Sources of one-word terms used in UK and Lithuanian constitutional law acts

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Abstract

The article addresses the issues of formation of legal terminology in Lithuanian and English. The terminology of Lithuanian law started to be formed at the beginning of the 20th century. Its development has been influenced by several political upheavals and has undergone considerable changes. Since new legal terms are constantly created, it is worthwhile to compare and contrast Lithuanian term formation tendencies with term formation traditions in other languages. Contrastive research not only reveals peculiarities of term formation in different languages, but allows researchers to see native terminology in a new light and assessing it more objectively. In this article, the Lithuanian constitutional law terms are compared with the English constitutional law terminology that has a long history dating back to the 13th century. The article analyses the sources and means of formation that have been used for the creation of Lithuanian and UK constitutional law terms and reveals important differences in legal term formation in these two languages. The authors expect that the findings of the research will provide useful information to the developers of Lithuanian legal terminology, as well as to the users of Lithuanian and English legal terms.

Keywords: legal terminology, constitutional law, one-word terms, sources of terminology, formation of terminology, contrastive analysis.

1. Introduction

Relevance of the issue. In contemporary communication, legal language plays a vital role. National and international interaction is directly influenced by legal norms that form 'the rules of the game'

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to be adhered to by the communication parties. Therefore, the use of legal language and translation of legal texts are inevitable in everyday business contact.

Legal terms are the basis of a legal language as legal concepts are expressed via particular terms that are the basic instrument of communication among specialists of various areas. Therefore, a development of precise, systematic and easy-to-use legal terminology as well as skills and accuracy of its use are important tasks of specialists of every nation.

The terminology of Lithuanian law started to be formed alongside the restoration of the statehood of Lithuania in 1918 (Maksimaitis 2007: 7-13). During the Soviet period (1945-1990) Lithuanian legal terminology was formed according to general Soviet legal standards. After the restoration of independence in 1990, considerable legal reforms were achieved. Since that time, new Lithuanian terms have been created to name new legal concepts. Therefore, it is worthwhile to compare and contrast their formation with the traditions and new tendencies of term formation in other languages.

Contrastive research not only reveals peculiarities of term formation in different languages, but also allows researchers to see the native terminology in a new light and assessing it more objectively. The results of contrastive research provide the developers of the terminology with vital information on how to create new and improve existing terminology. They also enable the users of terminology to understand it better and use it correctly. In this article, Lithuanian constitutional law terms are compared with English constitutional law terminology that has a long history dating back to the 13th century.

Previous research. The formation of Lithuanian legal terms has been analysed in several perspectives. A comprehensive research on Lithuanian legal term formation in 1918-1940 has been performed by A. Umbrasas (2010). In his work, Umbrasas has analysed in detail the structure, sources and means of formation of the legal terms of the Lithuanian codes that were adopted in the interwar period. The formation of contemporary legal terms in Lithuanian and other languages has been investigated in the works by V. Janulevičienė, S. Rackevičienė, L. Pogožilskaja and others (Pogožilskaja 2012; Beinoravičius et al. 2013; Janulevičienė and Rackevičienė 2014; Rackevičienė and Pogožilskaja 2014). The given research seeks to contribute to the contrastive works on legal terminology and expand its scope.

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The aim and objectives of research. The aim of the research is to analyse and compare the sources and means of formation of UK and Lithuanian constitutional law terms. To achieve this aim, the terms are classified into groups according to their origin and means of formation and quantitative analysis of the terms in different groups is performed. The results of the analysis allow the researchers to draw conclusions that reveal the prevailing formation patterns of one-word constitutional law terms in the English and Lithuanian languages.

Object of research. The research deals with one-word terms of constitutional law in the UK and Lithuania. The legal language of the UK is just one variety of legal English used in different countries: the UK, Ireland, the United States, Australia, New Zealand and other Commonwealth countries. The terms of UK constitutional law were chosen for the analysis as they represent the primary original Anglo-Saxon legal system.

The data for the research was collected from the main sources of constitutional law in Lithuania and the UK. The Lithuanian terms were collected from the Constitution of the Republic of Lithuania (1992), which is codified and exists in the form of a single document. The UK constitution is uncodified, and its principles are embodied in various written and unwritten sources (Acts of Parliament, court judgements, parliamentary constitutional conventions, royal prerogatives and others). The following Acts of constitutional nature were chosen for the given research: translations into Modern English of *Magna Carta* (1297), *Habeas Corpus Act* (1679), *the Bill of Rights* (1689) and *the Act of Settlement* (1700), including the amendments as in force today, and the original text of *the Human Rights Act* (1998). All in all 602 one-word terms relating to constitutional law were selected from the UK constitutional acts (361) and the Constitution of the Republic of Lithuania (241).

Methodology of research. The research is based on the principles of descriptive, contrastive and quantitative analyses. The theoretical framework of the research is presented in section 2 of the article. The sources of the English terminology are analysed on the basis of *The Oxford Dictionary of English Etymology* (ODEE 1985) and the Merriam-Webster Online Dictionary (MWD 2015), while the analysis of the sources of the Lithuanian terminology is based on works of W. Smoczyński (2007), E. Fraenkel (1962-65) and A. Sabaliauskas (1990), and a dictionary of international terms (TŽŽ 2013).

2. Theoretical principles of the analysis

Terminology formation is an interdisciplinary activity that requires awareness of a certain area of knowledge (branch of science), logic and linguistics. Every term must be scientifically motivated and meet logical and linguistic requirements (Akelaitis et al. 2009: 37-38; cf. Gaivenis 2002: 19; Jakaitienė 2009: 181). Thus, terminology formation is based on the following factors:

1) subject-related/scientific (terms name concepts of a certain area of knowledge)
2) logical (terms name concepts that constitute a certain conceptual system based on logical relations)
3) lexical (terms are words belonging to vocabulary of a certain language).

These factors determine the requirements for formation of a new term. The subject-related factors require the term to express the given concept as accurately as possible, the logical factors – to take a logical place in the whole system of terms of the same area of knowledge, the lexical factors – to be monosemous, to have no synonyms, to be stylistically neutral, linguistically correct and convenient to use (Akelaitis et al. 2009: 44; cf. Keinys 1980: 27-58; Gaivenis 2002: 36-49; Celiešienė and Džežulskienė 2009: 47-52; Jakaitienė 2009: 186-191). All of the factors have to be considered when new terminology is created and sources and formation means thereof are chosen.

Terminology sources and formation means are classified in different ways (q.v. Lithuanian terminology studies: Keinys 1980: 59-96; Gaivenis 2002: 51-62; Akelaitis et al. 2009: 55-86; Celiešienė and Džežulskienė 2009: 74-81; Jakaitienė 2009: 191-202; English terminology studies: Sager 1997: 25-41; Cabre 1999: 80-114), but all classifications are based on the following parameters: vocabulary of own/foreign language; vocabulary of a general/special language; use of a ready-made word/formation of a new word.

In the research, presented in the article, the terms are classified according to their sources in the following way:

1) **Terms formed using internal sources**
   - Terminologized words
   - New words formed by various word-formation means
2) **Terms formed using external sources**
   - Borrowed terms

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   3) **Terms formed by a combination of external and internal sources**
      - Hybrids (words consisting of borrowed and native morphemes)

In the given classification, **internal sources** include vocabulary of various types of a native language: a general native language used by all its speakers (its standard variety and regional dialects), as well as special native languages used by specialists of certain areas. The main means of forming terms on the basis of internal sources are terminologisation of ready-made words and formation of new words.

Terminologisation is transformation of a general language word into a term defining a concept in a special language (Valentonis and Mantzari 2006:7; Karsch 2010; Bidnenko 2013:206). By terminologisation a general language word may get a wider meaning, a narrower/more specific meaning, a figurative meaning or a new meaning. The general requirement for all terminologisation procedures is to form a term that has only one meaning even if it is formed from a polysemous general language word (Akelaitis et al. 2009: 57-58). New terms may be also formed by transforming a term from a terminology system of one special language into a terminology system of another special language. This type of process is called trans-terminologisation or transdisciplinary borrowing (Valentonis and Mantzari 2006: 7; Bidnenko 2013: 206).

Term formation using native vocabulary and various word-formation means is widespread in different languages. New terms are formed using derivation, compounding, conversion or other word-formation means existing in the language. The choice of means of formation in different languages depends on the language structure and term formation traditions.

External sources include vocabularies of foreign special languages. The main means of forming terms on the basis of vocabularies of foreign special languages is the borrowing of terminology. There are two ways of borrowing a foreign term: borrowing an external form of a term and its meaning and borrowing an external form of a term and giving it a new meaning. The directions and extent of borrowing depend on the history of the state and its contacts with other nations and the prevailing terminology formation standards in the world. In most languages, the major part of the borrowed terms is constituted by international words of Latin and Greek origin (Cabre 1999: 88-89).

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Hybrids are formed using a **combination of internal and external sources** (morphemes of native and foreign origin) and take an intermediary position in the given classification. Most often they are formed using a foreign base and a native affix. The reverse pattern (a native base and a foreign affix) is also used, but not so often. Hybrids may also be compounds formed using a native root and a foreign root (Celiešienė and Džežulskienė 2009: 67; 78; Jakaitienė 2009: 211, 255-256; Umbrasas 2010: 132).

The given research does not encompass analysis of loan translation/calquing (literal translation of the semantic components of a given term into their equivalents in the borrowing language) as it is often difficult to determine whether the analysed term is a loan translation/calque, especially if it conforms to the grammatical norms of the language and is formed on the basis of a productive model of word-formation. Similarity of the structure of a word in several languages does not necessarily indicate an instance of calque. Most often such terms are perceived as native formations (Umbrasas 2010: 134). Thus in this research, instances of loan translation were not addressed.

3. Analysis of the sources and means of formation of English and Lithuanian constitutional law one-word terminology

The terminology of Latin and French has had a significant impact on the development of English legal terminology. The predominant language used in the courts of England in the Middle Ages was French, while legal documents were drawn up in Latin and French. One of the factors that determined the use of these languages in law, in favour of English, presumably was "the urge to have a secret language and to preserve a professional monopoly" and thus to set it apart from the rest of the society (Maley 1994: 12). It was not earlier than the end of the 15th century that statutes began to be published in English. However, it was not until the 17th century that English became the official language of law and gradually the domination of legal French and legal Latin came to an end (Beveridge 1998: 124; Maley 1994: 12). The contacts with Latin and French have strongly influenced the formation of English legal terminology and its characteristic features.

Legal Lithuanian language started to develop only at the beginning of the 20th century. Heretofore legal documents in Lithuania were drafted in Latin or Slavic languages. Only after the restoration of independence in 1918, the Lithuanian legal terminology started to be formed and used in state governance and other areas of public life (Umbrasas 2010: 16). Although Slavic languages had a

considerable impact on Lithuanian legal language at the beginning of its development, borrowings from Slavic languages were gradually replaced by Lithuanian equivalents and international words of Latin and Greek origin, which were adapted to the grammatical structure of Lithuanian.

The ratio of constitutional one-word terms that come from internal, external and a combination of internal and external sources in English and Lithuanian is presented in Chart 1.

The bulk of the analysed terms in English come from external sources as ready-made terms (85%), whereas the number of terms that come from internal sources is significantly smaller (12%). A relatively small number of the analysed terms in English are hybrids (3%).

On the contrary, in Lithuanian the largest number of terms comes from internal (76%) rather than external (22%) sources. The number of hybrids in Lithuanian is also relatively small (2%).
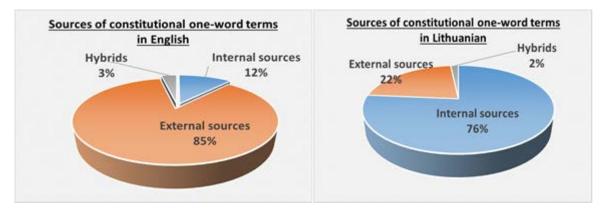

Chart 1. Sources of constitutional one-word terms in English and Lithuanian.

3.1. Terms formed using internal sources

This group of terms consists of words of native origin that are either simple in structure or formed by different means of word-formation where all components (the root and affixes) are of native origin (see Chart 2).

3.1.1. In English this group makes up 11% of all analysed terms and consists of simple words of native origin (6%) and terms formed by means of derivation and compounding (5%).

1)   Simple words of native English origin

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This category includes only words of Anglo-Saxon origin that were formed in the Old English period. It is relatively small and constitutes 6% of all analysed terms, which is 56% of the terms of native English origin: *body, belief, bench, borough, draft, earl, house, king, knight, land, leave, life, Lord, loss, oath, queen, right, sheriff, thing, town, work, writ*.

2)   Formations of native English origin

Native formations include words made by means of derivation (suffixation from verbs, nouns or adjectives) and compounding of different parts of speech, and together make up 44% of terms within the group of terms of native English origin or 5% of all analysed terms. All constituent parts of these formations are of native origin:

- suffixation:
  - from verbs: *doing, finding, fleeing, keeper, writing*;
  - from nouns: *earldom, freeholder, kingdom, witness*;
  - from adjectives: *freedom, highness*;
- compounding:
  - Adj. + N: *freeman, freehold;*
  - Adv. + N: *welfare, well-being;*
  - N + N: *work-house.*

3.1.2. In Lithuanian, unlike English, words of native origin constitute a very large group, i.e. 76%, 7% of which are simple words and 69% are formations.

1) Simple words of native Lithuanian origin

Simple words of native Lithuanian origin (7% of all analysed terms, which is 9% within the group of the terms of native Lithuanian origin) are almost all inherited from the Indo-European protolanguage, e. g. *asmuo* 'person', *karas* 'war', *kraštas* 'region', *narys* 'member', *straipsnis* 'article', *šeima* 'family', *tauta* 'nation', *tėvai* 'parents', *vaikas* 'child', *valia* 'will', *žemė* 'land', *žmogus* 'man'.

2) Formations of native Lithuanian origin

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Native formations made of elements of native Lithuanian origin constitute the largest group of all words (69%, which is 91% within the group of words of native Lithuanian origin). All constituent parts of these formations are of native origin:

- suffixation:
  - *atlygin-**im**-as* 'payment, remuneration, compensation' (← verb *atyginti* 'pay, remunerate, compensate' + suffix *-**im**(-as)*),
  - *atst-**ov**-as* 'representative'(← verb *atstoti* 'to serve as substitute for' + suffix *-**ov**(-as)*),
  - *gyn-**yb**-a* 'defence' (← verb *ginti* 'to defend' + suffix *-**yb**(-a)*),
  - *įstat-**ym**-as* 'law' (← verb *įstatyti* 'to fix, to lay down' + suffix *-**ym**(-as)*),
  - *kalt-**um**-as* 'guiltiness, culpability' (← noun *kaltė* 'guilt' + suffix *-**um**(-as)*),
  - *mok-**est**-is* 'tax' (← verb *mokėti* 'to pay' + suffix *-**est**(-is)*),
  - *pil-**iet**-is* 'citizen' (← noun *pilis* 'a castle' + suffix *-**iet**(-is)*),
  - *rink-**ėjas*** 'elector' (← verb *rinkti* 'to elect' + suffix *-**ėj**(-as)*),
  - *rink-**liava*** 'levy' (← verb *rinkti* 'to levy, to collect' + suffix *-**liav**(-a)*),
  - *virš-**enyb**-ė* 'supremacy' (← noun *viršus* 'top' + suffix *-**enyb**(-ė)*),
  - *vis-**uomen**-ė* 'society' (← pronoun *visas* 'whole' + suffix *-**ov**(-as)*), etc.;
- inflexion: *apsaug-**a*** 'protection' (← verb *apsaugoti* 'to protect'), *byl-**a*** 'case' (← verb *byloti* 'to say'), *išlaid-**os*** 'expenditure'(← verb *išleisti* 'to spend'), *laisv-**ė*** 'freedom'(← adjective *laisvas* 'free'), *patais-**a*** 'amendment' (← verb *pataisyti* 'to amend'), *priesaik-**a*** 'oath' (← verb *prisiekti* 'to take an oath'), *skund-**as*** 'complaint' (← verb *skųsti* 'to complain'), *valdž-**ia*** 'authority, government ' (← verb *valdyti* 'to govern'), etc.;
- conversion: *kaltinamasis* 'defendant' (substantivized present passive participle, 1st person singular), *nuteistasis* 'convict' (substantivized past passive participle, 1st person singular), *sulaikytasis* 'detainee' (substantivized past passive participle, 1st person singular);
- compounding: *labdara* 'charity' (←adjective *labas* 'good' and verb *daryti* 'to do').

The predominant means of term formation in Lithuanian is suffixation. Other means of term formation are inflexion, conversion and compounding. It should be noted that inflexion is used as a means of word-formation in Lithuanian, unlike English, where the function of the inflexion is to reflect grammatical relations of words, but not to form new words.
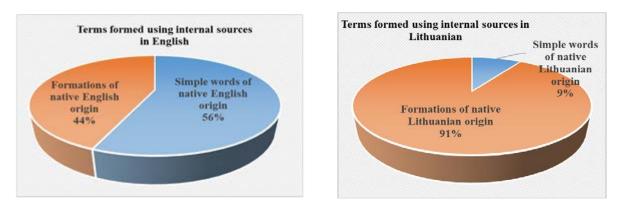
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Chart 2. Terms formed using internal sources in English and Lithuanian

3.2. Terms formed using external sources

This group of terms comprises borrowings that were adopted as ready-made words. In English this group constitutes 85% of the analysed terms; meanwhile in Lithuanian it makes only 22% (see Chart 3).

3.2.1. Terms borrowed into English

Borrowings in English constitute the largest part of all analysed terms (85%). The main sources of borrowings found are of Italic, Greek and Germanic origin.

1) Borrowings of Italic origin

The majority of terms were borrowed from Latin directly or through other languages and directly from French. They constitute 81% of all analysed terms, which is 96% within the group of the borrowed terms.

This group can be divided into several subgroups. First, in some cases it is not possible to establish the exact origin of the term as it might have come into English either from Latin or from French. Second, there are terms of Latin origin that were borrowed into English through some source language other than Latin. Some terms might have come into English directly from Latin without any intermediary language. Finally, there are terms that came into English directly from French.

Terms that are of Latin origin and were definitely borrowed from Latin, Late Latin, Medieval Latin, Church Latin or Vulgar Latin through an intermediary language such as Anglo-French, Old French,

Middle French or French are most numerous and constitute almost half of the borrowings of Italic origin, e.g. *amendment, appeal, arrest, assent, authority, bail, bailiff, bill, case, certificate, charge, consent, constable, court, crime, crown, damage, declaration, duchess, duke, election, enforcement, execution, executor, extradition, felony, forfeiture, government, grant, grievance, heir, hereditament, imprisonment, incapacity, judgement, justice, legislation, liberty, majesty, minister, officer, party, pardon, parliament, prerogative, race, reign, rule, session, statute, subject, succession, successor, Templar, title, tranquillity, treason, unity*.

Due to the fact that relations between Latin and French were very close, it is sometimes difficult to identify the origin of the word. Thus there is a smaller subgroup of terms that were borrowed from Latin either directly or from French. Dictionaries explicitly discuss such cases and specify that the word was borrowed either from Latin or French, e.g. *accusation, act, administrator, applicant, convention, doctrine, function, injunction, jurisdiction, nation, obligation, offence, penalty, petition, ratification, rejection, remedy, representation, resolution, seat, servitude, tax, tribunal, validity, violation*, etc.

Another relatively small subgroup of terms was borrowed from Latin directly, e.g. *commission, conviction, coronation, custody, discrimination, judiciary, minor, omission, pre-eminence, recess, respondent, security, sex, status, territory, vacancy, victim*. To sum up, the terms in all three above-mentioned subgroups ultimately derive from Latin, regardless of the way they got into English.

Yet another minor source of terms of Italic origin is Anglo-French and Old French, e.g. *allegiance, award, trial*, or Old North French, e.g. *guarantee, war, warrant.*

2) Borrowings of Greek origin

None of the borrowings of Greek origin came into English directly. They came to English through Latin, Late Latin, Medieval Latin and/or Old/Middle French: *abbot, archbishop, bishop, police, scheme, throne*. This group of terms constitutes only 2% of all analysed terms and within the group.

3) Borrowings of other Germanic origin

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Some terms were borrowed into English from Scandinavian sources such as Old Norse, and Middle Low German or Middle Dutch: *birth, bond, byelaw, gift, law, poll, seat*. This group is also comparatively small and constitutes only 2% of all analysed terms and within the group.

3.2.2. Terms borrowed into Lithuanian

The borrowed terms in Lithuanian comprise 22% of the analysed terms. Almost all of them are international terms, except for one old borrowing from Polish (2% within the group of borrowings or 0.4% of all terms), i.e. *Seimas* 'parliament' (Fraenkel 1962-65: 755).

The majority of international terms in Lithuania are of Italic origin (83% within the group of borrowings or 19% of all terms). Most of them might have come into Lithuanian directly from Latin: *aktas* 'act', *asociacija* 'association'*, cenzūra* 'censure', *dekretas* 'decree'*, deputatas* 'deputy', *diskriminacija* 'discrimination'*, funkcija* 'function', *institucija* 'institution', *integracija* 'integration', *interpeliacija* 'interpellation', *kandidatas* 'candidate', *kompetencija* 'competence', *konstitucija* 'constitution'*, kultūra* 'culture', *mandatas* 'mandate', *ministerija* 'ministry', *ministras* 'minister', *plebiscitas* 'plebiscite', *pozicija* 'position', *prezidentas* 'president', *privilegija* 'privilege', *referendumas* 'referendum', *rekomendacija* 'recommendation', *religija* 'religion', *respublika* 'republic', *rezidencija* 'residence', *rezoliucija* 'resolution', *sesija* 'session', *statusas* 'status', *statutas* 'statute', *teritorija* 'territory'. Some terms of Latin origin came into Lithuanian not directly, but through intermediary languages, e.g. *interesas* 'interest' was borrowed through German, *kadencija* 'term of office' was borrowed through Italian. Some terms were borrowed through French, e.g. *finansai* 'finances', *mobilizacija* 'mobilisation', *prokuroras* 'procureur'. Finally, some words are of French origin, that came into Lithuanian either directly, e.g. *rasė* 'race', *suverenitetas* 'sovereignty', or through intermediary languages, e.g. the term *biudžetas* 'budget' was borrowed into Lithuanian from English (*budget)*, which in its turn was borrowed into English from French (*bougette)* (TŽŽ 2013).

Several terms are of Greek origin (15% within the group of borrowings or 3% of all terms), e.g. *amnestija* 'amnesty', *autonomija* 'autonomy', *demokratija* 'democracy', *kanonas* 'canon', *kritika* critics', *organizacija* 'organisation', *policija* 'police', *programa* 'programme'. The term *policija* 'police' came into Lithuanian through German. The term *organizacija* 'organisation' came through French with certain modifications. TŽŽ (2013) data states that the term came from French

(organisation), which, in turn, was borrowed into French from Greek *organizō.* It is evident that the form of the term was changed significantly in the intermediary language; apparently the suffix –*ation* was added to the word in French. Still it is considered to be of Greek origin.

As seen from the analysis, in some cases it is rather problematic to establish the source of international terms in Lithuanian. It can be said that many international terms came into Lithuanian from Latin and Greek through Western European languages (such as French, German, English, Italian).
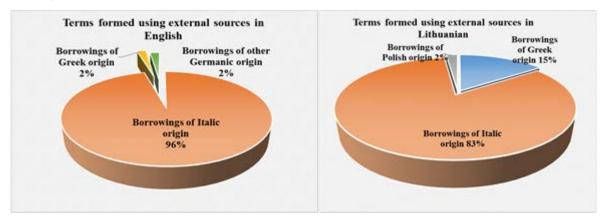

Chart 3. Terms formed by external sources in English and Lithuanian

3.3. Terms formed using a combination of internal and external sources (hybrids)

Hybrids are words formed by means of combining bases and affixes of different origins. In English this group of terms consists of two types of hybrids: terms formed by a combination of either a native base and a foreign affix, or a foreign base and a native affix. However, in Lithuanian the analysed hybrids are of only one type, i.e. they are formed by combining a foreign base and a native affix.

3.3.1. Hybrids in English

In English terms consisting of foreign and native morphemes constitute 4%. They are formed by means of borrowing morphemes from foreign languages or different periods of development of those languages, such as Old French, Middle French, Anglo-French, Old Norse, Vulgar Latin, Latin, Medieval Latin, Late Latin, Church Latin, Greek, and combining them with morphemes of

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native English origin. Terms formed by this means were formed by either a combination of a native base and an affix of foreign origin, or a base of foreign origin and a native affix:

a) **a base of native origin + a foreign affix:**

- suffixation:
  o *fulfilment* (a base of native origin *fulfil* + a French suffix *-ment*),
  o *settlement* (a base of native origin *settle* + a French suffix *-ment*);

b) **a base of foreign origin + a native affix:**

- suffixation:
  o *asserting* (a base of Latin origin *assert* + a native suffix *-ing*),
  o *lawfulness* (a hybrid *lawful*, where *law* is of Old Norse origin, + a native suffix *-ness*),
  o *membership* (a base of Latin origin *member* + a native suffix *-ship*);

- prefixation:
  o *by-election* (a native prefix *by-* + a base of Latin origin *election*).

3.3.2. Hybrids in Lithuanian

In Lithuanian terms consisting of foreign and native morphemes constitute only 2%, most of which were formed using affixes of Latin or French origin. All analysed hybrids were formed by combining **a base of foreign origin + a native affix:**

- suffixation:
  o *disponav-**im**-as* ← Lith. *disponuoti* (< a base of Latin origin *disponere*) + Lith. suffix – *im(-as)*,
  o *suveren-**um**-as* ← Lith. *suverenus* (<a base of French origin *souverain*) + Lith. suffix – *um(-as)*, etc.

Conclusions

1. The majority of one-word terms of constitutional law in English come from external sources (85%); meanwhile terms formed on the basis of internal sources make only 11%. In Lithuanian, on the contrary, terms formed on internal sources (76%) prevail over the external sources (2%). Hybrids formed by means of combining of internal and external sources constitute a small part both in Lithuanian (2%) and English (4%).

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2. Terms formed on the basis of internal sources in English include a similar number of simple terms of native origin and formations (derivatives and compounds) made of morphemes of native origin. In contrast, terms that come from internal sources in Lithuanian are mainly formations made by means of affixation, inflexion, compounding and conversion.

3. The main source of borrowings of one-word terms of constitutional law in English is Italic languages, such as Latin and French. Most terms were borrowed from Latin either directly or through other languages (French). Terms of other origin, e.g. Greek, Old Norse, Middle Dutch, constitute a relatively small part of borrowed terms in English. In Lithuanian the majority of international terms are also of Italic (Latin) origin. Other minor sources include Greek and Polish. Some terms came into Lithuanian from Latin, French or Greek indirectly through intermediary languages, such as French, German, English and Italian.

4. Both languages have a small number of hybrids, terms formed by means of combining internal and external sources. In English foreign affixes (prefixes and suffixes) are combined with native bases and vice versa. The majority of borrowed morphemes in English are of French or Latin origin. In Lithuanian a native suffix is combined with a base of origin foreign, namely French or Latin.

Acknowledgements

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Sources of one-word terms used in UK and Lithuanian constitutional law acts

Liudmila Mockienė, Sigita Rackevičienė

Summary

The article addresses the issues of formation of legal terminology in Lithuanian and English. The terminology of Lithuanian law started to be formed at the beginning of the 20th century. Its development has been influenced by several political upheavals and has undergone considerable

changes. Since new legal terms are constantly created, it is worthwhile to compare and contrast the Lithuanian term formation tendencies with the term formation traditions in other languages. Contrastive research not only reveals peculiarities of term formation in different languages, but allows researchers to see the native terminology in a new light and assessing it more objectively. In this article, the Lithuanian constitutional law terms are compared with English constitutional law terminology that has a long history dating back to the 13th century. The terms were collected from the major UK legal acts of constitutional nature translated into Modern English, namely Magna Carta (1297), Habeas Corpus Act (1679), the Bill of Rights (1689) and the Act of Settlement (1700), including the amendments as in force today, and the original text of the Human Rights Act (1998) and the Constitution of the Republic of Lithuania (1992). The results of the research lead to the following conclusions:

1) The majority of one-word terms of constitutional law in English come from external sources. In Lithuanian, on the contrary, terms formed on internal sources prevail over the external sources.

2) Terms formed on the basis of internal sources in English include a similar number of simple terms and formations (derivatives and compounds). In contrast, terms that come from internal sources in Lithuania are mainly formations made by means of affixation, inflexion, compounding and conversion.

3) The main source of borrowings of one-word terms of constitutional law in English is Italic languages, such as Latin and French. Terms of other origin, e.g. Greek, Old Norse, Middle Dutch, constitute a relatively small part of borrowed terms in English. In Lithuanian the majority of international terms are also of Italic (Latin) origin. Other minor sources include Greek and Polish.

4) Both languages have a small number of hybrids, terms formed by means of combining internal and external sources (mostly French and Latin).

The authors expect that the findings of the research will provide useful information to the developers of the Lithuanian legal terminology, as well as to the users of the Lithuanian and English legal terms.

Jungtinės Karalystės ir Lietuvos konstitucinės teisės aktuose vartojamų vientisinių terminų šaltiniai

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Santrauka

Straipsnio tikslas – išanalizuoti Lietuvos ir Jungtinės Karalystės konstitucinės teisės vientisinius terminus kilmės požiūriu. Terminai išrinkti iš Lietuvos Respublikos Konstitucijos (1992 m.) ir svarbiausių Jungtinės Karalystės konstitucinės teisės aktų, išverstų į šiuolaikinę anglų kalbą, – Magna Carta (1297 m.), Habeas Corpus akto (1679 m.), Teisių bilio (Bill of Rights, 1689), Santvarkos akto (Act of Settlement 1700) bei Žmogaus teisių akto originalo (Human Rights Act 1998). Iš viso surinkti ir išanalizuotas 602 terminai (361 anglų kalba ir 241 lietuvių kalba). Atliktas tyrimas leidžia daryti tokias išvadas:

1) Vientisiniai anglų konstitucinės teisės terminai daromi tiek iš vidinių (11%), tiek iš išorinių šaltinių (85%), tačiau terminai, padaryti iš išorinių šaltinių aiškiai dominuoja. Lietuvių kalboje šis santykis yra atvirkštinis: dauguma terminų yra terminologizuoti savos kilmės žodžiai – 76%, ir tik 2% atėjo iš išorinių šaltinių. Abiejose kalbose yra hibridų (terminų, padarytų, jungiant morfemas, kildinamas iš vidinių ir išorinių šaltinių), bet jų skaičius nedidelis: konstitucinės teisės aktuose anglų kalba jų yra 4%, lietuvių kalba – 2%.

2) Darant terminus iš vidinių šaltinių, terminizuojami paprastieji savos kilmės žodžiai arba padaromi nauji žodžiai. Konstitucinės teisės aktuose anglų kalba terminizuotų paprastųjų žodžių ir darinių skaičius beveik vienodas, o LR Konstitucijoje darinių skaičius žymiai didesnis už terminizuotų paprastųjų žodžių skaičių.

3) Pagrindinis gatavų terminų skolinimosi šaltinis tiek anglų tiek lietuvių kalbose yra lotynų kalba, iš kurios skolintasi tiesiogiai arba per kitas kalbas. Anglų kalbos terminai taip pat atėjo ir iš prancūzų, graikų, senosios skandinavų bei viduriniosios vokiečių arba olandų kalbos, o lietuvių kalbos terminai – iš prancūzų, graikų bei lenkų kalbų.

4) Sudarant hibridus, naudojami du morfemų jungimo modeliai: svetimos kilmės šaknis jungiama su savos kilmės afiksu arba savos kilmės šaknis jungiama su svetimos kilmės afiksu. Išanalizuotoje anglų kalbos medžiagoje rasti abiejų modelių hibridai, o lietuvių kalbos medžiagoje – tik pirmo modelio hibridai. Abiejose kalbose svetimos kilmės morfemos yra atėjusios iš lotynų ir prancūzų kalbų.

Atliktas tyrimas atskleidžia, kokios kalbos turėjo didžiausią įtaką lietuvių ir anglų konstitucinės teisės terminijos formavimuisi, ir parodo pagrindinius dėsningumus, būdingus lietuvių ir anglų konstitucinės teisės terminijos darybai. Autorės tikisi, kad šis tyrimas paskatins plačiau patyrinėti įvairių kalbų terminiją ir pasisemti idėjų, kaip kurti ir tobulinti mūsų kalbos terminus.

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Reikšminiai žodžiai: teisės terminija, konstitucinė teisė, vientisiniai terminai, terminų šaltiniai, terminų daryba, gretinamoji analizė.

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