day of conception, which, however, may be evidenced to have occurred earlier or later. The day of birth shall be included in the aforementioned period (translated by: Complex).

The term *fogantatás* is used also in vernacular language, but it is considered to be more literary than *fogamzás*. As it was stated before, in Hungarian Acts usually the word *fogamzás* is used but there are exceptions from the rule. When the topic of the Act is sensitive or solemn, the word *fogantatás* is used, for example it is used in the Act

---

<sup>36</sup> 2013. évi V. törvény a Polgári Törvénykönyvről, 2:2.§ (1) A jogképesség az embert, ha élveszületik, *fogamzásának* időpontjától illeti meg. (2) A *fogamzás* időpontjának a születéstől visszafelé számított háromszázadik napot kell tekinteni; bizonyítani lehet, hogy a *fogamzás* korábbi vagy későbbi időpontban történt. A születésnapja a határidőbe beleszámít.

LXXIX of 1992 on the protection of fetal life. By appending to the Act the preamble, its specific or even solemn nature is stressed<sup>37</sup>:

The National Assembly, realizing that [...] fetal life, which starts with conception, deserves respect and protection; [...] has adopted this Act.

1. § The fetus, which emerges from the union of the female and male reproductive cells and which develops in the mother's womb, and the pregnant woman deserve support and protection.

Also in the Fundamental Law of Hungary of 2011 the term *fogantatás* is used<sup>38</sup>:

The Fundamental Law of Hungary, Article II (Apr. 25, 2011)\*

Article II. Human dignity shall be inviolable. Every human being shall have the right to life and human dignity; embryonic and foetal life shall be subject to protection from the moment of conception (kormany.hu/en).

Like in the Act about protection of fetal life, the archaic word is used here instead of the modern. That is because of special, solemn status of such Act like constitution of the country.

Table no. 13a

Dimension	Polish term: <i>poczęcie</i>	Polish term: <i>zapłodnienie</i>
legal lect (legislation):	yes	yes
- modern	no	yes
- archaic	yes	no
vernacular lect:	yes	yes
- modern	no	yes
- archaic	yes	no

<sup>37</sup> 1992. évi LXXIX. törvény a magzati élet védelméről: Az Országgyűlés annak tudatában, hogy [...] a fogantatással induló magzati élet tiszteletet és védelmet érdemel; [...] a következő törvényt alkotja: 1. § A női és férfi ivarsejt egyesüléséből létrejött, az anyaméhben kifejlődő magzatot és a gyermeket váró nőt támogatás és védelem illeti meg.

<sup>38</sup> Magyarország Alaptörvénye, II. cikk: Az emberi méltóság sérthetetlen. Minden embernek joga van az élethez és az emberi méltósághoz, a magzat életét a fogantatástól kezdve védelem illeti meg.

Table no. 13b

Dimension	Hungarian term: <i>fogamzás</i>	Hungarian term: <i>fogantatás</i>
legal lect (legislation):	yes	yes
- modern	yes	no
- archaic	no	yes
vernacular lect:	yes	yes
- modern	yes	no
- archaic	no	yes

Translative units (Polish): *przyjść na świat*, *urodzić się* ‘be born’

Metaphors may be treated as another tool for expressing social taboos, like for example the utterance *przyjść na świat* ‘come into the world’. It is sometimes used in the Polish Civil Code instead of the word *urodzić się* ‘be born’, like in the following provision<sup>39</sup>:

Article 9. Where a child is given birth to, he shall be presumed to have been born alive (translated by: Lex Omega).

It could be said that such expression like *przyjść na świat* ‘come into the world’ is more suitable for literary texts, than for legislative texts. One of the reason of using it in the Civil Code could be that the legislator tried to avoid lexical repetitions.

Possible equivalents (Hungarian):

- 1) *világra jön*
- 2) *megszületik (születés)*.

The Polish expression *przyjść na świat* ‘come into world’ has a semantically close equivalent in the Hungarian language *világra jön*. Although the utterance is rather literary, it is commonly used also in vernacular lect, when the topic of child birth is discussed. As its synonym the metaphoric expression *napvilágot lát* ‘lit. see the world’ may be used. Nevertheless, in Hungarian civil law the modern and neutral word *megszületik* (nominal form: *születés*) ‘be born (birth)’ is used, contrary to the use of metaphoric utterances in Polish Civil Code.

<sup>39</sup> Ustawa z dnia 23 kwietnia 1964 r. – Kodeks cywilny, art. 9: W razie urodzenia się dziecka domniemywa się, że przyszło ono na świat żywe.



Table no. 14a

Dimension	Polish term: <i>urodzić się</i>	Polish term: <i>przyjść na świat</i>
legal lect (legislation):	yes	yes
- ordinary	yes	no
- metaphoric, - euphemistic	no	yes
vernacular lect	yes	yes
- ordinary	yes	no
- metaphoric, - euphemistic	no	yes

Table no. 14b

Dimension	Hungarian term: <i>megszületik</i>	Hungarian term: <i>világra jön</i>	Hungarian term: <i>napvilágot lát</i>
legal lect (legislation):	yes	no	no
ordinary	yes	no	no
metaphoric, euphemistic	no	yes	yes
vernacular lect	yes	yes	yes
ordinary	yes	no	no
metaphoric, euphemistic	no	yes	yes

Translative unit (Polish): *zgon, śmierć* ‘death’

Translative unit (Polish): *umrzeć, następuje śmierć* ‘die’

Translative unit (Polish): *stracić życie* ‘lose one’s life’

Similar stylistic tentativeness may be observed when the theme of peoples’ death is raised. The word, which is connected with medical language, thus it’s meaning is expressed in the most direct way, is the word *zgon* ‘decease, exitus’. However, such word is not used in Polish Civil Code and the word *śmierć* ‘death’ is used instead, which may be treated as more „attenuate”. However, the term *zgon* is used in the Code of Civil Procedure, interchangeably with the word *śmierć*, as in the following provision<sup>40</sup>:

<sup>40</sup> Ustawa z dnia 17 listopada 1964 r. - Kodeks postępowania cywilnego, art. 538. § 1. W postanowieniu stwierdzającym *zgon* należy chwilę *śmierci* ściśle oznaczyć, stosownie do wyników postępowania.

Article 538. § 1. A declaration of death should precisely specify the time of death on the basis of the outcome of proceedings. (translated by: Lex Omega).

Furthermore such metaphoric expression like *utracić życie* ‘lose one’s life’ may be found there, which is used instead of the word *umrzeć* ‘to die’.

It is worth noticing that using of the word *śmierć* or using of the utterance *śmierć następuje* ‘death occurs’ implicates impersonal type of communication, which is representative for legal lect rather than for vernacular lect. For example, it is used in the following provision of Polish Civil Code<sup>41</sup>:

Article 446. §1. If the injured party died due to bodily harm or health disorder, the party obliged to redress the injury shall reimburse the treatment and the funeral expenditure to the person who incurred them. (translated by: Lex Omega).

Instead, the use of such expressions like *utracić życie* and *umrzeć* implicates personal type of communication, like in the following provision of Polish Civil Code<sup>42</sup>:

Article 32. If several persons lost their lives during a peril jeopardising all of them, it is presumed that they all died simultaneously. (translated by: Lex Omega).

Possible equivalents (Hungarian) for Polish term *śmierć*:

- 1) exitus
- 2) elhalálozás
- 3) halál.

Possible equivalents (Hungarian) for Polish term *umrzeć*:

- 1) meghal

---

<sup>41</sup> Ustawa z dnia 23 kwietnia 1964 r. - Kodeks cywilny, art. 446. § 1. Jeżeli wskutek uszkodzenia ciała lub wywołania rozstroju zdrowia nastąpiła śmierć poszkodowanego, zobowiązany do naprawienia szkody powinien zwrócić koszty leczenia i pogrzebu temu, kto je poniósł.

<sup>42</sup> Ustawa z dnia 23 kwietnia 1964 r. - Kodeks cywilny, art. 32. Jeżeli kilka osób utraciło życie podczas grożącego im wspólnie niebezpieczeństwa, domniemywa się, że zmarły jednocześnie.

- 2) elhaláloz
- 3) életet vesz
- 4) kileheli a lelkét
- 5) távozik az élők sorából.

Similarly to the topic of birth there are many expressions meaning death of a human being. In legallect (legislation) as the basic terms the noun *halál* and the verb *meghal* are used. Besides, there are many metaphoric expressions, like *kileheli a lelkét* ‘give up the ghost’, *távozik az élők sorából* ‘depart this life’, etc. but they are used in vernacular lect and literary language, and are not used in legal lect.

As it was said before, Polish medical term *zgon* is not used in Civil Code and the word *śmierć* is usually used instead. Moreover, such metaphoric word like *stracić życie* ‘lose one’s life’ is used. In Hungarian there are three words which may be regarded as basic for expressing men’s death:

- *exitus* – word of foreign origin (Latin), not used in Hungarian Acts, used in medical lect,
- *elhalálozás* (verb: *elhaláloz*) – the word is used both in medical and legal lect but is rarely used in vernacular lect,
- *halál* – the word is used rarely in medical lect but it is often used in legal or in vernacular lect. The term is important as a possible translational equivalent, because it is defined in one of the Hungarian Act no CLIV of 1997, Section XI, § 202g. The definition states<sup>43</sup>: „*death*: when irreversible changes of the human body started as the consequence of cessation of the respiration, the circulation and the brain activity”.

In the Hungarian Acts such nouns like *halál* and *elhalálozás* and such verbs like *meghal* and *elhaláloz* are used interchangeably. However, *elhalálozás* and *elhaláloz* are used rarely and in the Hungarian Civil Code and Code of Civil Procedure they are not used at all. Instead, usually the word *halál* is used, as in the following provision of Civil Code<sup>44</sup>:

---

<sup>43</sup> 1997. évi CLIV. tv. XI. feje. 202.§ g, *halál*: amikor a légzés, a keringés és az agyműködés teljes megszűnése miatt a szervezet visszafordíthatatlan felbomlása megindul’.

<sup>44</sup> 2013. évi V. törvény a PolgáriTörvénykönyvről, 6:511. § (1) A szerződés megszűnik bármelyik tag *halála* vagy megszűnése esetén.

Article 6:511. § (1) The partnership agreement shall be terminated upon the death or dissolution of a member.

In legal lect also more euphemistic and metaphoric utterances may be found. For example, in Civil Code the expression *életet vesz* (which may be translate into English as ‘lose one’s life’ and into Polish as ‘stracić życie’)<sup>45</sup> may be found:

Article 6:484. § 2) The insurance company shall be exempt from payment of the sum insured, if the insured person dies in consequence of the willful conduct of the beneficiary (translated by: Compex).

Table no 15

Dimension	Polish term: <i>śmierć</i>	Polish term: <i>zgon</i>	Hungarian term: <i>halál</i>	Hungarian term: <i>elhalálozás</i>	Hungarian term: <i>exitus</i>
legal lect (legislation):	yes	yes	yes	yes	no
- Civil Code	yes	no	yes	yes	-
- Civil Procedure	yes	yes	no	no	-
medical	no	yes	no	yes	yes
vernacular lect	yes	no	yes	no	no
- ordinary	yes	-	yes	-	-
- metaphoric	no	-	no	-	-
- euphemistic					

Table no. 16a

Dimension	Polish term: <i>umrzeć</i>	Polish term: <i>następuje śmierć</i>	Polish term: <i>stracić życie</i>	Hungarian term: <i>meghal</i>
legal lect (legislation):	yes	yes	yes	yes
ordinary	yes	yes	no	yes
metaphoric euphemistic	no	yes	yes	no
vernacular lect	yes	no	yes	yes
ordinary	yes	no	no	yes
metaphoric euphemistic	no	no	yes	no

<sup>45</sup> 2013. évi V. törvény a Polgári Törvénykönyvről, 6:484. § 2) A biztosító mentesül a biztosítási összeg kifizetése alól, ha a biztosított a kedvezményezett szándékos magatartása következtében *vesztette életét*’.

Table no. 16b

Dimension	Hungarian term: <i>elhaláloz</i>	Hungarian term: <i>életet vesz</i> t	Hungarian term: <i>távozik az élők sorából</i>	Hungarian term: <i>kileheli a lelkét</i>
legal lect (legislation):	yes	yes	no	no
- ordinary	yes	no	-	-
- metaphoric - euphemistic	no	yes	-	-
vernacular lect	no	yes	yes	yes
- ordinary	-	no	no	no
- metaphoric - euphemistic	-	yes	yes	yes

Translative unit (Polish): *pozbawić życia* ‘deprive somebody of life’

In the Civil Code such expression as *pozbawić życia* ‘deprive somebody of life’ may be also found, which is an euphemistic substitute for the word *zabić* ‘kill’, for example<sup>46</sup>

Article 899. § 2. The donating party's heirs may revoke the donation on account of ingratitude only when the donating party at the moment of his death was entitled to revoke it or where the benefiting party has intentionally *deprived* the donating party *of life* or has intentionally brought about a health disorder whose consequence was the donating party's death.

Similarly to Polish, also in Hungarian Acts euphemisms may be found. As a possible translational equivalent, similar to Polish utterance *pozbawić kogoś życia* ‘deprive somebody of life’, the Hungarian expression *élettől megfosztani* may be taken into account. It is used for example in the Act XXXI of 1993 about modifying the

<sup>46</sup> Ustawa z dnia 23 kwietnia 1964 r. – Kodeks cywilny, art. 899. 2. Spadkobiercy darczyńcy mogą odwołać darowiznę z powodu niewdzięczności tylko wtedy, gdy darczyńca w chwili śmierci był uprawniony do odwołania albo gdy obdarowany umyślnie *pozbawił darczyńcę życia* lub umyślnie wywołał rozstrój zdrowia, którego skutkiem była śmierć darczyńcy.

## Act connected with the Rome Convention of 1950 for the Protection of Human Rights and Fundamental Freedoms<sup>47</sup>.

Section 1., Article 2. The Act protects everyone's right to life. Nobody may be deliberately deprived of his life, with exception that it was for the implementation of juridical death sentences, if such a penalty is provided for by law for the relevant offences.

Although the utterance *élettől megfosztani* is not used in Hungarian civil law, it is used in other Acts and in vernacular language, therefore it may be proposed as a translational equivalent for Polish utterance *pozbawić kogoś życia*. When comparing the use of the utterance in two branches of law: criminal and civil and in two lects: legal and vernacular, it may be observed that the word *megöl* 'kill' is used in criminal law and in vernacular lect but not in civil law. It may be assumed that civil law prefers more attenuate utterances than criminal law, while vernacular lect allows many forms depending on communicational situation.

It is worth mentioning one more expression which may be found in Hungarian Civil Code: *életre tör* 'attempt to take somebody's life'. It is used in the following provision<sup>48</sup>:

Article 7:6. § (1) A person is unworthy of inheritance if he has: a) attempted to take the decedent's life.

In Hungarian-Polish dictionary (Reychman 1980) the utterance *életretör* is translated into Polish as *nastawać na życie* 'threaten sb's life'. That expression in the Polish language is regarded as archaic and means that somebody tried to kill someone but it does not mean that the attempt was „successful” and ended with dead. That expression is not used in modern Polish law, it was used, however, in old Acts, for example in Decree of September 25, 1945 on Marital Law (Journal of

---

<sup>47</sup> 1993. évi XXXI. Törvény az emberi jogok és az alapvető szabadságok védelméről szóló, Rómában, 1950. november 4-én kelt Egyezmény és az ahhoz tartozó nyolc kiegészítő jegyzőkönyv kihirdetéséről, I fejezet, 2 cikk 1. A törvény védi mindenkinek az élethez való jogát. Senkit nem lehet életétől szándékosan *megfosztani*, kivéve, ha ez halálbüntetést kiszabó bírói ítélet végrehajtása útján történik, amennyiben a törvény a bűncselekményre ezt a büntetést állapította meg.

<sup>48</sup> 2013. évi V. törvény a Polgári Törvénykönyvről, 7:6. § (1) Érdemtelen az öröklésre, [...] aki az örökhagyó *életére tört*.

Laws of the Republic of Poland of 1945 November 7.) Article 7. It is stated there that<sup>49</sup>

Two persons, of whom at least one tried to kill current husband or wife of himself or of the other party, to make marriage possible, may not enter into marriage.

Table no. 17a

Dimension	Polish term: <i>pozbawić kogoś życia</i>	Polish term: <i>zabić</i>	Polish term: <i>nastawiać na życie</i>
legal lect(legislation):	yes	yes	yes
- civil law	yes	no	no
- criminal law	no	yes	no
- other branch of law	yes	yes	yes
- ordinary	no	yes	yes
- metaphoric, euphemistic	yes	no	no
- archaic	no	no	yes
vernacular lect	yes	yes	yes
- ordinary	no	yes	yes
- metaphoric, euphemistic	yes	no	no
- archaic	no	no	yes

---

<sup>49</sup> Dekret z dnia 25 września 1945 r. Prawo małżeńskie (Dziennik Ustaw Rzeczypospolitej Polskiej z dnia 7 listopada 1945 r.): Nie mogą zawrzeć małżeństwa ze sobą: [...] osoby, z których chociażby jedna celem umożliwienia małżeństwa *nastawiała na życie* małżonka swego lub małżonka drugiej strony.

Table no. 17b

Dimension	Hungarian term: <i>élettől megfosztani</i>	Hungarian term: <i>megöl</i>	Hungarian term: <i>életre tör</i>
legal lect (legislation):	yes	yes	yes
- civil law	no	no	yes
- criminal law	no	yes	no
- other branch of law	yes	yes	no
- ordinary	no	yes	no
- metaphoric, euphemistic	yes	no	yes
- archaic	no	no	no
vernacular lect	yes	yes	yes
- ordinary	no	yes	no
- metaphoric, euphemistic	yes	no	yes

On the basis of the information stated before the following postulates may be formulated:

1. In legal lect (genre: legislation) the terms which are connected with social taboo, such as the topic of life, death, sexuality and health may be expressed at least by 3 types of utterances:
  - used in medical lect,
  - used in vernacular lect, in daily communication,
  - metaphoric, euphemistic, archaic.
2. In the Polish Acts of civil law often archaic utterances are used to express taboo topics.
3. In Hungarian archaic utterances are used rarely.
4. In the Polish Civil Code the usage of metaphors connected with human's birth and death are observed, such as *przysiąc na świat* 'come into world' or *stracić życie* 'lose one's life'.
5. In the Hungarian Civil Code metaphors connected with human's birth are not used, but the metaphore connected with death, such as *életet vesz* 'lose one's life' is used.
6. In Polish legal lect (legislation) more metaphors connected with humans' birth are used than in Hungarian legislation.
7. In the Polish Code of Civil Procedure modern and neutral utterances are more preferred than in Polish Civil Code.



Furthermore, the following directives may be formulated:

1. As the translational equivalent for Polish term *poczucie*, with respect to the dimension of branch of law: civil law, the Hungarian term *fogamzás* should be used.
2. As the translational equivalent for Polish term *poczucie*, with respect to the dimension of legal lect, the Hungarian term *fogamzás* or *fogantatás* may be used.
3. As the translational equivalent for Polish term *urodzić się*, with respect to the dimension of legal lect, the Hungarian term *megszül* should be used.
4. As the translational equivalent for Polish expression *przyjść na świat*, with respect to the dimension of branch of law: civil law, the Hungarian term *megszül* should be used.
5. As the translational equivalent for Polish term *umrzeć* with respect to the dimension of legal lect, the Hungarian term *életet vesz* may be used.
6. As the translational equivalent for Polish term *utracić życie* with respect to the dimension of branch of law: civil law, the Hungarian term *életet vesz* may be used.
7. As the translational equivalent for Polish term *pozbawić kogoś życia*, with respect to the dimension of legal lect, the Hungarian term *élettől megfoszt* or *megöl* may be used.
8. As the translational equivalent for Polish term *pozbawić kogoś życia*, with respect to the dimension of branch of law: civil law, the Hungarian term *élettől megfoszt* should be used.
9. As the translational equivalent for Polish term *pozbawić kogoś życia*, with respect to the dimension of vernacular lect, the Hungarian term *élettől megfoszt* or *megöl* may be used.

It may be concluded that expressions used in the Polish Code of Civil Procedure, where the description of procedures is most important, seems to be more formal and the content is expressed in a more direct way than in the Polish Civil Code, which characterises social life rules in a more general way. Instead, the metaphoric utterances are not typical of Hungarian Civil Code, thus the stylistic differences between substantive civil law and procedural law are even less extensive than in Polish. Concerning attributes of legal language in both Polish and Hungarian it may be stated, that in the process of determining

translational equivalents with using the method of parametrization, the stylistic differences between sub-branches of civil law in that languages seem to be not relevant enough to make terminological distinction between civil law and civil procedural law.

Analysing texts formulated in a legislative genre of legal lect, other LSP lect or vernacular lect it could be noticed that such linguistic tools like metaphors and euphemisms are relatively rarely applied into Polish and Hungarian legislation. However, because of taboo, they are used sometimes, without infringing principles which are generally used and accepted in social life. Particularly metaphors and euphemisms may be observed in more general Acts, such as Civil Code. Acts on procedures seems to be more precise and "technical", thus they avoid metaphors and euphemisms. The difference may be noticed rather in Polish codes than in Hungarian ones. One of the reason may be that Hungarian codes were created in the last few years, and their authors aimed to formulate them taking into consideration communicational needs of recipients. Thus they bothered to use as easy utterances as possible. Polish Codes are much older, though, obviously, have been undergoing continuous changes, adjusting terminology to the modern law system. In a Hungarian legal lect (legislation), however, euphemisms are also used, particularly in Acts regulating social taboo. It could be also observed that metaphors and euphemisms used in legislation are not complicated, they are rather similar in both Polish and Hungarian languages, thus determining if precise translational equivalents is possible.

## 7. Translational Algorithm Application and Directives

In the following chapter some steps will be presented, which may be undertaken to set the most proper translational equivalent in legal context. The following types of algorithm will be considered:

- 1) algorithm for monosemic term
- 2) algorithm for linguistic polysemy
- 3) algorithm for synonymous terms
- 4) algorithm for legally polysemic terms and
- 5) algorithm for the term without an equivalent.

The following steps should be considered:

- 1) Determining the potential source text unit meaning
- 2) The source text translative unit meaning interpretation/calculation
- 3) Establishing the set of all potential target text equivalents
- 4) The calculation of the meaning of potential target text equivalents
- 5) Determining of filters eliminating incorrect meanings
- 6) Choosing an optimal equivalent or coining such an equivalent.  
The monitoring stage.

### 7.1. Algorithm for monosemic term

The first analysed type of term is such a term which has only one meaning in source language.

The procedure of determining proper translational equivalent will be shown on example of the term *użytkowanie wieczyste* ‘perpetual usufruct’.

Step 1. Determining the potential source text unit meaning

Translative unit: *użytkowanie wieczyste* ‘perpetual usufruct’

The term *użytkowanie wieczyste* ‘perpetual usufruct’ means that someone may use a section of land, usually located in cities, for a period which lasts from 40 to 99 years. A State or a local government must be the owner of that land. The regulations connected with that term were based on Soviet regulations, thus they were admittedly characteristic for Middle East European countries. The regulation is similar to right of property but it is definitely not the same. Such kind of regulation was implemented into the Polish law in 1961. It is regulated by civil code and some other Acts, for example by Real Estate Management Act of August 21, 1997<sup>50</sup> or Act of July 21, 2005 on converting perpetual usufruct into freehold ownership<sup>51</sup>. The last one was implemented to solve the problem of perpetual usufruct but the procedure occurred to be too complicated, the process of conversion was very long and often the right to property had to be considered by courts. In fact the law regulating perpetual usufruct in Poland is valid until now, but the Act abolishing that kind of law relation, especially in respect to buildings with private flats, is planned to be implemented soon. According to planned regulations the land will be bought by owners of buildings on special terms, and payment will be divided into instalments for 20 years.

As it was mentioned before, after systemic changes of 1989 regulations about perpetual usufruct in countries of Middle East Europe changed and in some countries, for example in Hungary, are not valid any more. There may be implemented new regulations instead of the old ones or changes in law are still in process. Some new regulations have been launched into law but at the same time some old regulations about the question are still valid. The lack of orderliness in law causes also a kind of shambles in legal terminology and this may be the source of difficulties in translation. Since in Hungary such a phenomenon as *użytkowanie wieczyste* ‘perpetual usufruct’ does not exist in law any more, also the terminology connected with that term is not used in modern legislation. However, the terminology may be still used in other LSP lects, in papers connected with law systems or with regulations which are not valid. In Poland, despite changes in law connected with that branch, some regulations of law are still valid, thus the terminology does not change

---

<sup>50</sup> Ustawa z dnia 21 sierpnia 1997 r. o gospodarce nieruchomościami

<sup>51</sup> Ustawa z dnia 29 lipca 2005 r. o przekształceniu prawa użytkowania wieczystego w prawo własności

in such a way like in Hungary and connected terms are still used both in legislation and other LSP texts.

Step 2. The source text translative unit meaning  
interpretation/calculation

The term *użytkowanie wieczyste* is monosemic thus it is used in such a meaning as it was determined in step 1.

Step 3. Establishing the set of all potential target text equivalents

Since in Poland some regulations connected with perpetual usufruct are still valid and similar regulations in Hungary are not valid any more for a few last years, the following terms are considered as possible translational equivalents:

- 1) örökhaszonbérlet – emphyteusis
- 2) örökbérlet
- 3) tartósföldhasználat
- 4) felülepítményi jog, építményi jog.

Step 4. The calculation of the meaning of potential target text  
equivalents

- 1) Possible equivalent: *örökhaszonbérlet* – *emphyteusis*

The Hungarian term *örökhaszonbérlet*, which is used as a synonym of the term *emphyteusis*, seems to be morphologically nearest to Polish term *użytkowanie wieczyste*, but there are differences in meaning. The term *emphyteusis* refers to the legal system of ancient Rome but its etymology is Greek. Originally it meant that someone had a right to use a part of land for some time paying for that. Neither the term *örökhaszonbérlet* nor *emphyteusis* is used in modern Hungarian statutes but it is sometimes used to characterize the system of ancient Roman law or to characterize similar regulations in other countries.

- 2) Possible equivalent: *örökbérlet* – *superficies*

The term *örökbérlet* or the term *superficies* (from Latin *superficiēs*) (used as synonym of *örökbérlet*) refers to the legal system of ancient Rome and was connected with using houses and flats which were built on the land owned by somebody else. The term *örökbérlet* was used in old Hungarian statutes, it is mentioned in Dictionary of Hungarian Language from 1862 (Czuczor, Fogarasi 1862).

3) Possible equivalent: *tartós földhasználat*

The term *tartós földhasználat* is connected with regulation implemented on Hungary in 1977. It was about using the land which was a state property for land cultivation or for buildings. After implementation of that regulation the related rights were established in some Acts. The last related Act was in force until 1997. After that time the land which had been used on the basis of that statute was transferred to people using it, if they submitted an application for obtaining ownership right to the proper office. Since the statute is not valid the term is not used in legislation any more, but it is still used by lawyers, because some cases connected with obtaining ownership right to land on the basis of that regulations are still pending.

4) Possible equivalent: *felülepítményi jog, építményi jog*

The regulation connected with terms *felülepítményi jog* and *építményi jog* (used as synonyms) relate to ownership right to a house or a flat, which is erected on the land belonging to someone else. It is not connected with public land. The question is regulated in the new Hungarian Civil Code implemented in 2013, section 5.18<sup>52</sup>.

Section 5:18. Ownership of land and buildings] (1) Ownership of a building shall accrue to the owner of the land, unless there is an agreement between the owner of the building and the owner of the land to contrary. (2) At the discretion of the real estate property's owner, the building and the land on which it stands may be entered in

---

<sup>52</sup> 2013. évi V. Törvény a Polgári Törvénykönyvről

5:18. § [Az épületés a föld tulajdonjoga] (1) Az épület tulajdonjoga - ha az épületés a föld tulajdonosa eltérően nem állapodnak meg - a föld tulajdonost illeti meg. (2) Az ingatlan tulajdonosa rendelkezhet úgy, hogy a földetés a rajta álló épületet önálló ingatlanokként jegyezzék be az ingatlan-nyilvántartásba.

the real estate register as separate properties. (translation by: Wolters Kluwer).

Despite the fact that the term is not connected with land owned by the state and with law of socialistic period, it may be observed that the term is used by some Hungarian lawyers as a synonym to such terms as: *örökbérlet*, *örökhaszonbérlet*, and *emphyteusis*. It is based on the fact that *építményi jog* refers to the legal system of ancient Rome.

#### Step 5. Determination of filters eliminating incorrect meanings

Polish term and possible Hungarian translational equivalents will be analysed in respect to such relevant dimensions like:

- 1) branch of law
- 2) lect and
- 3) legislative text status.

#### 1) Dimension: branch of law

Table no. 18a

Dimension: branch of law	Polish term: <i>użytkowanie wieczyste</i>	Hungarian term: <i>örökhaszonbérlet (emphyteusis)</i>	Hungarian term: <i>örökbérlet</i>
ownership right	yes	yes	yes
legal system of ancient Rome	yes	yes	yes
civil law	yes	no	no
regulation about using public land	yes	no	no

Table no. 18b

Dimension: branch of law	Hungarian term: <i>tartós földhasználat</i>	Hungarian term: <i>felülépítményi jog</i>
ownership right	yes	yes
legal system of ancient Rome	no	yes
civil law	no	yes
regulation about using public land	yes	no

## 2) Dimension: lect

Table no. 19a

Dimension: lect	Polish term: <i>użytkowanie wieczyste</i>	Hungarian term: <i>örökhaszonbérlet (emphyteusis)</i>	Hungarian term: <i>örökbérlet</i>
legislation	yes	no	yes
other LSP lects	yes	yes	yes

Table no. 19b

Dimension: lect	Hungarian term: <i>tartós földhasználat</i>	Hungarian term: <i>felülepítményi jog</i>
legislation	yes	yes
other legal lects	yes	yes

## 3) Dimension: legislative text status

Table no. 20a

Dimension: legislative text status	Polish term: <i>użytkowanie wieczyste</i>	Hungarian term: <i>örökhaszonbérlet (emphyteusis)</i>	Hungarian term: <i>örökbérlet</i>
valid	yes	no	no
not valid	no	yes	yes

Table no. 20b

Dimension: legislative text status	Hungarian term: <i>tartós földhasználat</i>	Hungarian term: <i>felülepítményi jog</i>
valid	no	yes
not valid	yes	no

Step 6. Choosing an optimal equivalent or coining such an equivalent.  
The monitoring stage

1. The terms *użytkowanie wieczyste* and *örökhaszonbérlet* are convergent in respect to the dimensions of branch of law such as: ownership right and the legal system of ancient Rome.



2. The terms *użytkowanie wieczyste* and *örökhaszonbérlet* are complementary in respect to the dimension of branch of law such as: civil law and regulation about using public land.
3. The terms *użytkowanie wieczyste* and *örökhaszonbérlet* are also convergent in respect to the dimensions of lect such as: other legal lects.
4. The terms *użytkowanie wieczyste* and *örökhaszonbérlet* are complementary in respect to the dimensions of lect such as: legislation.
5. The terms *użytkowanie wieczyste* and *örökhaszonbérlet* are complementary in respect to the dimensions of valid or not valid status of legislative text.
6. The terms *użytkowanie wieczyste* and *örökbérlet* are convergent in respect to the dimensions of branch of law such as: ownership right and legal system of ancient Rome.
7. The terms *użytkowanie wieczyste* and *örökbérlet* are complementary in respect to the dimensions of branch of law such as: civil law and regulation about using public land.
8. The terms *użytkowanie wieczyste* and *örökbérlet* are also convergent in respect to the dimensions of lect such as: legislation and other LSP lects.
9. The terms *użytkowanie wieczyste* and *örökbérlet* are complementary in respect to the dimensions of valid or not valid status of legislative text.
10. The terms *użytkowanie wieczyste* and *tartós földhasználat* are convergent in respect to the dimensions of branch of law such as: ownership right and regulation about using public land.
11. The terms *użytkowanie wieczyste* and *tartós földhasználat* are complementary in respect to the dimensions of branch of law such as: civil law and legal system of ancient Rome.
12. The terms *użytkowanie wieczyste* and *tartós földhasználat* are also convergent in respect to the dimensions of lect such as: legislation and other LSP lects.
13. The terms *użytkowanie wieczyste* and *tartós földhasználat* are complementary in respect to the dimensions of valid or not valid status of legislative text.
14. The terms *użytkowanie wieczyste* and *felülepítményi jog* are convergent in respect to the dimension of branch of law such as: ownership right, legal system of ancient Rome, and civil law.

15. The terms *użytkowanie wieczyste* and *felülepítményi jog* are complementary in respect to the dimension of branch of law such as: regulation about using public land.
16. The terms *użytkowanie wieczyste* and *felülepítményi jog* are convergent in respect to the dimensions of lect such as: legislation and other LSP lects.
17. The terms *użytkowanie wieczyste* and *felülepítményi jog* are convergent in respect to the dimension of valid status of legal lect (legislation).
18. The terms *użytkowanie wieczyste* and *felülepítményi jog* are complementary in respect to the dimensions of not valid status of legal lect (legislation).

On the basis of the information mentioned above it may be concluded that for Polish term *użytkowanie wieczyste* ‘perpetual usufruct’ as the most proper Hungarian equivalent in legal lect the term *tartós földhasználat* may be regarded, because they have similar properties in respect to such relevant dimensions as branch of law and lect. The terms differ in respect to dimension of legislative text status but the status of Hungarian text was similar to the Polish one – the statute was in force until 1997. Despite the fact that the terms *użytkowanie wieczyste* and *felülepítményi jog* or *építményi jog* are used in binding legislation connected with land and ownership right they relate in fact to other legal systems, hence they should not be used as translational equivalents.

Giving that equivalent it should be clarified that there is no such law any more in Hungary which regulates such legal institution like perpetual usufruct, because it was supplied by modern property law. However, the term *tartós földhasználat* may be used in other types of texts than Acts or regulations but are prepared by lawyers or by other authors in more or less formal communicational situations.

The terms *użytkowanie wieczyste* and *tartós földhasználat* are sufficiently equivalent so the following directives may be formulated:

1. As a translational equivalent for Polish term *użytkowanie wieczyste* the term *tartós földhasználat* should be used.

2. As a translational equivalent for Polish term *użytkowanie wieczyste* the terms *örökhaszonbérlet*, *örökbérlet*, *felülépítményi jog* and *építményi jog* should not be used.

## 7.2. Algorithm for linguistic polysemy

The second analysed type of term is such a term which has more than one meaning in source language.

Step 1. Determining the potential source text unit meaning

Translative unit: *separacja* ‘separation’

In Polish at least three meanings of the word *separacja* may be enumerated, which are connected with such phenomenon as:

- 1) legal separation, which is ruled by court

In Poland legal separation means cessation of marital obligations which is decreed by court. That means dissolution of marriage in practice but it does not mean complete termination of marriage, as in the case of divorce. The status of person being in legal separation does not allow remarrying, as in case of divorce. The financial matters between married couple are regulated by court. Community property is cancelled, the estate is divided and a spouse may put forward a motion for maintenance. Separation ruled by court may last only for a given period of time. Married couple may make a request for cease of separation. Separation is usually chosen if someone is convinced about breakdown of his marriage but is not ready for divorce. The reason for choosing separation instead of divorce may be connected with psychical aspect or with family conditions or with religious reason ([digital.fides.org.pl](http://digital.fides.org.pl)).

- 2) physical separation of people

Such kind of separation, which means that people are divided. It may be connected with legal separation in such a way that married couple

makes a kind of private agreement that they live separately, for example in separate flats.

### 3) separation of two things

Separation may also mean disassociating objects physically or figuratively.

## Step 2. The source text translative unit meaning interpretation/calculation

The term is polysemic. On the basis of meanings enumerated in step 1 it is stated that only the first meaning should be analysed.

## Step 3. Establishing the set of all potential target text equivalents

In Hungarian legal system there is no such a legal institution as *separacja* 'legal separation' like it is in Poland or in some other European countries. In case of marriage breakdown the court enters a judgment about divorce. Therefore there is no term for such a concept in Hungarian legislation. However, in other LSP lects there is a term with such a meaning which is used when systems other than the Hungarian legal system are described. There are some words in Hungarian which could describe the situation of separating people. Thus, with the meaning of separation of something from something or somebody from somebody, the following words could be considered as possible equivalents:

- 1) elválasztás
- 2) szeparáció
- 3) elszakadás
- 4) elkülönítés
- 5) elszigetelés
- 6) különválás.

#### Step 4. The calculation of the meaning of potential target text equivalents

The basic meaning of the words was firstly set on the basis of Hungarian – English dictionary (Ország, Futász, Kövecses 2004) and after that it was compared with using them in Hungarian legal and not legal texts. The following meanings were determined:

- 1) *elválasztás* – the word may mean any kind of separation or may also have the same meaning as divorce or legal separation. In medical language it may mean weaning, delactation.
- 2) *szeparáció* – in Hungarian texts the word is used in the context of weaning, delactation. Because the word functions as a borrowing adapted to Hungarian language, other contexts are possible but they seem to be very rare.
- 3) *elszakadás* – the meaning may be connected with clothes: breaking, snapping, tearing or may also mean separation from somebody, disengagement from something, also secession from the country or church (apostasy).
- 4) *elkülönítés* – separation, isolation, segregation – also in meaning of apartheid
- 5) *elszigetelés* – isolation, segregation
- 6) *különválás* – For the term such synonyms may be found as parting, disunion, secession and division. But the most important meaning enumerated in dictionary is marital separation.

Although according to the meanings given in dictionary a few terms could be considered as a translational equivalent, on the basis of analysis of legislative texts or other texts connected with law it was stated that there is only one term, which may be considered as potential translational equivalent for court procedure: *különválás*.

#### Step 5. Determining of filters eliminating incorrect meanings

Polish and Hungarian terms will be analysed in respect to such relevant dimensions as:

- 1) lect
- 2) branch of law

1) Dimension: lect

Table no. 21

Dimension: lect	Polish term: <i>separacja</i>	Hungarian term: <i>különválás</i>
legal lect (legislation)	yes	no
other LSP lect	yes	yes
vernacular lect	yes	no

2) Dimension: branch of law

Table no. 22

Dimension: branch of law	Polish term: <i>separacja</i>	Hungarian term: <i>különválás</i>
family law: national family law	yes	no
family law: foreign family law	yes	yes

Step 6. Choosing an optimal equivalent or coining such an equivalent.  
The monitoring stage

It may be assumed that for the Polish term *separacja* ‘legal separation’ as the Hungarian translational equivalent the word *különválás* may be proposed. The term is used by Hungarian lawyers characterizing institution of legal separation in other countries. On the basis of that, related expressions may be minted, for example: *postępowanie odrębne o separację na żądanie jednego z małżonków* ‘separate proceedings for legal separation for the request of one of married partners’ – *különleges eljárás – különválás a házastársak egyikének kérelmére*.

The terms *separacja* and *különválás* are convergent in respect to the dimension of branch of law, which means that both terms are used in family law. However the terms *separacja* and *különválás* are complementary in respect to the dimension of branch of law when if

the dimension of the law branch is analyzed taking into account the division into domestic family law and foreign family law.

The terms *separacja* and *különválás* are complementary in respect to the dimension of lect, since the term *separacja* is used in legal lect (genre: legislation), namely the term *különválás* is used in other LSP lects.

The terms *separacja* and *különválás* are sufficiently equivalent thereupon the following directives may be formulated:

1. As a translational equivalent for the Polish term *separacja* the term *különválás* should be used.
2. As a translational equivalent for the Polish term *separacja* in legal context such terms as *elválasztás*, *elszakadás*, *elkülönítés*, *elszigetelés* and *szeperáció* should not be used.

### 7.3. Algorithm for synonymous terms

The next analysed type of term is such a term which has legally synonymic terms in the source language.

#### Step 1. Determining the potential source text unit meaning

The procedure of determining proper translational equivalent will be shown on the example of two translatable units:

- 1) Translatable unit: *rozstrzygnięcie sprawy przez sąd polubowny powołany do rozstrzygnięcia poszczególnego sporu* 'decision made by arbitration court empanelled to resolve particular disputes'
- 2) Translatable unit: *arbitraż ad hoc* 'ad hoc arbitration'

In the Polish legal system both terms are synonymic.

Arbitration means resolving disputes by arbitration courts. Such a type of court is not connected with the system of national, public courts. An arbitration court has the right to make decisions on the basis of the agreement between parties to a dispute. The unbiased

third person designated by two parties decides the dispute, mainly in civil or economic matters, using special procedures. In Poland such kind of procedure is regulated, among others, in Act of 23 September 2016 on Alternative Dispute Resolution for Consumer Disputes<sup>53</sup>. Alternative disputes may be connected with any kind of material or non-material disputes except maintenance matters.

Arbitration procedure is easier, less formal and much faster than public court procedure. Parties may designate arbitrators from foreign countries, which may be useful not only in international disputes but also when specific knowledge is needed for making an equitable decision. Decisions made by arbitration courts are equal in law to a judgement of public courts. Parties have to accept the decision and there is no possibility to appeal to other courts. However, parties may lodge a complaint to the same arbitration court. There are two types of procedure: arbitration made by *permanent arbitral court* or arbitration made by *arbitral court ad hoc*.

Permanent arbitral courts may be organized like institutions, may have diverse legal forms, they may function in the form of a trade company, foundation or association. Such independent permanent arbitration court is organised, among others, at the Polish Chamber of Commerce in Warsaw<sup>54</sup>. The Court was established in 1950 and operated initially under the name of the Council of Arbitrators at the Polish Chamber of Foreign Trade<sup>55</sup>. It is worth to notice that the independent institution created to settle international trade disputes was known in Poland even in socialism of 1950. Since 1990 the Court of Arbitration has continued its operations at the Polish Chamber of Commerce in Warsaw. That court is the oldest and the biggest in Poland but it must be noted that there are many other courts of arbitration in Poland, for example the Court of Arbitration at the Polish Confederation Lewiatan<sup>56</sup> (sakig.pl).

*Arbitral court ad hoc* is appointed to solve only one dispute. Such a kind of court is abolished when the case is closed. Consequently, the term *arbitraż ad hoc* is used for arbitration

---

<sup>53</sup> Ustawa z dnia 23 września 2016 r. o pozasądowym rozwiązywaniu sporów konsumenckich

<sup>54</sup> Sąd Arbitrażowy przy Krajowej Izbie Gospodarczej w Warszawie

<sup>55</sup> Kolegium Arbitrów przy Polskiej Izbie Handlu Zagranicznego

<sup>56</sup> Sąd Arbitrażowy przy Konfederacji Lewiatan



procedure, which is not connected with a permanently established institution. The rules of the procedure are set by arbitrator or parties to the dispute and applied only to one case.

#### Step 2. The source text translative unit meaning interpretation/calculation

The two enumerated translative units are monosemic, thus they are used in such a meaning as it was determined in step 1.

#### Step 3. Establishing the set of all potential target text equivalents

Two Hungarian terms are considered here as possible translational equivalents:

- 1) Possible equivalent: *eseti választottbíráskodás* ‘arbitration for one case’
- 2) Possible equivalent: *ad hoc választottbíráskodás* ‘ad hoc arbitration’

In Hungarian legal system both terms *ad hoc választottbíráskodás* and *eseti választottbíráskodás* are synonymic.

#### Step 4. The calculation of the meaning of potential target text equivalents

During the analysis of the meaning of the enumerated terms the basic rules of Hungarian arbitration in general should be known. The Hungarian regulations about alternative disputes do not differ significantly from the solutions known in other countries. They are based among others on 1958 New York Arbitration Convention, on 1961 Geneva Convention on International Commercial Arbitration and on UNCITRAL Arbitration Rules, adopted in 1976 and revised in 2010 and 2013. Hungarian rules about arbitration procedures are regulated in Act of 1994 on Arbitration<sup>57</sup>. According to the Hungarian Act the decision of arbitration court has the same status in law as a legally binding judgement of public court and for its implementation

---

<sup>57</sup> 1994. évi LXXI. törvény a választottbíráskodásról

the same regulations should be applied as in enforcement procedures applied by public court. The rule of equal treatment of two parties is very important and arguments for the decision should be given in a proper way. However, the court may regulate what kind of procedures will apply. There is no possibility to appeal to other courts but parties may ask the public court for cancellation of the decision made by an arbitration court.

Similarly to the Polish procedure there are two types of procedure in Hungary: arbitration made by a court appointed to solve only one dispute or arbitration made by a permanent arbitral court. The permanent court is organised by such a kind of national institution as a chamber of commerce or similar organ. Such permanent arbitration court is organised, among others, by Hungarian Chamber of Commerce and Industry (Magyar Kereskedelmi és Iparkamara). Moreover, according to the Act CXX of 2001 on the Capital Market Section 376<sup>58</sup> financial matters should be considered by Court of Arbitration of Money and Capital Market (Pénz- és Tőkepiaci Állandó Választottbíróság):

Section 376. (1) The trade organizations of the exchange markets, credit institutions and investment enterprises may jointly establish and operate the Money and Capital Markets Arbitration Tribunal.  
(Translated by: ebrd.com)

The matters connected with energy industry are considered by the Energy Arbitration Court (Az Energetikai Állandó Választottbíróság). Such kind of courts have their own statutes, rules and regulations, their own permanently working arbitrators and administrations.

When the court is appointed only for one case, the parties designate arbitrators and the parties or arbitrators determine rules and procedures. Such a type of court is dissolved when the decision is made.

---

<sup>58</sup> 2001. évi CXX. Törvény a tőkepiacról

376. § (1) Tőzsde, valamint a hitelintézetek és a befektetési vállalkozások szakmai érdek-képviselői szervei közösen megalapíthatják és működtethetik a Pénz- és Tőkepiaci Állandó Választottbíróságot.

## Step 5. Determining of filters eliminating incorrect meanings

Polish term and possible Hungarian translational equivalents will be analysed in respect to such relevant dimensions as:

- 1) branch of law
- 2) time of source text creation
- 3) lect.

### 1) Dimension: branch of law

Table no. 23a

Dimension: branch of law	Polish term: <i>rozstrzygnięcie sprawy przez sąd polubowny powołany do rozstrzygnięcia poszczególnego sporu</i>	Polish term: <i>arbitraż ad hoc</i>
arbitration procedure	yes	yes

Table no. 23b

Dimension: time of source text creation	Hungarian term: <i>eseti választottbíráskodás</i>	Hungarian term: <i>ad hoc választottbíráskodás</i>
arbitration procedure	yes	yes

### 2) Dimension: time of source text creation

In the Polish binding legislation such term as *sąd polubowny powołany do rozstrzygnięcia poszczególnego sporu* is used, for example in Act of 17 November 1964 - Code of Civil Procedure<sup>59</sup>, Section 1158. The term *arbitraż ad hoc* may be found in Polish translation of decree law of 1964 about international conflicts in commercial matters. This means the term was used in other LSP lects before systemic changes of 90th.

The term *eseti választottbíráskodás* is used in modern, binding legislation, for example in the statute of 1994 about arbitration<sup>60</sup>. The term *ad hoc választottbíráskodás* was used in repealed legislation of period before systemic changes of the 90ies: for example in decree law

<sup>59</sup> Ustawa z dnia 17 listopada 1964 r. – Kodeks postępowania cywilnego.

<sup>60</sup> 1994. évi LXXI. törvény a választottbíráskodásról

of 1964 about international conflicts in commercial matters<sup>61</sup> formulated on the basis of the 1961 Geneva Convention on International Commercial Arbitration.

Table no. 24a

Dimension: time of source text creation	Polish term: <i>rozstrzygnięcie sprawy przez sąd polubowny powołany do rozstrzygnięcia poszczególnego sporu</i>	Polish term: <i>arbitraż ad hoc</i>
binding legislation	yes	no
repealed legislation	no	yes

Table no. 24b

Dimension: time of source text creation	Hungarian term: <i>eseti választottbíráskodás</i>	Polish term: <i>ad hoc választottbíráskodás</i>
binding legislation	yes	no
repealed legislation	no	yes

### 3) Dimension: lect

Table no. 25a

Dimension: lect	Polish term: <i>rozstrzygnięcie sprawy przez sąd polubowny powołany do rozstrzygnięcia poszczególnego sporu</i>	Polish term: <i>arbitraż ad hoc</i>
legal lect (legislation) – binding legislation	yes	no
other LSP lect	no	yes

Table no. 25b

Dimension: time of source text creation	Hungarian term: <i>eseti választottbíráskodás</i>	Polish term: <i>ad hoc választottbíráskodás</i>
legal lect	yes	no

---

<sup>61</sup> 1964. évi 8. Törvény erejű rendelet a nemzetközi kereskedelmi választott bíráskodásról szóló, Genfben 1961. április 21-én kelt Európai Egyezmény kihirdetéséről

(legislation) binding legislation	–		
other LSP lect		no	yes

Despite in Polish Code of Civil Procedure the expression *rozstrzygnięcie sprawy przez sąd polubowny powołany do rozstrzygnięcia poszczególnego sporu* is used the term *arbitraż ad hoc* seems to be used by lawyers more often, probably because it is shorter.

In Hungarian both terms *eseti választottbíráskodás* and *ad hoc választottbíráskodás* are used by lawyers but the first one seems to be used more often, because it is short and „national” and the second term functions as borrowing. Sometimes both forms are used contemporaneously: *eseti / ad hoc választottbíráskodás*.

#### Step 6. Choosing an optimal equivalent or coining such an equivalent. The monitoring stage

The Polish terms *rozstrzygnięcie sprawy przez sąd polubowny powołany do rozstrzygnięcia poszczególnego sporu* and *arbitraż ad hoc* and the Hungarian terms *ad hoc választottbíráskodás* and *eseti választottbíráskodás* are convergent in respect to the dimension of the branch of law, which means that all the terms are used in arbitration procedure.

The terms *rozstrzygnięcie sprawy przez sąd polubowny powołany do rozstrzygnięcia poszczególnego sporu* and *eseti választottbíráskodás* are convergent in respect to the dimension of lect, which means that both the terms are used in legal lect (legislation).

The terms *arbitraż ad hoc* and *ad hoc választottbíráskodás* are convergent in respect to the dimension of lect, which means that all the terms are used in modern LSP lects.

The terms *rozstrzygnięcie sprawy przez sąd polubowny powołany do rozstrzygnięcia poszczególnego sporu* and *ad hoc választottbíráskodás* are complementary in respect to the dimension of lect, since the term *rozstrzygnięcie sprawy przez sąd polubowny powołany do rozstrzygnięcia poszczególnego sporu* is used in legal lect (legislation) instead of the term *ad hoc választottbíráskodás*, which is used in other LSP lects.

The terms *arbitraž ad hoc* and *eseti választottbíráskodás* are complementary in respect to the dimension of lect, since the term *arbitraž ad hoc* is used in modern other LSP lects instead of the term *eseti választottbíráskodás* which is used in legal lect of binding legislation.

The terms *rozstrzygnięcie sprawy przez sąd polubowny powołany do rozstrzygnięcia poszczególnego sporu* and *eseti választottbíráskodás*, are sufficiently equivalent, thereupon the following directives are formulated:

1. As a translational equivalent for Polish term *rozstrzygnięcie sprawy przez sąd polubowny powołany do rozstrzygnięcia poszczególnego sporu* the term *eseti választottbíráskodás* should be used.
2. As a translational equivalent for Polish term *rozstrzygnięcie sprawy przez sąd polubowny powołany do rozstrzygnięcia poszczególnego sporu* the term *ad hoc választottbíráskodás* should not be used.

Moreover, the terms *arbitraž ad hoc*, *eseti választottbíráskodás* and *ad hoc választottbíráskodás* are sufficiently equivalent, thereupon the following directive is formulated:

3. As a translational equivalent for Polish term *arbitraž ad hoc* the term *eseti választottbíráskodás* or *ad hoc választottbíráskodás* may be used.

#### **7.4. Algorithm for legally polysemic terms**

The next analysed type of term is such term, which may have a few legal meanings in source language. The procedure of determining proper translational equivalent will be shown on the example of term *klauzula* 'clause'.

## Step 1. Determining the potential source text unit meaning

The meaning may be linguistically polysemic, when the meaning is not connected with law or may be legally polysemic, which means that the meaning may depend on the branch of law or other factors connected with law. In Polish at least five meanings of the word *klauzula* may be enumerated.

### 1) Translative unit: *klauzula (umowna)* ‘contractual clause’

In civil law the term *klauzula* ‘clause’ means a condition in an agreement (contractual clause) about rights and obligations of the parties to the agreement which should be compatible with regulations of the Polish Civil Code. Usually it is formulated in a separate textual unit (section, point) with coherent, self-dependent content. The term is rarely used in national statutes, because of its theoretical character. It is used rather in legal doctrine.

### 2) Translative unit: *klauzula (arbitrażowa)* ‘arbitration clause’

If the parties of a civil law agreement on the beginning of the cooperation decide to resolve the presumptive disputes by alternative dispute resolution, they may include such a statement in the same or separate agreement and the name of statement is *klauzula arbitrażowa*.

### 3) Translative unit: *klauzula (porządku publicznego)* ‘public policy clause’

The general clause is used as a legal instrument for verification of decisions made by arbitration courts. The clause is important for protection of domestic legal order. On the basis of that clause parties may regard waiving of the decision of the Court of Arbitration by lodging a motion for suspending of enforcement of the decision. Public policy is a conception about general values which are legally protected.<sup>62</sup>

---

<sup>62</sup> Błaszczak, Ł., Ludwik, M. 2007

- 4) Translative unit: *klauzula* (wykonalności) ‘enforcement clause’

The term *klauzula wykonalności* is used in enforcement law and means a court act confirming the admissibility of the enforcement on the basis of the enforcement title, which is given by the court on motion of the creditor. Such a document must be respected by any person or authorities to whom it may be addressed and obligate them to grant aid in the process of enforcement.

- 5) Translative unit: *klauzula* (logiczna) ‘clause’ (in logic)

The term *klauzula* used in logic means an utterance formed from a finite collection of literals that is true either whenever at least one of the literals that form it is true or when all of the literals that form it are true.

Step 3. The source text translative unit meaning interpretation/calculation

The term *klauzula* is polysemic linguistically and legally. On the basis of meanings enumerated in step 1 it is stated that only the meaning connected with law should be analysed. From among five meanings mentioned before, four are connected with law. The meaning of the term *klauzula* connected with logic will not be taken into consideration.

Step 3. Establishing the set of all potential target text equivalents

Possible translational equivalents for the term: *klauzula* ‘clause’ include:

- 1) kikötés
- 2) klauzula
- 3) záradék
- 4) pont
- 5) mondat
- 6) végzés.



Step 4. The calculation of the meaning of potential target text equivalents

1) Possible equivalent: *kikötés*

The term may have meanings in legal and in vernacular lects. In legal lect it may mean terms, provision or clause of a contract, in other words specifications of a contract. The term is used also for statement in civil law agreement or separate agreement allowing to settle disputes during arbitral proceedings (*választottbíróági kikötés*). In vernacular lect it may mean condition, term and also it may be used when boarding the boat, putting boat into harbour.

2) Possible equivalent: *záradék*

In bilingual dictionaries (see: Ország, Futásy, Kövecses 1998, 2002, 2004) the term *záradék* is often treated as the synonym of such terms as *kikötés* and *klauzula* but in national Hungarian law the meaning of the term seems to be more narrow. It is understood as legal document such as contract, agreement, international agreement or part of a document, which has separate, self-dependent, sometimes confidential content, for example an amendment to the Treaty. Sometimes, especially in international context or in translations made for European Union it is used as a synonym of the word *opinion*. For example *korlátozott záradék* is translated into English as *qualified opinion* and into Polish as *opinia z zastrzeżeniami*. According to definition of IATE it means:

type of modified opinion expressed when the auditor concludes that an unqualified opinion cannot be expressed but that the effect of any disagreement with management or limitation on scope is not so material and pervasive as to require an adverse opinion or a disclaimer of opinion. (iate.europa.eu)

The expression is used in legal texts of the European Union but it is rarely used in national statutes, because of the theoretical meaning and if so, it is used rather in a narrow, precise meaning where it is treated as a separate document or a separate part of a document. However, the utterance is used by Hungarian lawyers in documents and in theoretical papers.

### 3) Possible equivalent: *klauzula*

The word is a Latin borrowing and it is often used by lawyers in its legal meaning, as a synonym of the term *kikötés*. Since the word *kikötés* is strengthened in Hungarian language, it is used very rarely in official texts. However exceptions may be found, particularly in bilingual (English-Hungarian) international documents which are in facts translated from English, for example in the Act no. II. of 2011 on Council of Europe Convention on the Prevention of Terrorism<sup>63</sup> the utterance *Article 21 Discrimination clause* was translated as *21. Cikk Diszkriminációs klauzula*.

### 4) Possible equivalent: *pont*

Statement of the agreement usually formulated in a separate textual unit with coherent, self-dependent content. Sometimes it is used as a synonym of such terms as *kikötés*, *klauzula*, *mondat*.

### 5) Possible equivalent: *mondat*

The word *mondat* means a statement of the agreement formulated in one linguistic clause. Sometimes it is used as a synonym of such terms as *kikötés*, *klauzula*, *pont*.

### 6) Possible equivalent: *végzés*

The term *végzés* (*végrehajtási végzés*) means a separate document drawn up by a public court on the basis of the enforcement title which obligates authorised organs to carry out the process of enforcement.

## Step 5. Determining of filters eliminating incorrect meanings

Polish and Hungarian terms will be analysed in respect to such relevant dimensions as:

- 1) branch of law and
- 2) lect.

---

<sup>63</sup> 2011. évi II. Törvény az Európa Tanács terrorizmus megelőzéséről szóló, Varsóban, 2005. május 16-án kelt Egyezménye kihirdetéséről

# 1) Dimension: branch of law

Table no. 26a

Dimension: branch of law	Polish term: <i>klauzula</i>	Hungarian term: <i>kikötés</i>	Hungarian term: <i>klauzula</i>
civil law	yes	yes	yes
arbitration law - particular meaning	yes	yes	yes
arbitration law - general meaning	yes	yes	yes
enforcement law	yes	no	no

Table no. 26b

Dimension: branch of law	Hungarian term: <i>záradék</i>	Hungarian term: <i>pont</i>	Hungarian term: <i>mondat</i>	Hungarian term: <i>végzés</i>
civil law	yes	yes	yes	no
arbitration law - particular meaning	no	no	no	no
arbitration law - particular meaning	no	no	no	no
enforcement law	no	no	no	yes

Table no. 27a

Dimension: lect	Polish term: <i>klauzula</i> (arbitrażowa)	Hungarian term: <i>kikötés</i>	Hungarian term: <i>klauzula</i>
legal lect (legislation)	yes	yes	no
other LSP lect	yes	yes	yes

Table no. 2 (part 2)

Dimension: lect	Hungarian term: <i>záradék</i>	Hungarian term: <i>pont</i>	Hungarian term: <i>mondat</i>	Hungarian term: <i>végzés</i>
legal lect (legislation)	yes	yes	yes	yes
other LSP lect	yes	yes	yes	yes

Step 6. Choosing an optimal equivalent or coining such an equivalent.  
The monitoring stage

1. The Polish term *klauzula* and Hungarian terms *kikötés*, *klauzula*, *záradék*, *pont* and *mondat* are convergent in respect to the dimension of branch of law: civil law and arbitration law.
2. The Polish term *klauzula* and Hungarian term *végzés* are convergent in respect to the dimension of branch of law: enforcement law.
3. The Polish term *klauzula* and Hungarian terms *kikötés*, *záradék*, *pont* and *mondat* are convergent in respect to the dimension of lect: legal lect (legislation).
4. The Polish term *klauzula* and Hungarian terms *kikötés*, *záradék*, *pont*, *mondat* and *klauzula* are convergent in respect to the dimension of lect: other LSP lect.
5. The Polish term *klauzula* and Hungarian term *klauzula* are complementary in respect to the dimension of lect: legal lect (legislation).

On the basis of the information mentioned above it may be concluded that for Polish term *klauzula* ‘clause’ as the most proper Hungarian equivalent in legal lect the term *kikötés* may be regarded, because it has similar properties in respect to such relevant dimensions as branch of law and lect. Moreover, its meaning is more accurate in legal context than meaning of such units like *mondat* or *pont*. The word *mondat* ‘clause’ is understood first of all as a linguistic clause and the word *pont* ‘point’ also has very large number of meanings, in most cases not connected with law. The legal meaning of the term *záradék* seems to be very similar to the term *kikötés* and sometimes it is used as its synonym, but the legal definition indicates a more specific, limited meaning. The term *klauzula* is treated as a borrowing thus its use is not compatible with Hungarian legislative practice. Finally, the term *végzés* may be used as an equivalent of the Polish term *klauzula* only in the context of enforcement law.

The terms *klauzula* and *kikötés* are sufficiently equivalent in the context of civil law and arbitral law, thereupon the following directives are formulated:

1. In the context of civil law and arbitral law as a translational equivalent for Polish term *klauzula* the term *kikötés* should be used.
2. In the context of civil law and arbitral law as a translational equivalent for Polish term *klauzula* the term *végzés* should not be used.

The terms *klauzula* and *végzés* are sufficiently equivalent in the context of enforcement law, thereupon the following directives are formulated:

3. In the context of enforcement law as translational equivalent for Polish term *klauzula* the term *végzés* should be used.
4. In the context of civil law and arbitral law as translational equivalent for Polish term *klauzula* the term *kikötés* should not be used.

## 7.5. Algorithm for the term without an equivalent

In some cases determination of a translational equivalent for legal term may be more complicated because of the lack of a comparable legal institution in the country of the target language. As such the Hungarian term *bejegyzett élettársi kapcsolat* ‘registered civil partnership’ may be qualified.

### Step 1. Determining the potential source text unit meaning

Translative unit: *bejegyzett élettársi kapcsolat* ‘registered civil partnership’

To establish attributes of that term the meaning of at least two terms should be mentioned here: *házasság* ‘marriage’ and *élettársi kapcsolat* ‘civil partnership’. Unquestionably, as the most common and traditional institution the *házasság* should be considered. Both institutions: *élettársi kapcsolat* and *bejegyzett élettársi kapcsolat* ‘registered civil partnership’ are in many aspects similar to the

institution of marriage named in Hungarian *házasság* but there are also significant differences.

### 1) *házasság* 'marriage'

The most important attribute of Hungarian term *házasság* is defined in the Fundamental Law Of Hungary of 25 April 2011, Article L which states that<sup>64</sup>:

Hungary shall protect the institution of marriage as the union of a man and a woman established by voluntary decision, and the family as the basis of the survival of the nation. (Translated by: kormány.hu).

The rights and obligations of married couples have been stated in the Hungarian law for hundreds years but, in fact, only from 2011 the term *házasság* may be used only to name a relationship of a man and woman.

### 2) *élettársi kapcsolat* 'civil partnership'

Legally recognized arrangement named *élettársi kapcsolat* 'civil partnership' is regulated by Hungarian civil law. The valid Civil Code Section 6:514 under the title: *Establishment and termination of civil partnership* states that<sup>65</sup>:

---

<sup>64</sup> Magyarország Alaptörvénye (2011. április 25.), L) cikk, (1) Magyarország védi a házasság intézményét mint férfi és nő között, önkéntes elhatározás alapján létrejött élet közösséget, valamint a családot mint a nemzet fennmaradásának alapját.

<sup>65</sup> 2013. évi V. törvény a Polgári Törvénykönyvről

6:514. § [Az élettársi kapcsolat létrejötte és megszűnése]

(1) Élettársi kapcsolat áll fenn két olyan, házasságkötés nélkül közös háztartásban, érzelmi és gazdasági közösségben (a továbbiakban: életközösség) együtt élő személy között, akik közül egyiknek sem áll fenn mással házassági életközössége, bejegyzett élettársi életközössége vagy élettársi kapcsolata, és akik nem állnak egymással egyenesági rokonságban vagy testvéri kapcsolatban.

(2) Az élettársi kapcsolat az (1) bekezdésben foglalt feltételek fennállása esetén az életközösség létesítésével jön létre, és megszűnik, ha az élettársak egymással házasságot kötnek, bejegyzet télettársi kapcsolatot létesítenek vagy az életközösségük véget ér.

Civil partnership means when two persons are living together outside of wedlock in an emotional and financial community in the same household (hereinafter referred to as „cohabitation”), provided that neither of them is engaged in wedlock or partnership with another person, registered or otherwise, and that they are not related in direct line, and they are not siblings.

(2) Civil partnership shall come to existence upon the couple’s cohabitation established under the conditions referred to in Subsection (1), and shall terminate upon the couple’s marriage or their entry into registered partnership, or when their relationship is terminated.  
(Translated by: Complex)

The important attitude of that term is that it is used both for relationship of male and female and for relationships of people of the same sex. From 2010 couples living in a legally recognized arrangement named *élettársi kapcsolat* ‘civil partnership’ may register such an arrangement. However, people living in a registered and non registered *élettársi kapcsolat* ‘civil partnership’ have the same rights. Registering is considered as a kind of attestation and may help to determine some aspect of property ownership, particularly after the union ceases.

### 3) *bejegyzett élettársi kapcsolat* ‘registered civil partnership’

The legal institution of same-sex marriage was launched into Hungarian law in 2007<sup>66</sup> by separate Act (Act no. CLXXXIV on 2007 on Registered Civil Partnership). The second important act which is valid until today is Act no. CLXXXIV of 2009 on Registered Civil Partnership and on Amendments of other Acts Connected with Civil Partnership<sup>67</sup>. The term *bejegyzett élettársi kapcsolat* ‘registered civil partnership’ was determined in those Acts. The most important attribute of the term is that it may be used only for relationships of people of the same sex. One party to such a relationship has no right to take over the name of his/her partner, they do not inherit the property and may not adopt a child in common but they may adopt a child severally.

---

<sup>66</sup> 2007. évi CLXXXIV. törvény – a bejegyzett élettársi kapcsolatról

<sup>67</sup> 2009. évi XXIX. Törvény a bejegyzett élettársi kapcsolatról, az ezzel összefüggő, valamint az élettársi viszony igazolásának megkönnyítéséhez szükséges egyes törvények módosításáról

It should be noticed that in Hungarian vernacular lect as synonyms of the term *bejegyzett élettársi kapcsolat* such utterances may be used as *azonos neműek házassága* ‘same-sex marriage’, *egynemű házasság* ‘same-sex marriage’. In the contexts mentioned above such names are not proper legally. In vernacular lect sometimes use of offensive terms may be also observed.

#### Step 2. The source text translative unit meaning interpretation/calculation

The meaning of the term *bejegyzett élettársi kapcsolat* must be considered in the light of meaning of other legal terms such as: *házasság* and *élettársi kapcsolat*.

#### Step 3. Establishing the set of all potential target text equivalents

In Polish legal system there is no such legal institution as Hungarian *bejegyzett élettársi kapcsolat* ‘registered civil partnership’. As possible translational equivalents of the Hungarian the term *bejegyzett élettársi kapcsolat* the following terms may be considered:

- 1) małżeństwo
- 2) konkubinát
- 3) konkubinát par heteroseksualnych
- 4) konkubinát par homoseksualnych
- 5) związek partnerski
- 6) związek partnerski par heteroseksualnych
- 7) związek partnerski par homoseksualnych
- 8) zarejestrowany związek partnerski.

#### Step 4. The calculation of the meaning of potential target text equivalents

- 1) Possible translational equivalent: *małżeństwo*

Similarly to the Constitution of Hungary, in the Constitution of the Republic of Poland of 2nd April, 1997, Article 18, the term, which



defines the relationships between couples is named *małżeństwo* 'marriage'. It is said that<sup>68</sup>

Marriage, being a union of a man and a woman, as well as the family, motherhood and parenthood, shall be placed under the protection and care of the Republic of Poland.<sup>69</sup> (Translated by: [sejm.gov.pl](http://sejm.gov.pl))

It may be stated that the most important attribute of the term *marriage* is that it relates only to the officially registered partnership of male and female. Thus the term *małżeństwo homoseksualne*, which is sometimes used in vernacular language, is not proper from the legal point of view and should not be used as a translational equivalent in legal context.

Possible translational equivalents:

- 2) konkubinat,
- 3) konkubinat par heteroseksualnych
- 4) konkubinat par homoseksualnych
- 5) związek partnerski,
- 6) związek partnerski par heteroseksualnych
- 7) związek partnerski par homoseksualnych
- 8) zarejestrowany związek partnerski.

In Poland, in fact, there is no legal regulation for another types of relationship than *małżeństwo* 'marriage', neither about partnership of a male and a female nor about partners of the same sex. However, forms of relationships which mean constant partnership of people of different or the same sex exist, and sometimes they are taken into account in situations connected with law, for example in criminal law the partners living in a constant relationship do not have to give their testimony in court against each other. Such legal solutions are based on the general principles of community life. Thus the terms with meaning of such kind of relationships are used rather in the language

---

<sup>68</sup> Konstytucja Rzeczypospolitej Polskiej z dnia 2 kwietnia 1997

Art. 18: Małżeństwo jako związek kobiety i mężczyzny, rodzina, macierzyństwo i rodzicielstwo znajdują się pod ochroną i opieką Rzeczypospolitej Polskiej.

of lawyers or in vernacular lect, often in the context of foreign legal systems.

#### Step 5. Determining of filters eliminating incorrect meanings

In the context of meanings mentioned before it is stated that the most relevant dimension is the dimension of lect and the meaning, taking into consideration such attributes as sex of partners.

Table no. 28a

Dimension: lect	Hungarian term: <i>bejegyzett élettársi kapcsolat</i>	Polish term: <i>małżeństwo</i>	Polish term: <i>związek partnerski</i>
legal lect (legislation)	yes	yes	no (with exceptions)
other LSP lect	yes	yes	yes
vernacular lect	no	yes	yes

Table no. 28b

Dimension: lect	Hungarian term: <i>bejegyzett élettársi kapcsolat</i>	Polish term: <i>rejestrowany związek partnerski</i>	Polish term: <i>konkubinat</i>
legal lect (legislation)	yes	no	no (with exceptions)
other LSP lect	yes	yes	yes
vernacular lect	no	no	yes

Table no. 29a

Attribute: sex of partners	Hungarian term: <i>bejegyzett élettársi kapcsolat</i>	Polish term: <i>małżeństwo</i>	Polish term: <i>związek partnerski</i>
relationship of male and female	no	yes	yes
relationship of the same sex partners	yes	no	yes

Table no. 29b

Attribute: sex of partners	Hungarian term: <i>bejegyzett élettársi kapcsolat</i>	Polish term: <i>rejestrowany związek partnerski</i>	Polish term: <i>konkubinat</i>
relationship of	no	yes	yes

male and female			
relationship of the same sex partners	yes	yes	yes

Step 6. Choosing an optimal equivalent or coining such an equivalent.  
The monitoring stage

It may be assumed that such terms as *konkubinat* and *związek partnerski* may mean both the partnership of a male and a female and same-sex partnership, thus such attitude should be precisely described, for example by such utterances as: (konkubinat) *par heteroseksualnych* or (konkubinat) *par homoseksualnych*.

For Hungarian term *bejegyzett élettársi kapcsolat* ‘civil partnership’ there is no such a Polish equivalent which would have a similar legal status in national law.

The terms *bejegyzett élettársi kapcsolat* and *małżeństwo* are convergent in respect to the dimension of legal lect (legislation), which means that both terms are used in Acts. However, it is stressed in law that the terms may not be used for naming the same type of institution because the distinctive attributes are more important than similarities.

The terms *bejegyzett élettársi kapcsolat* and *konkubinat* may have the same attribute (sex of partners) but they also may have different attribute (sex of partners). Thus more precise utterance is needed for example *konkubinat par homoseksualnych*.

The terms *bejegyzett élettársi kapcsolat* and *konkubinat par homoseksualnych* are complementary in respect to the dimension of legal lect (legislation), since the term *bejegyzett élettársi kapcsolat* is used in legal lect (legislation), namely the term *konkubinat par homoseksualnych* is not used there. This is because of the fact that there is no such an institution in Polish legal system. Moreover, it should be stated in translation that *konkubinat* is registered, like in utterance *rejestrowany konkubinat par homoseksualnych*.

The terms *bejegyzett élettársi kapcsolat* and *rejestrowany związek partnerski* may may have the same attribute (sex of partners) but they also may have different attribute (sex of partners). Thus more precise utterance is needed, for example *rejestrowany związek partnerski par homoseksualnych*.

The terms *bejegyzett élettársi kapcsolat* and *rejestrowany związek partnerski par homoseksualnych* are complementary in respect to the dimension of legal act (legislation), since the term *bejegyzett élettársi kapcsolat* is used in legal act (legislation), namely the term *rejestrowany związek partnerski par homoseksualnych* is not used there. This is because of the fact that there is no such an institution in the Polish legal system.

The Hungarian term *bejegyzett élettársi kapcsolat* and the Polish terms *rejestrowany związek partnerski par homoseksualnych* and *rejestrowany konkubinat par homoseksualnych* are sufficiently equivalent, thereupon the following directives may be formulated:

1. As a translational equivalent for Hungarian term *bejegyzett élettársi kapcsolat* the term *rejestrowany związek partnerski par homoseksualnych* or the term *rejestrowany konkubinat par homoseksualnych* should be used.
2. As a translational equivalent for Hungarian term *bejegyzett élettársi kapcsolat* the term *małżeństwo* or *małżeństwo homoseksualne* should not be used.

In the chapter above many different attributes of terms in the source and target language were shown. The main aim was to set up translational equivalents for the terms in the source language with selected kinds of attributes. Thus, such words in the target language were chosen which could have similar attributes, and subsequently those properties were analysed and compared. Polish and Hungarian terms were chosen to illustrate monosemic, synonymic and polysemic intralingual or interlingual relations between utterances. The process of determining equivalents was described in six steps. The conclusions drawn out on the basis of the given information helped to refine meanings of terms both in source and target language and, in consequence, the accomplished steps facilitated setting up the most proper translational equivalents.

## 8. Choosing translational equivalents for different communicative communities

The terms used in Polish and Hungarian language of the law are created by communicative communities of lawyers. In both countries those communities work within similar legal systems, thus it may be stated that generally for one term in the source language there is one translational equivalent in the target language. The practice of choosing different equivalents for different recipients seems to be needed rather rarely in such a narrow, specific type of language as legal language, particularly when legal systems are similar. However, in some cases also more than one solution is possible or needed. In the chapters above some possibilities for using different translational equivalents were pointed out. Referring to that, some terms given below illustrate the question of adjusting translational equivalents of some Polish legal terms to different groups of recipients communicating in the Hungarian language. Such possible equivalents are chosen which have precise legal meaning in both languages.

Term in source language (Polish): *celnik*  
'customs officer'

It may be stated that there is more than one possible translational equivalent for the Polish term *celnik*, depending on recipients. Generally, almost for all kinds of recipients, such as lawyers, economists, businessmen and even for ordinary citizens such utterances should be used as the following translational equivalents: *vám- és pénzügyőr* or *vámtisztviselő*. However, *vámtisztviselő* is shorter, then it may be preferred by ordinary citizens in everyday communication. Instead, for the reader of literary texts, where the plot is set in last centuries, such archaism as *adószedő* may be used if needed for stylistic reasons. Similarly, for the reader of archaic religious texts, for example the Bible, such archaism as *vámszedő* may be used. Summing up, four kind of recipients are taken into consideration:

- recipients who use and understand legal or other LSP languages, such as lawyers, economists, businessmen
- ordinary citizens who need that term in communication of everyday life

- readers of historical books
- readers of religious texts.

Table of adjusted Hungarian translational equivalents for Polish term *celnik*

Table no. 30

Recipients:	Term in target language (Hungarian)
users of LSP	- <i>vám- és pénzügyőr</i> - <i>vámisztviselő</i>
users of vernacular language	- <i>vám- és pénzügyőr</i> - <i>vámisztviselő</i>
readers of historical books	- <i>adószedő</i>
readers of religious texts	- <i>vámszedő</i>

Term in source language (Polish): *egzekucja* ‘debt enforcement’

There are more possibilities when choosing translational equivalents of that term, used in the meaning of debt enforcement. The term *végrehajtás* may be used as a translational equivalent for communicative community of lawyers. The term *végrehajtás* may be also used for other groups of citizens communicating in such situations when legal terms are needed. However, if the legal term is not clear enough for ordinary citizens, the simplified explanation of legal meaning may be given, namely that it is about debt enforcement proceedings ordered by court. The term *egzekúció* with the meaning of debt enforcement may be used only for specific group of people – the reader of literary texts who is able to state on the basis of literary context that the word is used as an archaism in the meaning of debt enforcement, and not as it is usually used in modern language in the meaning of execution – carrying out death penalty. Summarizing, in the analysis, three group of recipients are taken into consideration:

- lawyers
- ordinary citizens communicating in situations connected with law (non-lawyers)
- readers of literary texts.

Table of adjusted Hungarian translational equivalents for Polish term *egzekucja*

Table no. 31

Recipients:	Term in target language (Hungarian)
lawyers	<i>végrehajtás</i>
non-lawyers	- <i>végrehajtás</i> - simplified explanation of legal meaning
readers (when archaism is needed)	<i>egzekúció</i>

Expression in source language (Polish):  
*dokonać egzekucji* ‘to undertake debt enforcement actions’

The Polish term *egzekucja* and its Hungarian equivalent *végrehajtás* may be used in some collocations. The used expressions may be adjusted to different kinds of recipients. Such synonymic expressions as: *végrehajtásra kerül sor*, *végrehajtást bírósági végrehajtás útján folytatni*, *végrehajtás útján végrehajtani*, *végrehajtást foganatosítani* may be used for the communicational community of lawyers, because they use collocations which are more extensive and used rather in legislation than in communication of everyday life. When translating for ordinary people, communicating, for example, by using Internet forums connected with the questions of law, such synonymic expressions like *végrehajtásra kerül* and *végrehajtás alá kerül* may be used, which are shorter and easier. Thus, two kinds of recipients are taken into consideration:

- lawyers
- citizens communicating in situations connected with law (non-lawyers)

Table of adjusted Hungarian translational equivalents for Polish term *dokonać egzekucji*

Table no. 32

Recipients:	Term in target language (Hungarian)
lawyers	<i>végrehajtásra kerül sor,</i> <i>végrehajtást bírósági végrehajtás útján folytatni,</i> <i>végrehajtás útján végrehajtani,</i> <i>végrehajtást foganatosítani</i>
non-lawyers	<i>végrehajtásra kerül</i> <i>végrehajtás alá kerül</i>

Term in source language (Polish):  
*komornik* ‘debt enforcement officer’

The term *komornik* ‘debt enforcement officer’ is also connected with enforcement law. Also in that case there are more possibilities for translational equivalents depending of recipients. Such synonymic terms as *végrehajtó*, *bírósági végrehajtó* and *önálló bírósági végrehajtó* ‘debt enforcement officer’ may be used as translational equivalents both for the communicational community of Hungarian lawyers, and for other communicational communities, for example citizens discussing legal questions. However, it may be presumed that ordinary citizens would prefer the shortest forms, such as *végrehajtó*. Moreover, for the group of ordinary citizens, in less formal communicational situations, words used in legal language may be replaced by words of vernacular lect, like in the expression *független bírósági végrehajtó*, and the meaning of such a form should be understandable for the recipient.

As the next possible translational equivalent the word *egzekutor* or *exekutor* may be used – but only for a very specific kind of recipient – Hungarian-speaking group of citizens living in Slovakia. Probably it is a Hungarian archaism which is not used in Hungary any more, but it is maintained in Hungarian diaspora in Slovakia, or it is a kind of borrowing from the Slovak language or both factors led to the fact that the word is still used there. It must be stressed that using such an equivalent for recipients in Hungary is not possible, because it would be not understood there in the meaning of debt enforcement but in the meaning of carrying out the death penalty. Thus, four group of recipients are taken into consideration:



- lawyers
- other citizens in formal communicational situations
- citizens in less formal communicational situations
- Hungarians living outside Hungary (here: in Slovakia).

Table of adjusted Hungarian translational equivalents for Polish term *komornik*

Table no. 35

Recipients:	Term in target language (Hungarian)
lawyers	<ul style="list-style-type: none"> <li>- <i>végrehajtó</i>,</li> <li>- <i>bírósági végrehajtó</i>,</li> <li>- <i>önálló bírósági végrehajtó</i></li> </ul>
non-lawyers (formal communication)	<i>végrehajtó</i>
non-lawyers (informal communication)	<ul style="list-style-type: none"> <li>- <i>végrehajtó</i></li> <li>- <i>független bírósági végrehajtó</i></li> </ul>
Hungarians in Slovakia	<ul style="list-style-type: none"> <li>- <i>egzekutor</i></li> <li>- <i>exekútor</i></li> </ul>

Term in source language (Polish): *osoba fizyczna*

Similarly to the case of the term *komornik*, for the term *osoba fizyczna* different equivalents for distinct recipients may be or should be used. Definitely, for the recipient living in Hungary using only one equivalent is possible, namely *természetes személy*. However, for the recipient living in the post-Trianon countries two equivalents may be used as synonyms: *természetes személy* or *fizikai személy*. Moreover, in both cases, if the legal term is not clear enough for an ordinary citizen, the simplified explanation of legal meaning may be given, namely that it means such a person, whose activity is not connected with business or any legal institution or organisation. Hence, three groups of recipients are considered:

- recipients living in Hungary
- recipients living outside Hungary (particularly in the territory which was a part of Hungary before Trianon agreement)

Table of adjusted Hungarian translational equivalents for the Polish term *osoba fizyczna*

Recipients:	Term in target language (Hungarian)
A person who lives in Hungary and understands legal terms	<i>természetes személy</i>
A person who lives in Hungary and does not understand legal terms	simplified explanation
A person who lives outside Hungary and understands legal terms	- <i>természetes személy</i> - <i>fizikai személy</i>
A person who lives outside Hungary and does not understand legal terms	simplified explanation

Term in source language (Polish): *arbitraż ad hoc*

One more example of adjusting translational equivalent to recipients may be shown on the example of the term *arbitraż ad hoc*. As a translational equivalent for lawyers who need to use precise legislative language, in official communicational situation, the utterance *eseti választottbíráskodás* should be used. Instead, as a translational equivalent for lawyers using terms in less official communicational situations, such as communication between lawyers, papers discussing the question of arbitration law, information for citizens on websites, etc. the utterance *ad hoc választottbíráskodás* may be used interchangeably with *eseti választottbíráskodás*. To sum up, it may be the same group of recipients but in a different communicational situation:

- lawyers communicating in official situations
- lawyers communicating in unofficial situations.

Table of adjusted Hungarian translational equivalents for Polish term *arbitraż ad hoc*

Table no. 35

Recipients:	Term in target language (Hungarian)
lawyers (official communication)	<i>eseti választottbíráskodás</i>
lawyers (unofficial communication)	- <i>eseti választottbíráskodás</i> - <i>ad hoc választottbíráskodás</i>

Term in the source language (Polish):

*kontrakt* ‘contract, agreement’

The Polish term *kontrakt* may be translated into Hungarian in many ways. As the most basic Hungarian equivalent which may be used almost in all circumstances is the word *szerveződés*. The utterance is used in legislation, thus lawyers used to apply it. However, for the communicational community of traders, businessmen, managers and lawyers drawing up contracts, besides the terms used in legislation also the term *kontraktus* may be used, which may be treated here as a modern borrowing from English. Consequently, for that group of recipients the following translational equivalents may be used as synonyms:

- for the Polish term *kontrakt menedzseri* ‘management contract’ *vezetői szerveződés* or *vezetői kontraktus*,
- for the Polish term *kontrakt labdarúgói* ‘football player contract’: *labdarúgó szerveződése* or *labdarúgó kontraktusa*,
- for the Polish term *kontrakt orvos* ‘doctor employment contract’: *orvos szerveződése* or *orvos kontraktusa*.

It should be recalled here that the word *kontraktus* functions not only as the modern borrowing from English but in fact the word existed in Hungarian (also as a borrowing) already in 19<sup>th</sup> century. Thus, one more kind of recipient may be taken into consideration - the recipient of historical literary texts, where the word *kontraktus* is treated as Hungarian archaism and used for stylistic reason. In summary, translating the Polish term *kontrakt* the following groups of recipients may be taken into consideration:

- lawyers and other users of legislative language
- users of other LSP (traders, businessmen, managers, lawyers drawing up contracts)
- readers of historical books.

Table of adjusted Hungarian translational equivalents for Polish term *kontrakt*

Table no. 36

Recipients:	Term in target language (Hungarian)
lawyers, users of legislative language	<i>szerveződés</i>
users of other LSP	- <i>szerveződés</i>

	- <i>kontractus</i>
readers (if archaism needed)	<i>kontractus</i>

Term in the source language (Polish): *know-how*

The use of borrowings and internationalisms also may influence the translation. In case of such internationalisms as *know-how*, two possible equivalents may be used for different recipients. The term *know-how* – as the utterance used both in international communication and – as a borrowing – in the Hungarian legal language – may be used as a universal, generally known term for such recipients who may communicate in Hungarian and for such recipients who are not able to communicate in Hungarian or they speak elementary Hungarian and who know “international” language of the law. Instead the term *védett ismeret* will be recognised only by recipient who communicates in Hungarian and who knows the Hungarian language of the law. There may be also such a kind of recipients who do not understand either the term *know-how* or *védett ismeret* and simplified explanation of legal meaning is needed. Thus, in case of such internationalism as *know-how*, the following groups of recipients may be taken into consideration:

- those who communicate in Hungarian language and know legal language
- those who communicate in Hungarian language and don’t know legal language
- those who can’t communicate in Hungarian language and know legal language
- those who can’t communicate in Hungarian language and don’t know legal language.

Table of adjusted Hungarian translational equivalents for Polish term *know-how*

Table no. 37

Recipients:	Term in target language (Hungarian)
speak Hungarian and know legal language	- <i>know-how</i> - <i>védett ismeret</i>
speak Hungarian and don’t know legal language	simplified explanation of legal meaning

don't speak Hungarian and know legal language	<i>know-how</i>
don't speak Hungarian and don't know legal language	simplified explanation of legal meaning

Term in source language (Polish): *prawo cywilne* 'civil law'

As the last example the term *prawo cywilne* will be discussed. Despite it is a very basic utterance, taking into consideration different recipients there are at least two possibilities in translation. As a translational equivalent for the Polish term *prawo cywilne* 'civil law' both for the group of Hungarian lawyers and for the group of ordinary citizens the term *polgári jog* should be used. However, for lawyers discussing theoretical aspects of Hungarian and foreign civil law, particularly when discussing Ancient Rome system of law and continental system of law in contrast to systems of common law and equity law, as translational equivalent the term *civiljog* may be used, despite its basic meaning of law about non-governmental organisations. To sum up, translating the Polish term *prawo cywilne* the following groups of recipients may be taken into consideration:

- lawyers discussing national law
- other citizens
- lawyers discussing foreign law.

Table of adjusted Hungarian translational equivalents for Polish term *kontrakt*

Table no. 38

Recipients:	Term in target language (Hungarian)
lawyers discussing national law	<i>polgári jog</i>
other citizens	<i>polgári jog</i>
lawyers discussing foreign law	- <i>polgári jog</i> - <i>civiljog</i>

## Explanation scheme for Polish – Hungarian pair of languages

The question discussed in the chapter is about making translative decisions taking into consideration not only translators and translator's clients but also translation recipients. The decision-making process is illustrated by explanation scheme with the following structure:

- question which is to be answered
- eksplanans (at least one general statement and at least one singular statement), and
- explanandum.

The application of the scheme for the purpose of Polish-Hungarian translation of legal terms may be as follows:

G – genre

M – meaning

X – significator

P – significator

L<sub>i</sub> – the source language – Polish

T<sub>i</sub> – the source text in Polish

C<sub>i</sub> – the communicative community operating in Polish legal reality

L<sub>j</sub> – the target language – Hungarian

T<sub>j</sub> – the target text to be produced in Hungarian

C<sub>j</sub> – the communicative community operating in Hungarian legal reality

C<sub>j1</sub> and C<sub>j2</sub> – are two different communicative communities operating in Hungarian legal reality

*Question:*

Why does the Polish expression *egzekucja* in sentence S of text T<sub>i</sub> of genre G translate as the Hungarian *végrehajtás* in corresponding text T<sub>j</sub> of genre G for the recipients of communicative community C<sub>j</sub>?

*General statement:* If significator X, conveying meaning M in translative text T<sub>i</sub> of genre G in language L<sub>i</sub>, and intended for recipients of community C<sub>i</sub> is bound by the relation of the sufficient equivalence with significator P with respect to M for translative text T<sub>j</sub> of genre G in language L<sub>j</sub>, and intended for recipients of community C<sub>j</sub>, then X translates as P in T<sub>j</sub>.

*Singular statement 1:* The Polish expression *egzekucja* signifies meaning M in text  $T_i$  of genre G for recipient community  $C_i$ .

*Singular statement 2:* The closest equivalent of the Polish expression *egzekucja* in translative text  $T_i$  with respect to M, for the corresponding translative text  $T_j$  of genre G is  $Y_1$  (*végrehajtás*) for recipient community  $C_{j1}$  (lawyers) and  $Y_2$  (*egzekúció*) for recipient community  $C_{j2}$  (readers of historical books).

*Explanandum:* The Polish expression *egzekucja* in sentence S of text  $T_i$  of genre G translates as Hungarian *végrehajtás* in the corresponding text  $T_j$  of genre G for the recipients of communicative community  $C_{j1}$ .

To sum up, it should be stated that even if the very precise legal meaning of the term in source language and the precise meaning of its possible translational equivalents is set up by translator, it may still be unclear, which of the equivalents would be the most proper. Thus, the translator should be aware what attributes the recipient has. As it was illustrated by the examples mentioned in the chapter, there are many kind of recipients with different attitudes, or sometimes it may be the same group of recipients but the circumstances of the receipt are different. On the basis of that knowledge the translator should decide if a kind of term adjustment is needed or not.





## 9. Closing remarks

In the monograph methods of looking for translational equivalents for such specific pair of languages as Polish-Hungarian one were introduced on the basis of general legilinguistic theory proposed by Aleksandra Matulewska (2013). The theory was tested for legal terminology in a few languages, such as Polish, English, Hungarian, Spanish, Greek, Swedish and Chinese. In the case of Polish-Hungarian pair of languages it may be stated that the method is useful to a limited extent, because legal systems of Poland and Hungary are very similar, by contrast, for example, to legal systems of English-speaking countries with the system of common law and equity law, not to mention the Chinese legal system. The law in Poland and Hungary has been developed in a comparable way, thus also parallel codes of civil law are built on the basis of similar legal concepts and consequently – terminology.

It does not mean that in each language mentioned before different translational dimensions must be used; moreover, some of the dimensions seems to be so universal that they may be used in any language and legal system and only sometimes there is a need to implement dimensions, which are specific for one language or one pair of languages.

In the first chapter some dimensions were mentioned, which were viewed as relevant in the process of translation of Polish and Hungarian legal terminology. As the important dimension the branch of law was considered. Both in Polish and Hungarian it is possible for similar terms to have different meanings when they are used in texts of alien branches of law. For example, the same term may have a distinct meaning in civil law, in criminal law and in administrative law.

The second important dimension is the time of source text creation and its legal status, for example, if the Act, where the term is used, is still valid or it is not valid any more. Such kind of terminological changes were made, for instance, in the names of courts. The question may be illustrated by the transformation of the names of Hungarian courts from 19th century until today. In the last few years the old names of courts were restored, which is interesting not only from linguistic but also from the cultural point of view. Such changes are treated as a part of political reforms aiming to shape

societal mindset, particularly abandoning socialistic values and recovering some historical traditions of the Kingdom of Hungary. In such a case the changes in legal terminology have symbolic nature rather than legal.

As the next significant factor the dimension of lect is regarded. Particularly the distinction between legal and vernacular lect is important. Moreover, in the framework of that lects other particular lects (genres) may be divided, such as lect of Acts, lect used by lawyers, other LSP lects, lect used by citizens in everyday communication or lect of literary texts. The distinction in terminology seems to be rare in case of specified, strictly legal terminology, but there are differences in linguistic forms of using those terms (shorter of longer), in collocations, etc. Although apparently it would seem that expressions in legal texts should be more complicated than the utterances used in vernacular lect, it is not always the case. Sometimes the context of term in legal text is clear enough to use shorter forms, whilst terms used without such contexts need longer form to make the meaning unambiguous. It may be also observed that in legal lect foreign terminology is used very rarely, whilst using of borrowings in vernacular lect is widespread.

The distinction which in fact does not have to be taken into consideration very often, but sometimes may be important, is language variety. Usually it regards the cases when the same language is used in different countries or regions and for that reason the use of different equivalents is possible or needed. The examples of that may be found even for such homogenous languages as Hungarian, because of Hungarian diasphore living outside Hungary, particularly in the areas of historical Kingdom of Hungary in Romania, Slovakia, Ukraina, Serbia, Croatia and Austria.

A few types of semantic relations may be important in the light of translational questions. Different possibilities for translational equivalents depend on circumstances of using the terms and expressions. It is also worth to draw the attention to general clauses, namely a group of legal terms, which may have extended meaning, depending on local customs. It may be stated that Polish and Hungarian general clauses are similar, also the interpretation of them may be similar when they concern historical or present periods, particularly there are parallels in the period of transformation from democratic to socialistic system of the 40th and transformation from socialistic to democratic system of the 90th. Looking for translational

equivalents for general clauses some differences in using terms may be noticed, for example, terms in one language may be more general than in another. The distinctions, however, do not seem to be so relevant as to make the process of looking for equivalents significantly complicated.

Attention should be paid to such interlingual and intralingual semantic relations as synonymy and the broadly defined ambiguity of legal terms and expressions. The relation of synonymy seems to appear quite rarely in the same genre of legal language. Particularly it applies to Acts, which are terminologically homogeneous in principle. However, there are exceptions from that rule and sometimes synonymic terms are used even in the same Act. It may result from the fact that legal language used the borrowing at first (usually from English) – and only later, because of the rule saying that in Hungarian Acts pure Hungarian terms should be used – neologisms created in national language were implemented into law. The borrowing may be, however, well-established in the general awareness and commonly used, and the Hungarian term may be not established so well in the language, thus it may be reasonable to use both terms. Moreover, as kind of synonyms such expressions may be considered where more or less extended language forms are used or different collocations are given. Also the relation of polysemy may be analysed in respect to chosen dimensions, such as branch of law, time of source text creation, lect and language variety.

The question of false cognates also exists in translation of legal texts. It is about such terms which have similar linguistic form but the meaning of them is not immediately obvious. The similarity of the forms may cause translational mistakes especially when access to precise, thematic dictionaries is limited, like it is for Polish-Hungarian pair of languages. On the one hand, the Hungarian language – as Finno-Ugric, agglutinating language – is significantly different from Polish and thus the amount of false cognates is limited, contrary to the situation existing between a pair of Slavic languages. It does not mean, however, that such phenomenon does not exist. One of the source of false cognates may be Latin language, because it is often a base for legal terminology both in Polish and in Hungarian.

Some kind of utterances, like euphemisms, archaisms or metaphors, seems to be more characteristic for literary than legal texts. It does not mean, however, that such forms are not used in legal language at all. They are used most often to mitigate utterances

expressing social taboo, which is often connected with human life, death or sexuality. Also in that case some of mentioned dimensions may be relevant in the process of looking for translational equivalents.

It is also worth to mention that relevancy of pointed dimensions was analysed particularly with regard to two branches of law: substantive civil law and civil proceedings. Although there are stylistic distinctions and the text of civil proceedings is somewhat more simple and precise than text of civil code, it may be stated that there are no significant differences in terminology between that two branches.

The following Polish terms and their potential Hungarian equivalents were used in survey research in order to establish the hierarchy of relevant dimensions for the purpose of Polish-Hungarian and Hungarian-Polish legal translation of civil law and civil procedure related terminology:

Table no. 39

Polish terms	Hungarian terms
arbitraż ad hoc	eseti választottbíráskodás ad hoc választottbíráskodás
biegły sądowy biegły expert	igazságügyi szakértő bíróági szakértő szakértő
celnik	vám- és pénzügyőr vámtisztviselő adószedő vámszedő
dokonać egzekucji podlegać wykonaniu w drodze egzekucji	végrehajtásra kerül sor végrehajtás foganatosítása végrehajtás útján végrehajtani végrehajtásra kerül végrehajtás alá kerül végrehajtást bírósági végrehajtás útján folytatni
egzekucja	végrehajtás egzekúció büntetés-végrehajtás ítélet végrehajtása halálbüntetés-végrehajtása kivégzés
egzekucja administracyjna	közigazgatási végrehajtás
egzekucja komornicza	végrehajtás bíróági végrehajtás

firma windykacyjna	behajtó cég
klauzula	kikötés klauzula záradék pont mondat végzés
know-how	védett ismeret know-how megoldás titok tudásvagyon
komornik komornik sądowy egzekutor	végrehajtó bíróági végrehajtó önálló bíróági végrehajtó független bíróági végrehajtó egzekutor exekútor
kontrakt futures	határidős ügylet határidős kontraktus
kontrakt lekarski	orvos szerződése orvos kontraktusa
kontrakt menedżerski	vezetői szerződés gazdálkodási megállapodás
kontrakt piłkarski	labdarúgó szerződése labdarúgó kontraktusa
nastawać na życie	életre tör
organizacja pozarządowa	civilszervezet
osoba fizyczna	természetes személy fizikai személy
poborca skarbowy, celnik	adóvégrehajtó adószedő vámszedő vám- és pénzügyőr
począć, zapłodnić	fogamzik fogan
poczęcie, zapłodnienie	fogamzás fogantatás
pozbawić kogoś życia	élettől megfosztani megöl
prawo cywilne	polgári jog civiljog magánjog
prawo dotyczące organizacji pozarządowych	civiljog

prawo prywatne	magánjog
przetarg postępowanie o udzielenie zamówienia	közbeszerzési eljárás közbeszerzés
rozstrzygnięcie sprawy przez sąd polubowny powołany do rozstrzygnięcia poszczególnego sporu	eseti választottbíráskodás ad hoc választottbíráskodás
sąd	bíróság, járásbíróság, törvényszék, ítélőtábla, Kúria, királyi bíróság, Legfelsőbb Bíróság, felsőbíróság, megyei bíróság, helyi bíróság, kerületi bíróság, Budapest XX., XXI. Kerületi Bíróság, Pesti Központi Kerületi Bíróság Budai Központi Kerületi Bíróság városi bíróság Pécsi Törvényszék Tatabányai Járásbíróság
separacja	elválasztás elszakadás elkülönítés elszigetelés különválás
tajemnica przedsiębiorstwa	üzleti titok know-how védett ismeret
umowa, kontrakt	szerződés, egyezmény megállapodás contractus
umrzeć następuje śmierć stracić życie, utracić życie	meghal elhaláloz életet vesz kileheli a lelkét távozik az élők sorából
urodzić się przyjść na świat	világra jön megszületik napvilágot lát
użytkowanie wieczyste	örökhaszonbérlet

	emphyteusis tartós földhasználat örökbérlet felülepítményi jog
w drodze przetargu	közbeszerzési eljárás útján közbeszerzés útján
windykacja	behajtás adósság behajtás
zasady współżycia społecznego	szocialista együttélés elve jóerkölcs társadalmi együttélés szabályai közerkölcs társadalmi együttélés általánosan elfogadott szabályai
zgon, śmierć	exitus halál elhalálozás
związki partnerski	élettársi kapcsolat bejegyzett élettársi kapcsolat házasság
zwyczaj miejscowy zwyczaj przyjęty w danym środowisku	helyi szokás helyi szokások és gyakorlat az adott üzletágban szokásos az adott piacon szokásos módon minden szokás, amelynek alkalmazásában a felek korábbi üzleti kapcsolatukban megegyeztek minden gyakorlat, amelyet egymás között kialakítottak az adott üzletágban a hasonló jellegű szerződés alanyai által széles körben ismert és rendszeresen alkalmazott szokás

As a result of the research a few dimensions have been determined as the most relevant. It should be stressed, however, that in some instances other dimensions may be relevant. Though in case of the Polish-Hungarian translation both legal systems are similar to such an extent that such instances should rather be treated as exceptions from the rule.

After determining relevant dimensions and pointing out of various semantic relations which should be taken into consideration in the process of translation, the method of choosing equivalents by implementing translational algorithm was shown. The algorithm presents terms with various attributes. It is shown what kind of steps should be taken to determine such an equivalent which would be proper for realising the aim of translation. For Polish-Hungarian pair of languages six basic steps are implemented to reach that aim. Such utterances which the translator would consider equivalent at first, but

after analysis of their meaning they occur to be inappropriate, are eliminated. Undoubtedly, the method helps to organise information. It may be stated which terms are equivalent enough, because they have a lot of similarities with respect to relevant dimensions, and consequently, which terms are not equivalent enough, or are equivalent only in limited situations.

The factor, which also should be taken into consideration is who the receiver of the texts is and in what circumstances the equivalent may be used, because sometimes it may influence the choice made by translator. In particular such receivers of legal texts are taken into consideration as lawyers, users of other languages for special purposes, averagely educated citizens or readers of literary texts. Also in that case meanings of the terms should be determined with regard to dimensions mentioned before, however, as the most relevant the dimension of text is regarded here. The process of determining translational equivalent may be illustrated by a scheme where the way of putting questions is shown.

Translating legal terms some important aspect should be taken into consideration. First, one should be aware of semantic and grammatical attributes of languages and to know ways of formulating legal syntagms and texts. Second, the translator should consider circumstances of using terms, such as legal system or systems used in the countries of the source and target language, history of legal system developing, last changes in law, etc. Third, social and political reality in the light of history and present situation should be known. All those aspects may significantly influence decisions made by translator of legal texts.



## 10. Summary in Polish

### W poszukiwaniu ekwiwalentów

W przedstawionej monografii zaprezentowana została metoda poszukiwania ekwiwalentów terminologii prawnej dla polsko-węgierskiej pary językowej, oparta o teorię Aleksandry Matulewskiej (2013).

W części pierwszej wymienione zostały wymiary, ze względu na które dokonywaliśmy porównań terminologicznych. Wybrane zostały takie wymiary, które uznaliśmy za szczególnie istotne w tym kontekście i dla tej pary języków. Są to:

- gałąź prawa, w ramach którego funkcjonuje dany termin
- czas powstania tekstu prawnego i jego status prawny – czy jest to tekst mający obecnie moc prawną, czy też już nie obowiązuje.
- autor terminu czy też wyrażenia, a dokładniej, autor tekstu, w ramach którego dany termin został zastosowany. Chodzi o to, czy są to teksty ustawowe, czy też innego typu teksty oraz czy terminy są stosowane w formalnych czy nieformalnych sytuacjach komunikacyjnych.
- zróżnicowanie terminologii prawnej czy też różne jej stosowanie w ramach tego samego języka. W przypadku języka węgierskiego chodzi przede wszystkim o zróżnicowanie wynikające z zastosowań terminologii na Węgrzech i poza nimi, w szczególności w krajach, gdzie od zakończenia I wojny światowej mieszkają duże grupy ludności węgierskiej, posiadającej status mniejszości narodowej.

Następnie omówiona została problematyka klauzul generalnych. Są one wyrażane przez zwroty, których znaczenia mogą być dość szeroko interpretowane. Problematykę związaną z tłumaczeniem tych wyrażeń omówiliśmy na przykładzie zwrotów *zasady współżycia społecznego* i *zwyczaj miejscowy*. W polskim i węgierskim systemie prawnym znane są klauzule generalne podobnego typu, dość zbieżna jest również historia ich stosowania, czy też zmiany znaczenia dla poszczególnych terminów, szczególnie

w okresie przechodzenia z systemu demokratycznego do socjalizmu a potem ponownie w okresie demokratycznym.

Najbardziej obszerny rozdział poświęcony jest wybranym relacjom semantycznym zachodzącym pomiędzy terminami, które odnosić będziemy do różnych obszarów rzeczywistości. Relacje te mogą mieć charakter zarówno intra- jak i interjęzykowy. Omawiane relacje dotyczą synonimii oraz różnego typu polisemii terminów prawnych. Może tu chodzić o synonimię dwóch wyrażań, które w swojej istocie są mniej lub bardziej rozbudowaną odmianą tego samego terminu, na przykład przy jednym terminie dodaje się przymiotnik, który go precyzuje, a przy innym nie dodaje się przymiotnika przyjmując, że termin ten jest wystarczająco jasny bez tego typu precyzowania. Dzieje się tak m. in. w przypadku terminu *biegły sądowy*, stosowanego często w krótszej formie – *biegły* czy też terminów *komornik* i *komornik sądowy*. Występowanie relacji synonimii terminologicznej zostało też zilustrowane przykładem stosowania węgierskiego terminu *know-how*, jako internacjonalizmu funkcjonującego praktycznie we wszystkich lektach języka węgierskiego, łącznie z lektem prawnym, który jednak posiada co najmniej jeden odpowiednik w języku narodowym i jest stosowany w narodowych aktach prawnych. Ciekawym przykładem synonimii terminów prawnych jest sytuacja, gdzie różną terminologię stosuje się w różnych krajach w ramach tego samego języka. W przypadku języka węgierskiego chodzi przede wszystkim o różnice występujące między terminologią prawną stosowaną na Węgrzech a terminami stosowanymi w krajach sąsiadujących z Węgrami, zamieszkałymi – ze względów historycznych – przez duże grupy ludności węgierskojęzycznej. Kwestia ta została zilustrowana ekwiwalentami dla terminu *osoba fizyczna*. Przykładem terminu polisemicznego, który można stosować w wielu znaczeniach w różnych kontekstach, jest termin *egzekucja*, gdzie różnice występują ze względu na kilka wymiarów, w szczególności takich jak dziedzina prawa, stosowany lekt czy też czas, w jakim powstał tekst ustawowy. Różnice znaczeniowe są tu znaczące, ponieważ w jednej z interpretacji termin może oznaczać proces egzekwowania długu pieniężnego a w innej wykonanie kary śmierci.

Kolejny rozdział poświęcony został tzw. fałszywym przysięgom, czyli takim terminom, które mają podobne formy leksykalne w dwóch językach ale różnią się znaczeniem. Kwestia ta została omówiona na przykładzie terminu *prawo cywilne*. Termin ten

posiada co prawda odpowiednik w języku węgierskim, który ma podobną formę leksykalną: *civiljog*, jednakże podstawowe znaczenie tego terminu jest inne, dotyczy organizacji pozarządowych. Natomiast znaczenie polskiego terminu prawo cywilne wyraża węgierski termin *polgári jog*. Jednakże kwestia ta nie zawsze jest jednoznaczna, ponieważ termin *civiljog* może też oznaczać prawo cywilne w określonych okolicznościach, szczególnie wtedy, kiedy mowa jest o systemach prawnych innych krajów.

Dalej, nieco uwagi poświęcone zostało możliwości stosowania eufemizmów, metafor i archaizmów w języku prawnym. Jak wynika z analizy językowej tekstów prawnych tego typu narzędzia pojawiają się tam najczęściej wtedy, kiedy poruszane są tematy uznawane za tabu. Do grupy zwrotów tego typu należą w szczególności wyrażenia dotyczące narodzin i śmierci człowieka, oraz tematy związane z płodnością i ciążą. Eufemizmy, metafory i archaizmy wydają się być bardziej charakterystyczne dla polskiego, niż dla węgierskiego kodeksu cywilnego. Ponadto można zauważyć, że język stosowany w kodeksie postępowania cywilnego, opisujący bardziej procedury niż stosunki społeczne, stosuje mniej tego typu środków niż kodeks cywilny i reguła ta jest zauważalna zarówno w ustawach polskich jak i węgierskich.

Następnie opisane zostały algorytmy translacyjne dla terminów wykazujących różne własności: dla terminów monosemicznych, synonimicznych, polisemicznych językowo, polisemicznych prawnie i nie posiadających ekwiwalentu, który funkcjonowałby w ramach systemu prawnego języka docelowego. Opisana została procedura wykonywania kolejnych czynności, pozwalających wskazać najbliższy ekwiwalent translacyjny dla danego typu terminu. Pierwszym krokiem było ustalenie znaczenia dla terminu w języku źródłowym, na przykład przez analizę definicji prawnej. Następnie ustalane było, czy termin jest monosemiczny czy polisemiczny a jeżeli ma więcej możliwych znaczeń, to które należy brać pod uwagę. Dalej zbadane zostały znaczenia potencjalnych ekwiwalentów w języku docelowym. W przypadku terminów stosowanych w tekstach ustawowych znaczenie ustalane było w miarę możliwości w oparciu o definicje prawne. Po zapoznaniu się ze znaczeniem terminów dokonana została ich weryfikacja ze względu na wymiary, które zostały uznane za relewantne dla danego terminu, wyciągnięte zostały wnioski odnośnie konwergencji lub

komplementarności poszczególnych terminów i sformułowane dyrektywy translacyjne.

Na koniec ukazane zostało, że w niektórych sytuacjach, w celu zwiększenia aspektu komunikatywnego tekstu, może być wskazane dostosowanie wybranego ekwiwalentu do różnego typu odbiorców. Działanie takie może być uzasadnione dlatego, że sam fakt użycia ekwiwalentu o najbardziej zbliżonym znaczeniu w ramach systemów prawnych nie musi oznaczać, że odbiorca tekstu zrozumie go zgodnie z intencją nadawcy. Może to wynikać z faktu, że teksty prawne zawierają terminologię, która często nie jest właściwie rozumiana nawet przez przeciętnych odbiorców rodzimego języka lub też z tego, że kontekst, w jakim dany termin funkcjonuje, w szczególności rodzaj tekstu, wpływa na znaczenie terminu. Możliwa jest też interpretacja wynikająca z sytuacji odbiorcy, na przykład fakt, że jest to Węgier, który nie mieszka w granicach państwa węgierskiego lub jest to cudzoziemiec, który zna język węgierski tylko w stopniu podstawowym.

Odnosząc się do treści opisanych powyżej należy więc podkreślić, że tłumacząc teksty prawne należy wziąć pod uwagę własności semantyczne i gramatyczne języka źródłowego i docelowego oraz sposoby formułowania tekstów. Ponadto, istotne są okoliczności stosowania terminów, takie jak własności systemów prawnych, historia ich rozwoju i najnowsze zmiany. Po trzecie, należy wziąć pod uwagę sytuację polityczną i społeczną w krajach stosowania poszczególnych języków, zarówno w kontekście historycznym jak i współczesnym. Wszystkie te czynniki mogą znacząco wpłynąć na decyzje tłumacza w zakresie wyboru właściwego ekwiwalentu dla terminów stosowanych w tekstach prawnych.

## 11. Bibliography

- Anka T. 2014. *Öröklési jog - Hagyatéki eljárás*. Budapest: HVGorac.
- Belovics E., Molnár G.M., Sinku P. 2013. *Büntetőjog II. Különös Rész*. Budapest: HVGorac.
- Belovics E., Nagy F., Tóth M. 2014. *Büntetőjog I. Általános Rész*. Budapest: HVGorac.
- Błaszczak Ł., Ludwik M. 2007. *Sądownictwo polubowne (arbitraż)*. Warszawa, C.H. Beck.
- Bori, I., Masát, Á. 2008. *A mai magyar társadalom*. Budapest: Balassi Intézet.
- Bóka Zs. 2010. *A bíróságok régi-új elnevezései: Kúria és törvényszék. Jog - Állam - Politika. Jog- és politikatudományi folyóirat. 2. évf. 4.sz. (2010.), pp.129-152.*
- Cioch P., Studzińska J. 2012. *Postępowanie cywilne*. Warszawa: C.H. Beck.
- Czine Á., Fiedler L. 2013. *Btk. Fordítókulcs*. Budapest: HVGorac.
- Czuczor G., Fogarasi J. 1862. *A magyar nyelv szótára*. Budapest: A Magyar Tudományos Akadémia
- Dolecki, H. 2005. *Postępowanie cywilne. Zarys wykładu*. Warszawa: LexisNexis.
- Ereciński, T., ed. 2003. *Komentarz do Kodeksu postępowania cywilnego*. Warszawa: LexisNexis.
- Gadó G., Németh A., Sáriné Simkó Ágnes. 2014. *Ptk. Fordítókulcs*. Budapest: HVGorac.
- Grzybek J., de Vries T., Zhang Y. 2015. Achieving flexibility in contracting by using vague terms in international business contracts: A comparative approach from the perspective of Common law, German, Polish and Chinese Law. *Lapland Law Review* 2015, 2, pp.143-189.
- Herke Cs. 2014. *Büntető eljárásjog*. Budapest – Pécs: Dialóg Campus Kiadó.
- Horváth É. 2010. *Nemzetközi választottbíráskodás*. Budapest: HVGorac.
- Horváth É., Kálmán Gy. 2003. *Nemzetközi eljárások joga – választott bíráskodás*. Budapest: Pázmány – Osiris tankönyvek.
- Kecskés L., Lukács J.-né (eds.) 2012. *Választottbírók Könyve*. Budapest: HVGorac.

- Kecskes L., Lukács. J.-né 2012. *Választottbírok Könyve*. Budapest: HVGorac.
- Kőrös A. 2014. *Polgári Jog III*. Budapest: HVGorac.
- Kovács J., ed. 1992. *Polsko-węgierski słownik ekonomiczny. Polish-Hungarian economic dictionary*. Budapest: Műszaki Fordító Vállalat.
- Mádl F., Vékás L., 2014. *Nemzetközi magánjog és nemzetközi gazdasági kapcsolatok joga*. Budapest: ELTE Eötvös Kiadó.
- Matulewska, A. 2013. *Legilinguistic Translatology. A Parametric Approach to Legal Translation*. Frankfurt am Main, Germany: Peter Lang Publishing House.
- Matulewska, A. 2016a. Semantic Relations between Legal Terms. A Case Study of the Intralingual Relation of Synonymy. *Studies in logic, grammar and rhetoric*. Vol. 45 (1). pp. 167-188. DOI: <https://doi.org/10.1515/slgr-2016-0022>.
- Matulewska, A. 2015. Relatywizacja przekładu prawniczego do jego odbiorców w ujęciu parametrycznym. Joanna Dybiec-Gajer (ed.). *Język a komunikacja 36: (Nie)dosłowność w przekładzie. Od literatury dziecięcej po teksty specjalistyczne*. Kraków: Tertium.
- Matulewska, A. 2016b. Walking on Thin Ice of Translation of Terminology in Legal Settings. *International Journal of Legal Discourse*, vol 1. pp. 65-85.
- Matulewska, A. 2017c. The Quest for Parameterised Banks of Legal Terminology – Semantic and Systemic Relations. Relation of hypernymy. Institut Universitaire Varenne: France, Collection << Kultura >>, pp. 299-312.
- Mezey, B., Bódiné Beliznay, K. 2007. *Magyar jogtörténet*. Budapest: Osiris.
- Okányi Zs. 2009. *Választottbíráskodás Magyarországon – belföldi és nemzetközi ügyekben/ Arbitration in Hungary – in Domestic and International Matters*. Budapest: Alapszín.
- Orosz Á., Weiss E. 2014. *Öröklési jog – anyagi jog*. Budapest: HVGorac.
- Országh L., Futász D., Kövecses Z. 2004. *Magyar – angol nagyszótár. Hungarian – English dictionary*. Budapest: Akadémiai Kiadó.
- Osztovcics A., ed. 2013. *Polgári Eljárásjog I. A polgári per általános szabályai*. Budapest: HVGorac.
- Pogonowski, P. 2007. *Postępowanie zabezpieczające i egzekucyjne*. Warszawa: C.H. Beck.

- Romsics, I. 2007. *A trianoni békeszerződés*. Budapest: Osiris.
- Sáriné Simkó Á., ed. 2012. *Mediáció. Közvetítői eljárások*. Budapest: HVGorac.
- Sáriné Simkó A. 2014. *Üzleti jog*. Budapest: HVGorac.
- Sárközy T., ed. 2014. *Gazdasági társaságok – Cégtörvény*. Budapest: HVGorac.
- Sárközy T. 2014. *Polgári Jog II*. Budapest: HVGorac.
- Stipta I. 1998. *A magyar bírósági rendszer története*. Debrecen: Multiplex Media – Debrecen U.P.
- Szabó B. G., Illés I., Kolozs B., Menyhei Á., Sándor I. 2014. *A bizalmi vagyonkezelés*. Budapest: HVGorac.
- Szabómihály G., 2009. A kisebbségi nyelvhasználati törvény gyakorlati alkalmazása és a Szlovák hivatalos (jogi-közigazgatási) szövegek magyarra fordításának kérdései. In Lanstyák I., Simon Sz. *Tanulmányok a kétnyelvűségről*. Pozsony: Kalligram Könyvkiadó. Pp. 32-42.
- Vékás L. 2013. *Magyar polgári jog. Öröklési jog*. Budapest: Eötvös József Könyvkiadó.
- Wellmann Gy. 2014. *Polgári Jog I*. Budapest: HVGorac.
- Wellmann Gy. 2014. *Polgári Jog IV*. Budapest: HVGorac.
- Wellmann Gy. 2014. *Polgári Jog V*. Budapest: HVGorac.
- Wellmann Gy. 2014. *Polgári Jog VI*. Budapest: HVGorac.
- Wellmann Gy. 2014. *Szerződések tára*. Budapest: HVGorac.
- Wopera Zs. 2013. *Polgári Eljárásjog II. Perorvoslatok, Különleges eljárások, Egyes nemperes eljárások*. Budapest: HVGorac.

## Websides

A bírósági rendszer 1868 után. Az 1868/69-es reformok nyomán kialakult bírósági szerkezet. <https://dt.ogyk.hu/hu/gyujtemenyismertetok/jogforrasok/item/294-a-birosagi-rendszer-1868-utan>

[http://digital.fides.org.pl/Content/983/sw13\\_07.pdf](http://digital.fides.org.pl/Content/983/sw13_07.pdf)

<http://iate.europa.eu/FindTermsByLilId.do?lilId=748152&langId=en>

<http://www.ebrd.com/downloads/legal/securities/hungary2.pdf>

<http://www.kormany.hu/download/e/02/00000/The%20New%20Fundamental%20Law%20of%20Hungary.pdf>

<http://www.kormany.hu/en>

<http://www.sejm.gov.pl/prawo/konst/angielski/konse.htm>

<https://www.sakig.pl/>

## Legislation

1869. évi IV. Törvénycikk a birói hatalom gyakorlásáról
1949. évi XI. törvénycikk a népnek a büntető igazságszolgáltatásban való részvételéről és a fellebbvitel egyszerűsítéséről
1950. évi IV. törvény a Magyar Népköztársaság Alkotmányának módosításáról
1952. évi III. törvény a polgári perrendtartásról
1991. évi XIV. Törvény a Polgári Törvénykönyv módosításáról
1994. évi LIII. törvény a bírósági végrehajtásról
1997. évi LIX. Törvény a Magyar Köztársaság Alkotmányának módosításáról
2000. évi XVI. Törvény a Magyar Köztársaság és az Argentín Köztársaság között a beruházások elősegítéséről és kölcsönös védelméről Budapesten, 1993. február 5-én aláírt megállapodás kihirdetéséről.
2002. évi XXII. Törvény az ítélőtáblák és a fellebbviteli ügyész szervek székhelyének és illetékességi területének megállapításáról
2013. évi V. Törvény a Polgári Törvénykönyvről
- 2016 (2016. évi CXXX. Törvény a polgári perrendtartásról).
2016. évi CXXX. törvény a polgári perrendtartásról
2016. évi CXXX. Törvény a polgári perrendtartásról (2016.11.22)
- Az egyesülési jogról szóló 1989. évi II. törvény helyébe 2012. január 1-jével az egyesülési jogról, a közhasznú jogállásról, valamint a civil szervezetek működéséről és támogatásáról szóló 2011. évi CLXXV. törvény (Civil tv)
- Polgári Törvénykönyv. Civil Code.* 2013. Budapest: Wolters Kluwer
- Ustawa z dnia 26 lipca 1991 r. o podatku dochodowym od osób fizycznych
- Ustawa z dnia 29 sierpnia 1997 r. o komornikach sądowych i egzekucji
- Ustawa z dnia 29 stycznia 2004 r. Prawo zamówień publicznych



***Dissertationes legilinguisticae***  
***Studies in Legilinguistics***

Studies in Legal Language and Communication

This series aims to promote studies in the field of legal language, legilinguistics (legal linguistics), forensic linguistics, legal translation by publishing volumes that focus on specific aspects of language use in legal communication. As legal linguistics is interdisciplinary and language sensitive we invite contributions dealing with insights into one or more languages. We accept contributions in conference languages and Polish.

The series publishes the following types of contributions:

- ☐ monographs which are in-depth studies on various aspects of applied legal linguistics, forensic linguistics as well as theoretical studies,
- ☐ textbooks, and
- ☐ collected papers of various authors dealing with one unifying theme.

Each volume of the series is subject to peer-reviewing process.

Editorial office address:

Department of Legilinguistics and Languages for Special Purposes  
Al. Niepodległości 4, pok. 218B  
61-874 Poznań, Poland  
lingua.legis@gmail.com

**Vol. 1. Karolina Gortych-Michalak**

Struktura polskich, greckich i cypryjskich aktów normatywnych. Studium porównawcze w aspekcie translologicznym. 2013.

**Vol. 2. Joanna Grzybek**

Alternatywne metody rozwiązywania sporów w przekładzie chińsko-polskim i polsko-chińskim. Studium badawcze terminologii z zakresu arbitrażu. 2013.

**Vol. 3. Milena Hadryan**

Demokratyzacja języka urzędowego. Współczesne tendencje polityki językowej w Szwecji i w Polsce. 2015.

**Vol. 4. Maria Teresa Lizisowa**

Komunikacyjna teoria języka prawnego. 2016.

**Vol. 5. Aleksandra Matulewska**

Contrastive Parametric Study of Legal Terminology in Polish and English. 2017.

**Vol. 6. Karolina Kaczmarek**

Investigating Equivalents in Polish-Hungarian Translation Contrastive Parametric Study of Legal Terminology. 2017.

**Vol. 7. Joanna Nowak-Michalska**

Polish-Spanish Legal Translation: A Parametric Approach. 2017.

**Vol. 8. Milena Hadryan**

Polish-Swedish Translation: A Parametric Approach to Comparison of Legal Terminology. 2017.