

# Translating Extended Term-Embedding Collocations in Contracts

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## Introduction

Extended units of meaning (Sinclair 2004), have been scarcely investigated thus far in legal phraseology, with the exception of research into lexical bundles (Goźdz-Roszkowski 2006, 2011; Kopaczyk 2013). This paper is thus an attempt to show that by focusing on extensions clustering around the chosen terms from two comparable English (EnCon) and Croatian (CroCon) corpora of contracts, we can detect congruent patterns. The paper also focuses on the extent to which both the wider and the non-linguistic context can contribute to finding translation equivalents where corpus data fail to do so.

## Methodology

The extraction of extended units of meaning is performed by means of WordSmith Tools 6.0 (Scott 2011) and its tools Wordlist and Concordance. It starts from the nodes (see Table 1 for the frequency of the chosen nodes in EnCon and CroCon)) chosen to represent a contract script (Pontrandolfo 2013) and focuses on the wider context of term-embedding collocations (Biel 2014).

Nodes in EnCon and their frequency	Nodes in CroCon and their frequency
<i>agreement</i> (2,731)	<i>ugovor</i> (2,654)
<i>contract</i> (538)	
<i>party</i> (1,628)	<i>strana</i> (1,294); <i>stranka</i> (49)
<i>offer</i> (105)	<i>ponuda</i> (39)
<i>acceptance</i> (44)	<i>prihvat</i> (194)
<i>consideration</i> (105)	<i>protučinidba</i> (4)
<i>term</i> (1,301)	<i>uvjet</i> (114)
<i>time</i> (1,479)	<i>vrijeme</i> (206); <i>rok</i> (366)
<i>obligation</i> (775)	<i>obveza</i> (392); <i>obaveza</i> (8)
<i>termination</i> (251)	<i>otkaz</i> (34); <i>otkazivanje</i> (6)
<i>performance</i> (171)	<i>ispunjenje</i> (37) / <i>ispunjavanje</i> (4)
<i>breach</i> (269)	<i>kršenje</i> (4)
<i>rescission</i> (3)	<i>raskid</i> (33)

Table 1. Nodes chosen to represent a contract script and their frequency in EnCon and CroCon

## Results

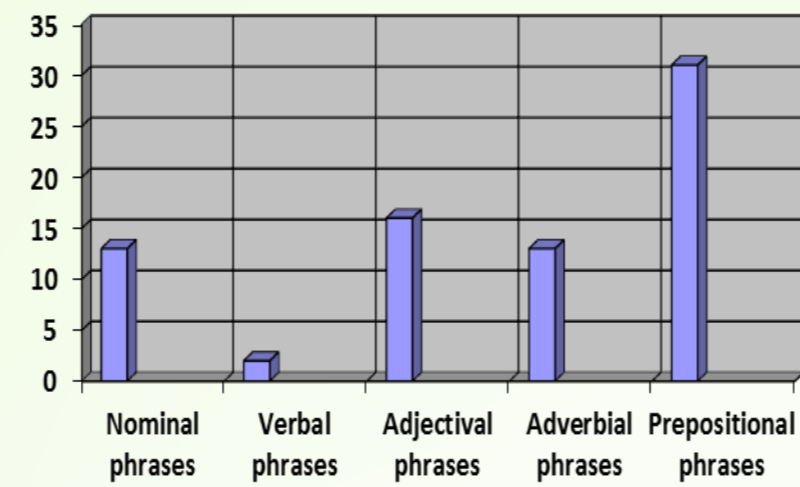


Chart 1. Types of extensions in EnCon (verbal term-embedding collocations)

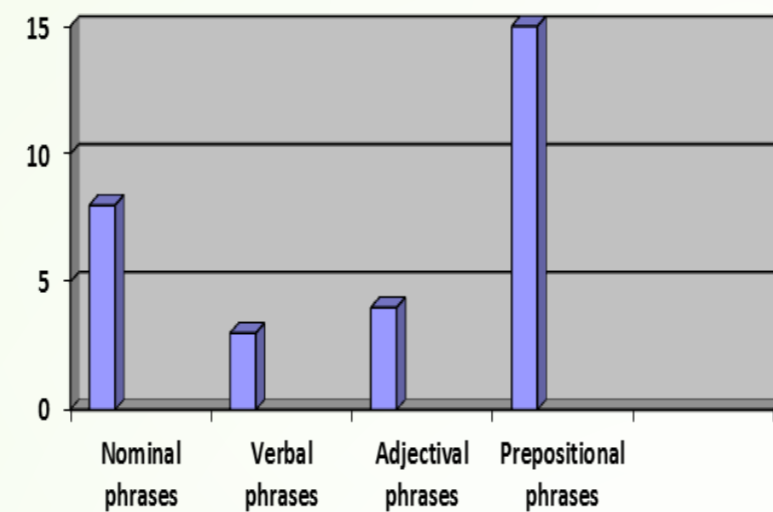


Chart 2. Types of extensions in EnCon (nominal term-embedding collocations)

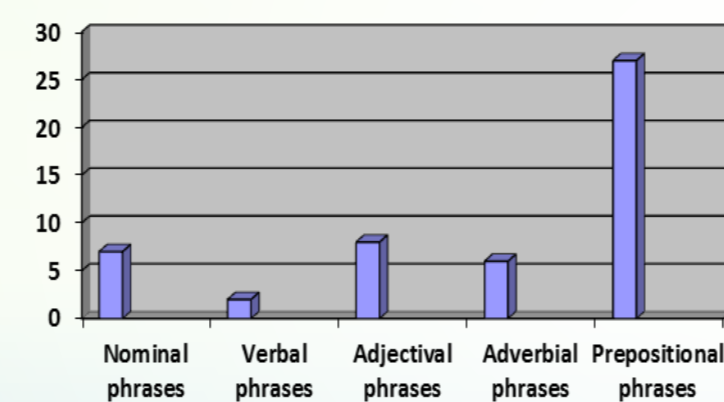


Chart 3. Types of extensions in CroCon (verbal term-embedding collocations)

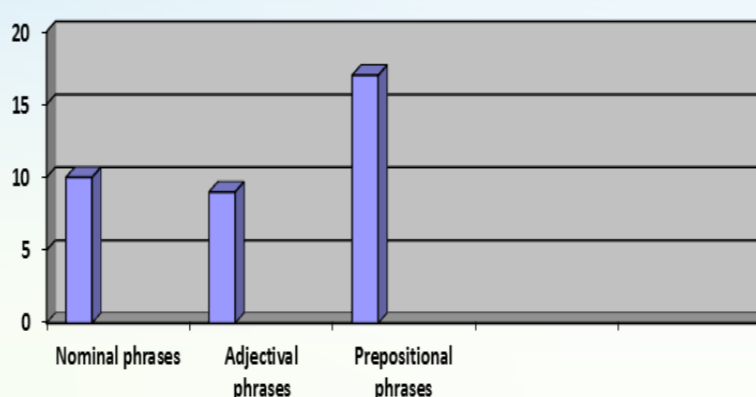


Chart 4. Types of extensions in CroCon (nominal term-embedding collocations)

## Discussion

It seems that building lists of units based on the nodes chosen to represent close equivalents in the two corpora may produce equivalent extended term-embedding collocations in two unrelated legal systems (e.g., *sastavni dio ugovora - integral part of the agreement; to form part of the contract*). Some, on the other hand, although on its face revealing the same patterns, use semantically-related collocates (e.g., *imati pravo raskinuti ovaj ugovor* and *to be entitled to terminate this agreement*).

Discovering the equivalent extended unit of meaning in the other corpus might sometimes be more complex and require research both on an even wider and the non-linguistic context (e.g., *payment in full of the consideration payable under this agreement* and *isplata kupoprodajne cijene iz ovog ugovora u cijelosti*).

Finally, although in some cases where corpus data fail to reveal equivalent extended term-embedding collocations, the formation of a target text pattern might seem straightforward (e.g., *upon acceptance of the offer - po prihvatu ponude*), the usage of this unit in the target text might be regarded as untypical due to the principles of both the contract law and the functioning of the respective legal system in general.

## Conclusion

Results of this study, although reporting on phraseological units in English and Croatian contracts, can also be applied to studies focusing on contract phraseology in other languages, of which one is based on common law and the other on civil law. By focusing on legal Croatian, however, the study tends to fill a gap in corpus-based studies of legal language, which tend to be overwhelmingly Anglocentric. Furthermore, shifting the focus from the binary collocation to the Sinclairian wider-context-perspective also offers a useful resource for translator training.

## References

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