

## Preservation of alliteration during the translation of English financial and legal terms into Russian

Raufov Miraziz Mustafakulovich<sup>1</sup>, Sheralieva Aziza Utkurovna<sup>2</sup>,

Kalinina Olga Nikolaevna<sup>3</sup>

<sup>1</sup>Teacher, Department of Foreign Languages at Tashkent State University of Law, Uzbekistan

Email: [m.raufov@tsul.uz](mailto:m.raufov@tsul.uz)

<sup>2</sup>Teacher, Department of Translation Theory and Practice at Tashkent State University of Uzbek Language and Literature named after Alisher Navai, Uzbekistan Email: [deppsadmirer@mail.ru](mailto:deppsadmirer@mail.ru)

<sup>3</sup>Senior teacher, Department of Interfaculty Russian Language at National University of Uzbekistan, Uzbekistan Email: [olgakalinina076@gmail.com](mailto:olgakalinina076@gmail.com)

*Correspondent author:* [m.raufov@tsul.uz](mailto:m.raufov@tsul.uz)

**Abstract:** This article is about preservation of alliteration during the translation of financial-legal terminologies into Russian. The context covers some ways of translation, examples of financial-legal vocabularies into Russian.

**Keywords:** terminology, alliteration, legal texts, omission, keeping, financial terms, ways of translation.

### Introduction

Legal terminology is widely used not only in the professional environment, but also in other areas of linguistic communication, therefore there is a great demand for learning the language of law for special purposes.

This area is a unique object of research, as it is characterized by a wide variety of applications in comparison with other terminological systems. According to the Commission on the Genres of Legal Texts (UK), the number of types of texts used in the professional sphere is about seventy. This

genre diversity is due to the multiplicity of sources of law and the development of the Anglo-Saxon legal family, which includes, first, the legal systems of the United States and Great Britain.

It is rather difficult to conduct a comparative study of the systems of legal terms and concepts in English and Russian, since it is not so much the terms themselves that are compared, but different legal systems (as you know, there are deep differences between Russian codified and Anglo-American case law, which are manifested, among other things, and at the level of terminology). Dictionary correspondence often does not give a correct idea of the lexical unit, since behind similar terms in two languages there are different concepts or a different amount of meaning of similar concepts. For example, “prosecutor” is translated “прокурор”, but the functions of these figures in the systems of American and Russian law do not coincide, and an American, hearing the word “prosecutor”, imagines something different from what a Russian-speaking carrier means in the word “prosecutor”.

The translation of metaphoric terms and idiom terms is especially difficult. This group of terms includes phrases consisting of words with a figurative meaning (terms-metaphors), as well as phrases that are stable in composition and structure, lexically indivisible and integral in meaning (terms-idioms). Their internal form, even though sometimes very transparent, does not allow conveying the meaning of the entire terminological unit. For instance:

1) *“hot” issue*

— «горячий» заём (tracing does not convey the meaning of this term);

— ценная бумага, размещенная публично, которая пользуется огромным спросом (descriptive translation);

2) *“tombstone ad”*

— «надпись на надгробном памятнике» (tracing does not convey the meaning of this term);

1) краткое объявление в специализированных изданиях о сумме и участниках займа;

2) краткая реклама или объявление о предполагаемом выпуске именных ценных бумаг (descriptive translation);

3) *“red herring” prospectus*

— проспект «копченой сельди» (tracing does not convey the meaning of this term);

— предварительный вариант проспекта выпуска акций или займа (descriptive translation);

4) *“watered” stock*

— «разводнённый» акционерный капитал (tracing does not convey the meaning of this term);

— акционерный капитал как результат выпуска акций на сумму, не соответствующую активам и потенциалу компании (descriptive translation).

Implicit terms can also be difficult at times. These terms contain an ellipsis, and the grammatically and semantically significant word is so predictable that it is omitted in professional text. Translation of implicit terms without detecting the missing component or its incorrect establishment may lead to inaccuracies or distortion of the meaning of the term [1. p.29]. In the examples below, the recovered components in the Russian translation are underlined:

1) *Financial Fraud Institute* – институт по борьбе с финансово-экономическими преступлениями;

2) *defective delivery* – поставка дефектного товара;

3) *partnership agreement* – договор о создании товарищества.

However, the fun part is when alliteration comes into play. The general trend towards the use of this stylistic device in the creation of terms can be traced very clearly. He introduces elements of beauty and aesthetics that were not originally characteristic of him into the financial and legal language, as if comparing the formation of terms with artistic creation, which requires great creative efforts in translation. This technique enhances the phonetic expressiveness of terms, making them more effective and memorable. Writers and poets who rightfully take the lead in the use of alliteration thus emotionally affect the reader. The alliteration technique was often used by V.V. Mayakovsky, which gave the poetic text a special expressive meaning.

Hit the drum!

Drum, drum! ..

Barbey!

Barbagne!

Drum!

Reading these lines, we seem to really hear the drum roll. The poet achieves this effect by repeating the sounds "b" and "r", with the help of which he achieves imitation of a drum beat.

Били копыта,

Пели будто:

— Гриб.

Грабъ.

Гробъ.

Грубъ.

On the English literary soil, alliteration, rooted in the tradition of folk art, is present not only in versification and in prose, but also in the titles of literary works: *Pride and Prejudice*, *Sense and Sensibility*, *The School for Scandal* [2. p.132]. When we translated legal documents, we faced the problem that alliteration in English financial and legal terms is not preserved. In principle, this is not so necessary in translation. Indeed, in the end, the customer receives a dry legal document and does not particularly check whether the alliteration is preserved there or not. However, in oral translation, this means of artistic expression plays a rather important role. First, if a lawyer includes alliterated legal terms in his speech, his speech becomes more effective, expressive. In addition, such a speech definitely affects judges, listeners and juries, and, therefore, the same lawyer has a much better chance of winning the case. Secondly, as you know, the English legal system was formed over the centuries. It is rich in legal terms not only with alliteration, but also with metaphors or epithets, idioms. If we manage to preserve this, then we will bring all the beauty of British legal history into Russian term creation. Finally, alliterated terms are much easier for law students to memorize.

Marketers have long understood that certain combinations of sounds can have an emotional effect on a person, and with the help of alliteration they solve completely different, commercial problems. Any beauty boosters do sell better than just cosmetics. Sometimes authors of financial and legal terms follow the same rules. They also solve similar tasks, striving, if not to “sell” a new term, then to “promote” it in the relevant market, thereby creating the basis for the demand for some financial products or legal services, or popularizing some globally important idea. If we compare the terms emission permits, emission allowances, assigned amount units (AAUs), emission reduction units (ERUs), certified emission reductions (CERs) and the term carbon credits, which is synonymous with each of them in the context of greenhouse gas emissions trading, artistically - the pragmatic merits of the latter clearly outweigh (which cannot be said about the Russian tracing paper “carbon credits”). An English term with alliteration looks better and is pronounced faster. All this makes the term more

euphonic. It is this criterion that is singled out by theorists of terminology studies as the most important requirement for the form of a term. Another important aspect of the euphony of the term is the ease of pronunciation. In addition, the noun credit has many meanings: "reputation", "merit", "benefit" and "point, point". Thus, the word describes different situations that are possible in the carbon trading market. First, it is the sale of the unused part of the emission allowance, as a result of which a buyer who has used up his emission limit is entitled to a benefit (a kind of "credit") for additional emissions. Secondly, it is a situation where companies that pollute the atmosphere in excess of the established incentive compensate for this behavior by buying CERs (Certified Emission Reduction Units) in an effort to improve their environmental image. The proceeds from the sale of carbon credits are invested in environmental projects. Thirdly, if companies themselves carry out environmental projects, introduce various resource-saving technologies, thus earning a kind of "environmental points" (earning carbon credits). They have the right to "monetize" these "points" after observing the established formalities, selling them on the open market or privately and compensating for part of the project costs. It should be noted that the process of translating financial and legal terms is comparable to art. After all, preserving alliteration in the translated language is a rather difficult task [3.p. 18]. The table below shows the most successful examples of translation of English financial and legal terms from English into Russian:

English	Russian
Filing fee	Регистрационный сбор
Dangling Debit	Свободное дебетование
To aid and abet	Пособничать и подстрекать
To aid and assist	Пособничать и помогать
To issue shares	Выпускать акции
To appoint arbiters	Назначить арбитров
Arbitration agreement	Арбитражное соглашение

Applicable law	Применяемое право
Contractual obligation	Договорное обязательство
Host state	Государство пребывания
State arbitration	Государственный арбитраж
Self-defense	самооборона
Personal property	Движимое имущество
Formal contract	Оформленный договор
Fake funds and their phony figures	Фиктивные фонды и их дутые результаты
Tone at the top	Настрой наверху
Abuse of authority	Превышение полномочий

However, unfortunately, it is very rare to transfer alliteration into Russian, and most often translators resort to descriptive translation or replacement. Below is a table showing how English financial and legal terms with alliteration were translated into Russian (in Russian, alliteration was not preserved, due to objective reasons):

English	Russian
Actual damages	Фактические убытки
To abandon an action	Отказаться от действий
Bankruptcy petition	Подача заявления о банкротстве
Competent court	Компетентный суд
Exclusion clause	Положение об исключении

Specimen signature	Образец подписи
Fat finger error	«Неуклюжий палец» (техническая ошибка во время биржевых торгов)
Stock scams	Акциионерные аферы
Banker's blanket bond	Полис страхования банка от уголовных преступлений
Loaned labor	Наемный труд
Burden of proof	Бремя доказывания

Of particular difficulty is the translation of terms that were created in an "alphanumeric" way. In addition to the three Ps, there is the Triple Bottom Line (TBL) concept, which consists of three and is also called 3BL: People, planet, profit. The three Ps can, in turn, vary People, Planet, Performance. It sounds, on the one hand, very artistic, because it refers to almost all types of artistic creation up to icon painting, and on the other hand, it is too broad, because it is also associated with philosophy and natural sciences. These disadvantages can be overcome by concretization - the principle of trinity (corporate reporting). The principle of the "triune total" is a little longer than the principle of trinity, but closer to the original both in the sphere of use, and in semantic content, and even in external form [3. p.27].

Another acceptable translation of the TBL concept is reporting according to the triple criterion. In addition, the "three baskets" principle is already an overkill with imagery. The advice "don't keep all your eggs in one basket", which investment advisers repeat in their works, has a lot to do with economics and business, but the idea of a basket, albeit creatively played out, does not fit perfectly into the sphere of corporate reporting. Three English nouns that reveal the meaning of this concept and begin with the same consonant, in translation, no matter how hard you try, begin with different consonants and look like a simple listing of not strongly related concepts: people, planet, profit. Unless

you know that each noun corresponds to a certain aspect of corporate reporting: social (people), environmental (planet), financial (profit / performance). Due to the impossibility of achieving in translation a stylistic effect comparable to the original in Russian-language texts, this theory is sometimes called the 3P theory, where P is English. It is customary to leave abbreviations without translation in the names of a number of contracts and business activity indices (for example, the EPC agreement (EPC from the English. Engineering, procurement and construction)), but for other reasons. This is both the convenience of pronunciation, and universal comprehensibility in business and legal circles, and the desire not to overload the language with new abbreviations, and the brain - by memorizing interlingual abbreviations, given that Russian decoding of foreign abbreviations does not always add up to convenient abbreviations for pronouncing. In addition, there are more and more English abbreviations. Perhaps this is why the law firm Pen and Papers leaves its name untranslated. There would be nothing unusual in this, only a Russian company. There are also 3Rs in the field of law, where the appearance of terms denoting certain legal concepts and mechanisms can be created taking into account the need to popularize the ideas that are embedded in them, which means they must be sonorous and easy to remember. This is the term public-private partnership, which has evolved into the abbreviation PPP, which has formed the Russian correspondence PPP-public-private partnership [3. p.12].

In addition to common 3Ps for many companies and regardless of their participation in PPP / PPP, they may have their own 3Ps. For example, a strategy like right pack, right price, right place strategy. The translation is very dry, no effects compared to the original: the strategy of using the right packaging, setting the right price and choosing the right place of sale. The number of P in such strategies has a clear tendency to increase. There can be four of them: Product, Place, Promotion, Package and Product or Product, Price, Promotion, Physical Distribution and People, there can be more. All these chains fall under the general name marketing mix theories), and depending on the specifics of the company, the decoding of these numerous Ps can vary. If we propose Fake Funds and Their Phony Figures as a translation of the newspaper headline "Fictitious Funds and Their Phony Figures," where the alliterative "F" that goes through the entire English name makes it more "catchy" than the Russian original. Alternatively, if the phrase cause and effect included in the title of an article or review, is not translated according to the principle of the first association as reasons and wherefores.



On the other hand, if the vision of crisis contractual disputes (another service offered by lawyers during a crisis, and the name of the service should be of interest) translate crisis – caused contractual claims. However, unfortunately, such translation successes are rare.

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