Dictionaries in Context, Context in Dictionaries: Legal Translation Tools

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Abstract: Translators work with context and legal translation dictionaries may be tools that provide such context. However, lexicographers distinguish between different types of contexts, so it is relevant to examine which types of contexts are needed to help legal translators, bearing in mind that legal translation is an interdisciplinary activity involving competences and skills relating to law, language, and translation. Furthermore, legal translation involves a decoding, a transfer, and an encoding phase, each requiring different types of contexts from legal translation dictionaries. An examination of context in legal translation dictionaries treating the languages Danish, English, French, German, and Norwegian reveals that it may be necessary to distinguish between the context of dictionaries as information tools (dictionaries in context) and the context relating to the data they contain (context in dictionaries). Placing dictionaries in context concerns their format, size, scope, content, use, and user groups, while placing context in dictionaries concerns pragmatic contexts, syntactic-semantic contexts, and context of use related to source-language as well as target-language items, including concepts, terms, collocations, phrases, translation equivalents, example sentences, dictionary-internal cross-references, and dictionary-external references.

Keywords: LAW, TERMINOLOGY, PHRASEOLOGY, BILINGUAL DICTIONARIES, TRANSLATION DICTIONARIES, CONTEXTUAL DATA, CONTEXTUALIZATION, LEGAL LEXICOGRAPHY

Opsomming: Woordeboeke in konteks, konteks in woordeboeke: Hulpmiddels vir regsvertaling. Vertalers werk met konteks en regsvertalingswoordeboeke kan hulpmiddels wees wat sodanige konteks verskaf. Aangesien leksikograwe egter tussen verskillende tipes kontekste onderskei, is dit relevant om te ondersoek watter kontekste benodig word om regsvertalers van hulp te wees. Daar moet ook in ag geneem word dat regsvertaling 'n interdissiplinêre aktiwiteit is wat bevoegdhede en vaardighede rakende die regte, taal en vertaling behels. Voorts behels regsvertaling ook 'n dekoderings-, oordrag- en enkoderingsfase, wat elkeen verskillende tipes kontekste van regsvertalingswoordeboeke vereis. 'n Ondersoek na konteks in regsvertalingswoordeboeke waarin die tale Deens, Engels, Frans, Duits, en Noorweegs, hanteer word, bring aan die lig dat dit nodig mag wees om tussen die konteks van woordeboeke as inligtingshulpmiddels (woordeboeke in konteks) en die konteks wat verband hou met die data wat hulle bevat (konteks in woordeboeke) te onderskei. Om woordeboeke binne konteks te plaas, behels hul formaat, grootte, bestek, inhoud, gebruik en gebruikersgroepe, terwyl die plasing van konteks in woordeboeke die volgende behels: pragmatiese kontekste, sintakties-semantiese kontekste, en gebruikskonteks wat

verband hou met die brontaal- sowel as doeltaalitems, insluitende konsepte, terme, kollokasies, frases, vertalingsekwivalente, voorbeeldsinne, woordeboek-interne kruisverwysings, en woordeboek-eksterne kruisverwysings.

Sleutelwoorde: REGTE, TERMINOLOGIE, FRASEOLOGIE, TWEETALIGE WOORDEBOEKE, VERTAALWOORDEBOEKE, KONTEKSTUELE DATA, KONTEKSTUALISERING, REGSLEKSI-KOGRAFIE

1.   Introduction

Translation depends on context as no translation occurs in a vacuum. In July 2022, the Council of the European Union issued a Decision whereby the EU acceded to the Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters. This Decision and the Convention are available in all 24 official EU languages. The Danish translation of Article 2, point (g) of the Convention is interesting from both a translation and a contextual point of view. The original English text reads: "transboundary marine pollution, marine pollution in areas beyond national jurisdiction, ship-source marine pollution, limitation of liability for maritime claims, and general average" (Council of the European Union 2022). This point deals with maritime matters, the context of which is apparent from its wording, and the translation of the term *general average* into Danish is relevant as it has been rendered *generelt gennemsnit*. The maritime term *general average* refers to loss shared by a ship owner and a cargo owner caused by an act to save the ship or cargo (*The Oxford Companion to Ships and the Sea*), so this term falls within the maritime context. In contrast, the Danish translation corresponds to *arithmetic mean*, that is the result of adding two or more figures and dividing the result by the number of figures, and thus does not render the meaning of the English original. It would appear that the translators and post-editors of the Danish text lost sight of the relevant context. Reference works may be expected to help translators in types of translation situations like the one above, so it is relevant to examine whether, and if so to what extent and how, reference works can include contexts.

One of the challenges of including context in dictionaries is that the lexicographic community does not work with context as a single concept. The existing literature reveals that lexicographers mean and refer to different things when writing about context. An examination of the contributions in *The Routledge Handbook of Lexicography* (Fuertes-Olivera 2018) shows that lexicographers refer to many different types of context including, but not limited to, discursive context, factual context, sociolinguistic context, usage context, semantic context, collocational context, textual context, terminology context, communicative context, historic context, social context, extra-lexicographical context, linguistic context, intercultural context, syntactical context, interprofessional context, associative context, knowledge-rich context, and non-linguistic context. So, what do lexicographers mean when they refer to context in connection with practical and theoretical lexicography?

One way of providing an answer is to study context in relation to dictionaries intended for translation of legal texts. When discussing context in legal dictionaries, lexicographers should treat law as a jurisdiction-dependent domain, as De Groot (1990: 122) explains: "Die Fachsprache der Juristen ist extrem systemgebunden. Rechtssysteme sind von Staat zu Staat unterschiedlich. Jeder Staat hat seine eigene selbständige juristische Terminologie" [The jargon used by lawyers is extremely system-bound. Legal systems vary from state to state. Each state has its own independent legal terminology]. The challenge of legal translation is further accentuated by Biel (2022: 379): "Because it requires cross-linguistic mediation in the field of law, legal translation is an interdiscipline at the intersection of translation studies, legal studies, linguistics and terminology." With direct reference to legal translation dictionaries, Prieto Ramos (2021: 178) sums up the needs of legal translators: "Bilingual legal dictionaries, in particular, have been traditionally regarded in the field as resources of limited reliability due to insufficient contextualization and comparative legal information for translation decision-making." In other words, each jurisdiction structures its legal system in a way that suits only that jurisdiction and the legal language used reflects the structure of that system, thereby establishing its own context.

This article will discuss context in legal translation dictionaries and how contextual data can help legal translators in the translation process. This will involve two Scandinavian languages and English, French and German. The three world languages are often used in international, legal communication, while Danish and Norwegian are the small, Scandinavian languages chosen, because legal terms in the two languages are often very similar, in contrast to Swedish and Finnish legal terms. This article also discusses the context in which dictionaries are embedded and its implications (Section 2) and then examines contexts related to the data contained in legal translation dictionaries (Section 3). Finally, the relation between dictionary-internal contexts and the legal translation process is examined (Section 4).

2.   Placing dictionaries in context

Not only do dictionaries treat words, terms, language, and facts that are rooted in different contexts, but dictionaries are themselves rooted in contexts. There is no official definition of *dictionary*, but the one given in *Dictionary of Lexicography* seems to be a good place to start the search for those contexts. Hartmann and James (2001: 41) provides the following definition of *dictionary*: "A type of REFERENCE WORK which presents the vocabulary of a language in alphabetic order, usually with explanations of meanings" (emphasis in original). This definition represents what may be called entities, i.e. individual, real objects within the domain of lexicography, and they are instances of a class or type. According to Bergman (2018: 132), classes and types are not individual, real objects but constructs of thought. Following this line of research, a further examination of Hartmann and James (2001) shows that dictionaries come in many

varieties, such as abridged dictionaries, defining dictionaries, electronic dictionaries, frequency dictionaries, general dictionaries, historical dictionaries, learner's dictionaries, paper dictionaries, technical dictionaries, and translation dictionaries. This short list contains varieties of dictionaries and shows how different they are from each other; they vary in format, size, scope, content, use, and user group. The label *dictionary* is not a very informative example of the concept of lexicographic products, but the referential information contained in the adjectives and nouns in the above list helps placing dictionary variants in their proper contexts.

Legal translation dictionaries can be described as needs-adapted information tools intended to provide help to translators of legal texts. Lexicographers may therefore find it challenging to identify and describe the contexts in which their dictionaries are embedded as well as the needs of dictionary users. The term *context* is found in many different domains and a search for the term in the dictionaries included in *Oxford Reference Online* (2024) reveals that context is defined in dictionaries of disciplines such as archaeology, biochemistry, communication science, epidemiology, geography, linguistics, media science, occupational science, and philosophy, and every time with domain-specific meanings so that the concept meets their own domain's explanatory needs. There does not appear to be a specific meaning of *context* within the field of law, though contexts are regularly referred to in legal texts such as contracts, books, statutes, and judicial rulings involving legal interpretation (Bajčić 2017: 74-78). Translators distinguish between two broad types of contexts, namely text-internal contexts, which comprise various context types at different textual levels, and text-external contexts, which may refer to any relevant concepts outside the texts to be translated, a distinction that corresponds to what Sandrini (2018: 558-559) calls the textual universe and the legal universe. Such texts, including legal texts, often refer to tangible and intangible objects or concepts that belong to one of more domains. In contrast, Zgusta (1971: 227) specifies lexicographic context as restricted to lexical dimensions, i.e. verbal context, which seems to cover only some of the types of contexts relevant for lexicography identified above, thereby confirming the elusive nature of the term *context* in lexicography.

Dictionaries may be regarded as vehicles of knowledge representation in that they contain data that users can process to gain information and knowledge about parts of the world. In this light, knowledge representation studies may provide a definition that is suitable for establishing a context for dictionaries and one such definition is suggested by Baclawski et al. (2018: 182): "In general, a context is commonly understood to be the circumstances that form the setting for an event, statement, process, or idea, and in terms of which the event, statement, process, or idea can be understood and assessed." One interpretation is that this definition refers to context as something external to a given point of departure, e.g., external to dictionaries. Since dictionaries are classified and function as information tools, it may be appropriate to distinguish between the context of dictionaries as information tools (dictionaries in context) and the context relating to the data they contain (context in dictionaries).

At an overall level, the context can be regarded as the circumstances surrounding the dictionary from the planning stage through to the use stage. This would imply that context is introduced almost as a sort of "super context" that relates to the dictionary as a fundamental basis for the decisions that have to be taken during the planning, designing, completion, and use stages. In an attempt to identify the elements of such an overall context of legal translation dictionaries, the point of departure will be the variance of dictionaries mentioned above so that the context of dictionaries will include at least the following elements: format, size, scope, content, use, and user group. It is beyond the scope of this article to analyse all these components in detail, and the following discussion focusses on some of the issues directly relevant for discussing contexts surrounding dictionaries as information tools.

The first element concerns the *format* in which dictionaries are designed and published. Formats may include paper dictionaries, digital dictionaries, offline dictionaries, and online dictionaries, and the type of format affects the editorial work as well as the presentation of and access to data. Today most dictionary projects use digital means for data extraction and use databases for general editorial work whether the dictionaries are published in print or online. One area in which the difference between printed and digital dictionaries is most pronounced is the presentation of data in that many presentational options are available online, e.g. use of links, colours, pop-up text boxes, video footage, oral presentation of articles, and other audio-visual means. In addition, internet browsers such as Google Chrome and Microsoft Edge include functionalities that allow users to have dictionary articles read aloud as well as translated into other languages.

Size refers to the physical and digital dimensions of dictionaries and usually includes such issues as the number of words and terms in information tools, and the number of print pages and webpages. It is still reasonable to distinguish between small and large printed dictionaries, while online dictionaries may be characterised as either data-rich or data-poor when it comes to comparing dictionaries. Even though databases allow lexicographers to have large volumes of data for lexicographic projects, the way in which such data are presented to users may be limited in order to avoid information overload and to accommodate users with small-screen devices (see e.g. Lew 2011).

The third element of overall context is *scope*, which generally refers to the relative specialisation of dictionaries, such as "the range of topics treated, the technicality of details included and the timescale covered" (Hartmann and James 2001: 122). The scope of legal translation dictionaries covers law, legal language and translation. As suggested by Nielsen (1990: 132-135), it is possible to distinguish between general-field dictionaries, which are intended to cover the entire field of law, and sub-field dictionaries, which are intended to cover a specific sub-field of law, e.g. company law and land law. This distinction concerns both lexicographers and dictionary users because it affects the data to be selected and the help dictionaries can provide. General-field dictionaries can potentially contain more words and terms than sub-field dictionaries and their possibility

of use is greater than that of sub-field dictionaries as they cover the entire sub-ject-field of law. On the other hand, sub-field dictionaries can potentially treat the sub-fields concerned more extensively and detailed than general field diction-aries, especially printed ones. This means that sub-field dictionaries can contain data that provide help in respect of legal facts/rules, legal vocabulary, deriva-tion, grammatical irregularities, definitions, translation equivalents, degrees of equivalence, translation of collocations, translation of phrases, textual conventions in legal genres and sub-genres, and translation strategies.

For the purposes of this article, *content* is the data contained in a dictionary and lexicographers often distinguish between various types of content. Firstly, function-related data are the data that support the functions for which diction-aries are intended, e.g. providing help to translate legal terms, and this type of data is mostly found in dictionary articles but may also be found in various appendices. Secondly, lexicographers distinguish between textual data, visual data, and audio data, a distinction that concerns the way in which editors col-lect, store, and maintain data, the way in which data are presented to users, as well as the way in which users can access the data. Thirdly, data content is directly related to the subject field(s) treated by dictionaries, e.g. the legal domain in single-field dictionaries and sub-field dictionaries. Finally, content is related to the size of dictionaries, and it is possible to distinguish between data-richness and data-poverty, e.g., when reviewing dictionaries with focus on the presen-tation and definition of words and terms, the number of collocations, phrases, and example sentences, as well as the help provided to translate legal texts.

In the fifth place, *use* refers to the types of situations in which people consult dictionaries, which are related to the types of help (i.e., functions) dictionaries are intended to provide. As indicated above, dictionaries are tools of information, and the meaning of this is explained in one of the contributions to *The Routledge Handbook of Lexicography*, which states that dictionaries are utility tools that are "conceived for consultation with the genuine purpose of meeting punctual in-formation needs experienced by specific types of potential users in specific types of extra-lexicographical context" (Tarp 2018: 246). Extra-lexicographic contexts are examined and analysed by several researchers in the *Handbook* and include text reception, text production, translation, and LSP contexts. Lexicographers study the human activities their dictionaries are intended to address in order to identify general types of use situations. These activities may be divided into distinct types of actual situations in which users encounter problems that cause them to consult dictionaries in search for help. In addition, use situations are events that have nothing to do with lexicography and dictionaries, but which may lead to dictionary consultation: Actual use situations arise in extra-lexico-graphic environments and prior to actual dictionary consultation, e.g., when translating legal texts. This description of use supports the idea of working with extra-lexicographic contexts as well as dictionary-data contexts.

The last element of the overall context is the *user group*, which refers to the intended group of people for whom lexicographers have decided to provide help. To accommodate user needs lexicographers examine which competences

particular types of users are likely to have, and depending on the help diction-
aries are intended to give, the following user competences may be considered:
native general-language competence; foreign general-language competence; cul-
tural competence; factual competence; native special-language competence;
foreign special-language competence; native-language text production compe-
tence; foreign-language text production competence; translation competence
(see e.g. Nielsen 2023: 435-438). When these competences have been identified,
lexicographers will have an indication of which types of data users need in
specific types of use situations, because users need dictionaries to help them
where their own competences are insufficient. As a result, lexicographers attempt
to select data that can fill the competence lacunae and thereby provide the help
that users require.

Users of legal translation dictionaries can be described in terms of factual
competence, and Bergenholtz and Kaufmann (1997: 98-99) distinguish between
laypersons, semi-experts, and experts in relation to the subject field in question.
However, law is a culture-bound subject field with culture-related concepts
and systematic structures. Consequently, experts may be specialists in their
own culture but not in the corresponding field of law within another culture,
which affects dictionaries treating two or more cultures and hence languages
because users have different levels of subject-specific knowledge in the relevant
cultures.

Secondly, users have different levels of language competence, and this dis-
tinction implies that users have from little to considerable linguistic competence
in their native language, and perhaps in a foreign language. However, Fluck
(1985: 12) argues that the language of a subject field (LSP) is characterised by
using linguistic structures and options that are either more or less frequent than
in the corresponding general language. This means that users of legal translation
dictionaries may be expected to have limited knowledge of the relevant degrees
to which certain linguistic structures and other options are used in legal texts in
their native language as well as a foreign language. There may thus be a sig-
nificant asymmetry of factual and language competences among users of legal
translation dictionaries.

One aspect of context that the above list does not include is the dictionary
project staff and their competences and skills. Nielsen (2018) examines the inter-
disciplinarity of lexicography and argues that lexicography involves coopera-
tion between several disciplines. Firstly, IT specialists contribute to the devel-
opment of databases and user interfaces together with lexicographers. Secondly,
many dictionary projects are based on electronic corpora requiring knowledge
about corpus building and analysis. Thirdly, general and specialised diction-
aries tend to contain words and terms from several subject fields, so lexicogra-
phers need domain-specific knowledge and may have to work with domain
experts to establish the internal structure of subject fields as well as the lan-
guage used. Finally, dictionaries attempt to fulfil the information needs of users
in actual situations unrelated to lexicography such as text production, text
reception, translation, and copy-editing. Therefore, lexicographers may decide

to cooperate with specialists from and to acquire knowledge about various disciplines so that, for example, linguists assist with linguistic data, domain specialists assist with factual data, and translation specialists provide data relevant for translation. The competences and skills of dictionary project staff are thus related to the other contextual elements: format, scope, content, use, and user group.

Against this background, the overall context of legal translation dictionaries may generally be described as the circumstances that form the setting for a dictionary or dictionary project in terms of the format, size, scope, content, use, user group, and dictionary project staff, and in relation to which that dictionary or project can be understood and assessed. Moreover, the discussion above indicates that several of these contextual elements may affect the contextual relationships concerning the data in dictionaries. The following section examines some of the types of data-related contexts with examples from legal translation dictionaries.

3.   Placing context in dictionaries

When discussing context in dictionaries, lexicographers face the same challenge of defining context as in the case of dictionaries in context. One reason for the many faces of context is the background of lexicographers, who have different special-domain backgrounds (based on different domain-specific theories and methodologies) linked to the interdisciplinarity of lexicography. This state of affairs is aptly described by Baclawski et al. (2018: 184): "It seems that, while context is important, all one can say in general about a context is that it is at a metalevel relative to the subject matter and that the context affects the interpretation of the subject matter." However, as indicated above, lexicographers work with many different types of contexts, which Kipfer (2022: 443) describes as follows:

> Context: a phrase, sentence, or paragraph surrounding a lexical unit that depicts its meaning or sense; also called lexicographic context, minimal context, situational context, context of use. Taken from either written or spoken sources, context shows the characteristic features of a lexical unit and the setting or circumstances with which a word or phrase is associated.

Applied to legal lexicography, this means that context in legal translation dictionaries would be phrases, sentences or paragraphs surrounding legal terms and concepts that depict their meaning or sense. Since Kipfer's definition is a general one, it may be appropriate to add that context in legal translation dictionaries may also have to include the extra-lexicographic translation process as well as the competences and skills of translators.

An examination of context in legal translation dictionaries would benefit from a more specific explanation of context in lexicography. Domínguez Vázquez and Gouws (2023: 236) suggest that context may be seen as a multidimensional

concept covering "cotext, contextualisation, dictionary-internal context, dictionary-external context, and external dictionary context". This means that legal translation dictionaries should present legal terms and concepts with examples of their occurrence, include language use in the legal world and the world of legal translation, and refer or link to dictionary-external sources. Consequently, pragmatic and syntactic-semantic contexts as well as contexts of use are relevant and may relate to the source-language items as well as the target-language items, such as legal terms and concepts, collocations, phrases, and translation equivalents.

A traditional way of providing context in legal translation dictionaries, and in dictionaries generally, is to use labels. These are descriptors that indicate restricted use related to, e.g., domains or language usage and may be addressed to lemmas (i.e., entry words), definitions, equivalents, collocations, phrases, and example sentences. Diatopical labels, which indicate regional or dialectical restrictions, are often found in legal translation dictionaries, and are normally addressed to equivalents when intended to help translating into a foreign language, as illustrated in Figure 1.

resolutiv betingelse condition subsequent;
  (Scot) resolutive condition

rettsbetjent court usher; *(US)* bailiff

Figure 1:   Diatopical labelling in articles from *Norsk–engelsk juridisk ordbok*

The articles in Figure 1 are from a Norwegian–English dictionary of law that has translators, interpreters, lawyers, and others who need to transpose Norwegian legal terminology to English as its intended user group. The labels, presented in abbreviated form (*Scot* for Scotland, and *US* for USA), help translators to select the correct equivalent in a given situation by indicating in which contexts they may be appropriate. The purpose of diatopical labels as context markers in legal translation dictionaries is twofold: They indicate which regional language variant equivalents belong to and, perhaps more importantly, which legal jurisdiction equivalents belong to. This duality is directly linked to the culture-bound nature of legal jurisdictions, concepts, and terms as well as their languages. Dictionaries translating into English present lexicographers with the challenge that English has many variants depending the legal jurisdictions that form the context of equivalents, and *Norsk–engelsk juridisk ordbok* uses 8 diatopical labels relating to the following jurisdictions: America (USA), Australia, England and Wales, European Union, Ireland, Norway, Northern Ireland, and Scotland.

Diatechnical labels are related to the scope of dictionaries and indicate domain-specific contexts and their languages and may place lemmas and equiv-

alents in domains such as finance, medicine, and zoology. Since legal translation dictionaries are rooted in the domain of law, the data in such dictionaries are implicitly placed in a context of law. Though this is true, the above discussion indicated that the domain of law may be divided into sub-fields, which have to be explicitly presented in, e.g., general field dictionaries that treat the entire legal domain. The use of diatechnical labels in a general-field dictionary of law is illustrated in Figure 2.

generalforsamling
(1) (*folkerett**) general assembly (of
the United Nations)
(2) (*selskapsrett**)
Eng: general meeting (of sharehold-
ers), members in general meeting
USA: shareholders' meeting
COMMENT The term "members" is
used in England as the same as
"shareholders".

Figure 2:   Diatechnical labels in *Stor norsk–engelsk juridisk ordbok*

The diatechnical labels found in Figure 2 show that legal dictionaries may have to present contexts that are specific for different sub-fields of law. The article is from a Norwegian–English law dictionary intended for Norwegian lawyers, translators, businesspeople, teachers, and public administrators who need to communicate about Norwegian legal matters in English. Figure 2 explains that the translation of the Norwegian term (or rather two concepts) *generalforsamling* should be translated according to the sub-field context in which it/they occur. The first context is indicated as *folkerett* (i.e. public international law) and the other as *selskapsrett* (i.e., company law) so that translators can select the appropriate English equivalent. At the same time, the article contains the diatopic labels *Eng* and *USA* to make translators explicitly aware of restrictions in the context of use. Finally, Figure 2 includes a comment informing users of two synonyms used in legal contexts, a comment that is addressed to the context labelled company law.

    Sub-field dictionaries within the field of law treat a specific part of the legal domain, meaning that the functional data in the dictionaries are clearly rooted in an implied context. Nevertheless, it may be necessary to present context explicitly because sub-field dictionaries often provide an in-depth treatment of a sub-field and its terms, concepts, and associated language. Figure 3 illustrates how this may be done.

> **injonction,** *f*
> 1 (PRC) (et af retten meddelt pålæg, navnlig
> om fremlæggelse af beviser eller dokumenter,
> NCPC art. 763, al. 3): **påbud, pålæg.**
> 2 (PRA) (i forvaltningsprocessen kan domsto-
> lene på grund af magtfordelingsprincippet
> normalt ikke pålægge forvaltningen at foreta-
> ge bestemte handlinger; undtagelsesvis kan
> dog f.eks. et offentligretligt selskab pålægges
> tvangsbøder til opfyldelse af en dom): **påbud,**
> **pålæg.**

Figure 3:   Diatechnical labels in a sub-field dictionary treating French and Danish: *Retsplejeordbog*

Figure 3 shows an article from the French–Danish section of a quadrilingual judicial dictionary that treats the sub-field law of procedure (i.e. the administration of justice), covering terms in English, French and German-speaking jurisdictions in the European Union and their Danish translations. Procedural law is often divided into two, or in the case of France three, broad sub-sub-fields, namely civil procedure, criminal procedure, and administrative procedure. The first context in which the French *injonction* occurs is civil procedure (indicated by PRC = *procédure civile*), whereas the second context is administrative procedure (indicated by PRA = *procédure administrative*). In this article, the context markers are addressed to the lemma and, in addition to the abbreviated labels, the contexts are provided by explicit definitions in Danish to cater for the intended Danish users. The definitions provide knowledge-related context and the boldface, Danish equivalents provide translation assistance. Finally, context is also provided by the reference to a source outside the dictionary (NCPC art. 763, al. 3), which is a reference to Article 763, point 3 of the *Nouveau Code de Procédure Civile*, where further details and context may be found. Another example of context in dictionaries appears in Figure 4.

The article treating the term *general average* is from an English–Danish law dictionary intended for Danish translators, lawyers and students who need to translate English legal texts into Danish (Figure 4). The Danish definition explains the meaning of the English term and places it in a maritime context, matching the above definition in *The Oxford Companion to Ships and the Sea*. Furthermore, the article presents a recommended Danish translation in boldface, *almindeligt havari*, as well as two synonyms (*groshavari, fælleshavari*) to the Danish equivalent. In legal translation dictionaries, it is important that equivalent-addressed synonyms are full synonyms (as is the case in Figure 4), i.e. have the same meaning in law and are not subject to, e.g., collocational restrictions. Finally, a cross-reference to another article in the dictionary (*particular average*) provides addi-

tional context, allowing users to compare and contrast the two types of average in maritime law.

general average *substantiv*

1. **Definition**
    Skade eller omkostning for forsætlig skade på skib eller ladning for at redde begge fra truende fare eller omkostninger som direkte følge heraf
    almindeligt havari

    Synonymer
    groshavari
    fælleshavari

    Se også
    particular average[1]

Figure 4: Context presented as definition in *Juridisk ordbog engelsk–dansk/dansk–engelsk*

Lexicographers may provide extended context by presenting definitions in both the source and the target language. This type of contextual presentation may assist translators in two ways: the source-language definition helps users to establish whether they have found the correct dictionary article to check that the meaning of the lemma matches that in the source text; secondly, the target-language definition may help users with translation-relevant context in that it helps users translate or otherwise communicate about a source-language term in the target language. One example of this type of context is found in Figure 5, which contains an article from a Norwegian–German dictionary of law with professional translators, lawyers, and students as its intended user group.

generalforsamling [PRNÆR]
    Gjennom generalforsamlingen ut-
    øver aksjonærene den øverste myn-
    dighet i selskapet. [aksjel.§9-1)
    Hauptversammlung *f*
    Durch die Hauptversammlung
    üben die Aktionäre ihre Rechte
    aus.
    Bei einer GmbH gibt es statt der Haupt-
    versammlung die Gesellschafterversamm-
    lung.

Figure 5: Context presented in definition in two languages: *Norsk–Tysk Juridisk Ordbok*

The two definitions in Figure 5 are directly related to the overall contexts of scope, function, and use. The label PRNÆR indicates that the Norwegian term belongs to the sub-field of commercial law. The Norwegian definition closes with a reference to a dictionary-external source, namely section 9-1 of the *Norwegian Companies Act*, where users can find additional context (the Act has subsequently been repealed and replaced). Since the dictionary provides translating assistance, the German equivalent and the German definition represent data that relate to the dictionary-function context as well as the use context, while the note in small print at the foot of the article makes users aware of differences in legal systems: the Norwegian term corresponds to a different German term if it relates to one specific type of company in Germany, namely a *Gesellschaft mit beschränkter Haftung* (GmbH) —— which may be described as a small or medium-sized private limited-liability company.

Legal translation dictionaries may also contain bilingual presentations of contextual data relating to differences in the two legal systems involved. This type of contextual data may take various forms as illustrated in Figure 6.

konkurs bankruptcy; *(Scot)* sequestration;
[A/S – *Ltd/Plc*] insolvency; winding-up,
liquidation; dissolution [cf. **avvikling;**
gjeldsforhandling; oppbud; oppløsning;
sletning; tvangsoppløsning]
Aksjeselskaper kan ikke, ifølge engelsk lov,
«gå konkurs» (i motsetning til norsk og
amerikansk lov), de blir «avviklet»
(«personlig konkurs» mot «aksjeselskaps-
konkurs»). Imidlertid brukes "bankrupt(cy)"
av og til også upresist om selskaper – *Joint-
stock companies cannot under English law
go bankrupt (unlike Norwegian and US
law), they are wound up or liquidated
(personal bankruptcy vs company failure).
However, bankrupt(cy) is sometimes loosely
applied also to companies*

Figure 6:   Excerpt from *Norsk–engelsk juridisk ordbok*

The article in Figure 6 is intended to help translators, interpreters, lawyers, and others translate Norwegian legal texts into English and the lexicographer has opted for presenting context that matches the profiles of the intended users. Firstly, the article contains several English equivalents: an unmarked equivalent (*bankruptcy*); a Scottish equivalent (*sequestration*) marked by a diatopical label; and four equivalents that are labelled as belonging to companies (*A/S* and *Ltd/Plc*). The interpretation of the label *Ltd/Plc* requires some knowledge on the part users as it refers to two corporate entities in the UK jurisdiction. Sec-

ondly, the equivalents are followed by cross-references in square brackets to six Norwegian terms where users may find additional contextual and translation-relevant data. Thirdly, the article explains in Norwegian that the term *konkurs* applies to both personal insolvency and company insolvency in contrast to the UK legal system, where the rules and terminology relating to personal and company insolvency differ. The legal-systemic data also explains that the Norwegian concept of *konkurs* is more like the US legal system. In addition, the English term *bankruptcy* is often loosely used to refer to both personal and company insolvency. Finally, the contextual data on legal-systemic differences is presented in both Norwegian and English, which may help users understand the differences as well as help users communicate about these differences in English. The contextual data in the article are thus related to the overall contexts of scope, function, and use.

Some dictionaries contain very specific data intended to assist legal translators. Such data are directly related to the context of use and may be presented in various ways, for instance, depending on the perspective adopted by lexicographers or related to translation strategies. Figure 7 contains an example of a comment on translation.

aksjekapital
Eng: share capital (but see comment below)
USA: stated capital
COMMENT In the USA the terms "capital stock", "capital shares" and "legal capital" are also used. The term "capital" is sometimes used both in England and the USA. But "capital" has many other meanings as well and might lead to confusion. COMMENT ON TRANSLATION In England, once an issue of shares is fully paid, the company may convert the shares into "stock". Stock is capable of being divided into and held in any irregular fractional amount, while shares are of equal denomination. If a company has made such a conversion, the *aksjekapital** will be referred to as "stock capital".

Figure 7:   Comment on translation in *Stor norsk–engelsk juridisk ordbok*

The explicit comment on translation in Figure 7 concerns the translation of the Norwegian term *aksjekapital* into British English (Eng) and combines a legal and a translation context. The lexicographer thus provides an extra-lexicographic

context by explaining elements of substantive law (diatechnical dimension) and a use context by helping translators selecting the appropriate term. These contexts are aligned with the dictionary's user group in terms of factual and language competences when translating legal texts, i.e. user needs. An English–Danish law dictionary whose user group is legal translators, other translators, interpreters, lawyers, the business community, and students provides help to translation in very specific parts of the translation process (Figure 8).

whereas *konj.* ▶

☐ 1. **da, eftersom**

   2. *EU* i præambel til direktiver og forordninger: oversættes ikke, da indholdet er indeholdt i indledningen "ud fra følgende betragtning(er)"

   3. *aftaleret* i visse kontrakter findes ofte en præambel, bestående af en eller flere 'recitals', der hver især indledes med ordet "whereas"; kan evt. oversættes med idet bemærkes, at (...) og at (...); da; i betragtning af, at; eftersom e.l., eller oversættelse kan undlades, således at de enkelte punkter udtrykkes i hovedsætninger
   se også recital

❯ **Udtryk & vendinger**

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Figure 8:   Detailed help to translate English legal texts into Danish: *Juridisk ordbog engelsk–dansk*

The article in Figure 8 addresses context in several ways. Firstly, it concerns the conjunction *whereas* and presents three contexts: one unmarked, general translation option; one restricted to a European Union context (*EU*); and one restricted to contract law (*aftaleret*). Secondly, the data contained in the comment on EU translation explains that in the preamble of directives and regulations, the English conjunction *whereas* is not translated into Danish because the meaning of the conjunction is contained in the Danish introduction by the phrase "*ud fra følgende betragtning(er)*" (i.e. based on the following consideration(s)). This reference to the dictionary-external world indicates that the wording in specific text genres is structured differently in English and Danish within the same genre and the same supranational jurisdiction. Thirdly, the context provided for meaning 3 explains that English contracts often contain preambles with recitals introduced by the conjunction *whereas* and that the English conjunction can be translated in several ways, including non-translation if the Danish translator uses main clauses instead of conjunctions. Finally, the article contains an English example sentence from a contract and its Danish

translation (*Udtryk & vendinger*), which explicitly shows how to translate the English conjunction *whereas* and the remainder example text into Danish by using main clauses. Example sentences like this illustrate usage in legal contexts at the level above words, terms, and phrases with a direct link to translation.

The example sentence in Figure 8 indicates that dictionaries can help users translate legal collocations and phrases. Alcaraz Varó and Hughes (2002: 167-170) argue that collocations are important parts of legal texts, and it is imperative that they are translated correctly in a legal sense as well as a language sense; legal collocations may broadly be described as lexical combinations regularly found in legal texts. Since collocations are rather short strings of text, lexicographers may consider including phrases in their dictionaries, for instance because they may be difficult to translate factually, grammatically, and idiomatically correct. This may be due to false friends, fixed collocations or phrases, different languages having different rules of syntax and morphology, all or some of which translators may be unaware of (see the discussion of user competences and skills in Section 2 above). An example of a Danish–English legal translation dictionary containing collocations and phrases is found in Figure 9.

kontrakt *substantiv*

1. **Definition**
   En retligt bindende aftale, der stifter et retsforhold mellem parterne
   contract

   Fraseangivelser
   fastholde en kontrakt
   affirm a contract

   efter kontraktens udløb
   after the expiration of the contract

   tiltræde en kontrakt
   become a party to a contract

   misligholde en kontrakt
   breach a contract

   indgå en kontrakt
   conclude a contract

   opretholde kontrakten
   keep the contract alive

   ved nærværende kontrakts ikrafttræden
   on the coming into force of this contract

   ved nærværende kontrakts udløb
   on the expiration of this contract

Figure 9: Excerpt with collocations and phrases from *Juridisk ordbog engelsk–dansk/dansk–engelsk*

Figure 9 illustrates how a Danish–English legal translation dictionary intended for Danish translators, lawyers and students presents Danish word combinations and their translations into English. In addition to a definition in Danish

and the boldface translation equivalent, the article contains a total of 14 Danish collocations with their English translations, such as *affirm a contract* and *conclude a contract*, and phrases, such as *on the coming into force of this contract* and *on the expiration of this contract*. The last two phrases show, for instance, that the Danish and English word order is different (compare the placing of the terms *kontrakt* and *contract*), and prevents the use of false friends, in that the Danish preposition *ved* generally corresponds to the English prepositions *with* and *by*, but the English preposition *on* has to be used when translating the legal phrases. This illustrates an important aspect of specialised translation, as explained by Gerzymisch-Arbogast (2008: 30): "It is the whole unit of such lexical expressions that the translator has to identify and transport to another textual environment." Therefore, translators will benefit from legal translation dictionaries containing such phrases.

Finally, it seems appropriate to note that contextual data in legal translation dictionaries should be accurate and sufficient. One challenge for lexicographers is that contextual data may be sufficient for one user group but not for another, depending on their legal, language, and translation competences and skills (see Section 2 above). If translators misunderstand the data and because of that produce translations containing incorrect legal terms, this may have serious financial and legal consequences. Contextual data referring to specifics of legal systems are often found in definitions or notes and, if inaccurate or insufficient, may lead to serious mistakes in translations. Legally incorrect translations may fail to create or transfer legal rights and obligations, which in turn may have severe financial and property-related consequences, for example, for parties to contracts and beneficiaries in wills. Such faulty translations may be caused by insufficient definitions or inaccurate collocations or phrases in dictionaries. In addition, references to dictionary-external sources may link to outdated information (see discussion of Figure 5 above) and thus mislead translators and affect the legal contents of translations negatively. Contextual data referring to specifics of legal language are often found in comments (see discussion of Figure 8 above) and should result in grammatically and idiomatically correct translations, but if insufficient may lead to ungrammatical or idiomatically incorrect translations. Such faulty translations may have none or insignificant legal and financial consequences but may result in translations that readers find have strange syntax and clause structures and therefore difficult to understand.

Having seen that contextual data are helpful in legal translation dictionaries, it is appropriate to examine how contextual data relate to the extra-lexicographic translation activity.

4.   Context and the translation process

The inclusion of context in legal translation dictionaries may be explained further by examining the relation of context to two elements: the translation process

and the language in which context is presented. A discussion of the translation process may thus take into consideration the extent to which dictionaries are intended to assist translators. A very general description of the translation process divides it into three phases: Translators decode (interpret and understand) the text to be translated, transfer the meaning of the text, and encode (produce) a text in another language (see e.g. Alcaraz Varó and Hughes 2002: 23; and Gerzymisch-Arbogast 2008: 12). From this perspective, legal translation dictionaries should contain data that enable translators to decode, transfer and encode, with or without the use of generative artificial intelligence, and this involves two languages. The article in Figure 9 contains a Danish term and a Danish definition providing semantic context, which may help translators to understand the meaning of the term in Danish source texts, i.e. an example of assistance in the decoding phase of translation. Figures 6 and 7 present domain-specific and translation-specific contexts to users and may thus be said to assist in the transfer phase of translation. The article shown in Figure 8 presents contextual data to users relating to the production of texts in such a way that it may be said to assist the encoding phase of translation. Finally, Figure 5 contains context expressed in Norwegian and German and Figure 6 contains context in Norwegian and English to Norwegian users, while Figure 9 provides context in Danish and English to Danish users, and these examples may be said to assist in all three translation phases. Finally, Figures 5, 6, and 7 contain comparative legal data assisting translators in their decision-making.

When discussing context in legal translation dictionaries and their relation to the translation process, lexicographers should consider the language in which they present context. To be as useful as possible, contextual data should be expressed in language that is easily understood by the dictionary's intended user group. The use of the native language of the users means that more will be able to understand the contextual data easily and correctly than if they had been written in a foreign language. Figures 2 and 7 appear to contradict this statement in that the language of contextual data is English despite the intended users being Norwegian. Nevertheless, the contextual data indirectly help users to translate Norwegian texts in a proper way, or otherwise communicate about Norwegian law. Figures 3, 4, 5, 6, 8 and 9 present contexts in the native language of the intended user groups. For instance, context is expressed in Danish in Figure 3, which contextualises French legal terminology, and context is partly expressed in Norwegian and partly in German in Figure 5. That being said, the contexts provided in Figures 2 and 7 could have been expressed in the native language of the intended user groups instead of English without loss of information, which may be substantiated by the Danish definitions in Figures 3 and 4, which cater for Danish user groups. The above considerations are subject to a proviso, however: The language, legal, cultural, and translational competences and skills of the intended user groups should be the determining factors when deciding on the language in which to present contexts.

5.   Concluding remarks

This article set out to investigate context in legal translation dictionaries and how contextual data can help legal translators in the translation process. The findings indicate that context in relation to legal translation dictionaries can be described as a concept with two dimensions. The first is the overall context in which the dictionaries are intended to be used and relates to the extra-lexicographic translation situations and the intended user groups, which may be seen as a function-dependent dimension. The second dimension is the context(s) in which specific data types in the dictionaries are situated and relates to the selection and presentation of contextual data supporting translation of legal texts, which may be described as a data-dependent dimension. The above discussion reveals that the two dimensions interact with each other in that decisions lexicographers make in the data-dependent dimension rely on decisions made in the function-dependent dimension and vice versa. For example, online formats provide lexicographers with various digital options for finding and presenting contextual data to users and may offer users ways in which to access the data in legal translation dictionaries that differ from those offered by print dictionaries.

Law and legal language are culture-bound in the sense that they represent a system and a language tied to a particular jurisdiction such as a country or region. This affects the overall context in which legal translation dictionaries exist and their lexicographic scope in that they treat two or more legal systems and their associated languages. Lexicographers may choose between various solutions in their attempt to help translators such as diatopical and diatechnical labels, which help translators distinguish between jurisdictional term variants. At the same time, legal translation is an interdisciplinary activity involving competences and skills relating to law, language, and translation, meaning that legal translation dictionaries should provide help at various levels of translation such as terms, words, collocations, and phrases. Furthermore, legal translation involves a decoding, a transfer, and an encoding phase, each requiring different types of help from legal translation dictionaries. For dictionaries to provide the necessary help to legal translators, lexicographers should consider presenting legal concepts and terms with their definitions and comparative legal data, as well as examples of their occurrence. This may be done by showing pragmatic contexts, syntactic-semantic contexts, and contexts of use related to source-language as well as target-language items, including concepts, terms, collocations, phrases, translation equivalents, example sentences, dictionary-internal cross-references, and dictionary-external references. Dictionaries may include all the necessary context for a specific translation task, but lexicographers are not responsible for what dictionary users do with the dictionary data. No matter how much context legal translation dictionaries provide, there is no guarantee that translations will be correct.

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