

або частково, що свідчить про мовленнєве чуття власників установ, фірм, закладів тощо, які надають різноманітні послуги.

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UKRAINIAN FOR LAW AND PORTUGUESE FOR LAW AS ‘UNDERSTUDIED’ LANGUAGES FOR SPECIFIC PURPOSES

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The given article presents an overview of Ukrainian for Law and Portuguese for Law as languages for specific purposes, which may currently be viewed to be 'understudied' from a narrow research point of standing. At first, a general overview of languages for specific purposes is provided to highlight interpretations of the term itself. Next, two sections of Ukrainian for Law and Portuguese for Law focus on the scope of study and particulars of the language corpus, correspondingly. Finally, a brief outlook at the topics of linguistic researches and scholar interests that have recently been submitted and proposed for analysis and discussion are mentioned as it may provide solid ground for reasonable consideration of why it may be a good point to combine the knowledge and effort in linguistic studies of 'minor' languages, i.e. languages other than English and Spanish, in particular, in order to compare and contrast methodology and goals of foreign language instruction and acquisition within academic linguistic researches.

Keywords: *language for specific purposes; Ukrainian for Law; Portuguese for Law; limited domain of reference; limited purpose and orientation; limited mode of communication.*

Чайка Оксана. Українська мова для права і португальська мова для права як «недовивчені» мови для спеціальних цілей.

Ця стаття має на меті представити огляд двох мов для професійного спрямування і розвитку – української для права та португальської для права. Проведене дослідження та аналіз інформації про українську та португальську мови як мови для конкретних цілей уможливають дійти висновку про факт «недовивчення» або недостатньої уваги до вивчення зазначених мов у розрізі сформульованих цілей. У статті здійснено загальний огляд мов для конкретних цілей і висвітлюється низка тлумачень самого терміну. Особливу увагу приділено окресленню факту, що в більшості визначень терміна «мова для особливих цілей» стрижневим моментом є методологія викладання та вивчення мови, у зв'язку з чим мова для спеціальних цілей як галузь прикладної лінгвістики постає у другорядній ролі. Далі з метою окреслити особливості функціонування мови для спеціальних цілей запропоновано два окремі розділи. Перший з них сфокусовано на українській мові для права, а другий – португальській для права. Водночас обидва розділи відображають обсяги вивчення лінгвістичного феномену та зосереджуються на поясненні окремих деталей мовного корпусу, відповідно. Нарешті статтю завершує стислий виклад з тем лінгвістичних досліджень та інтересів учених і науковців, нещодавно запропоновані для наукового аналізу та дискусійного обговорення під час 21st Conference on Language for Specific Purposes (XXI Конференція, присвячена вивченню питань мови для особливих цілей), що відбулася 28–30 червня 2017 року в Бергені, Норвегія. Результат такої розвідки може слугувати належним підґрунтям для усвідомлення потреби поєднати професійні знання і зусилля науковців для здійснення подальших наукових досліджень так званих «недодосліджених» мов, тобто мов, що стоять децю осторонь, наприклад, від англійської та іспанської. Значним внеском у розвиток сучасного мовознавства можуть слугувати знахідки та аналіз порівняння і протиставлення методологій і цілей навчання іноземних мов, їхнього вивчення в рамках академічних лінгвістичних досліджень, подальшого поширення та практичного застосування у професійних колах.

Ключові слова: *мова для спеціальних цілей; українська мова для права; португальська мова для права; обмежене коло застосування; мовний корпус; методологія та інструменти дослідження.*

Introduction

This paper aims to present an overview of Ukrainian for Law and Portuguese for Law as languages for specific purposes, which at the present moment may be viewed to be 'understudied' from a narrow research point of standing. At first, a general overview of languages for specific purposes will be given to highlight

interpretations of the term itself, most of which rest on language instruction rather than a branch of applied linguistics with a focus on the research associated with language variation across a required subject field. Next, two sections of Ukrainian for Law and Portuguese for Law will reflect on the scope of study and particulars of the language corpus, correspondingly. Finally, a brief outlook at the topics of linguistic researches and scholar interests that have recently been submitted and proposed for analysis and discussion will be given as it may provide solid ground for reasonable consideration of why not combine the knowledge and effort in linguistic studies of ‘minor’ languages, i. e. languages other than English and Spanish, in particular, in order to compare and contrast methodology and goals of foreign language instruction and acquisition within academic linguistic researches.

I. Language for Specific Purposes

Due to the fact that in contemporary societies across the world, business communication, political technologies, international law, diplomacy and negotiation are at the forefront to drive the development of global economies and advance new digital technologies, it is no surprise that mere analysis of conventionally seen linguistic field studies lack fresher and more modernized looks that as presented in duly set complexes may significantly benefit the academic, governmental and business circles. Therefore, it appears logical to shift the scholar attention to interdisciplinary aspects in the research, with blending of linguistics and law, linguistics and politics, linguistics and business (global economy), etc., coming down to languages for specific purposes (LSP).

To this end, it is highly recommended that the scholar world set appropriate and generally accepted criteria for the relevant term as well as its definition in order to describe and enhance the existing and upcoming scientific facts for such a linguistic phenomenon. Certain needs in crystal clear visions of the LSP studies trigger more thorough analyses and in-depth plunge into the described. Moreover, as being variously labeled internationally and shaped to meet different learners’ needs and achieve set goals, i.e. those of scholars and teaching language instructors, LSP has brought some good deal of confusion into the term usage and term interpretations.

Following the above, the term *language for specific purposes* (LSP), or language for special purposes has been given a wide range of interpretations in its lengthy history [Stevens 1977; Widdowson 1983; Johns & Dudley-Evans 1991; Hutchinson & Waters 1987; Swales 2000; Norris 2006; Upton 2012; Holovanova 2004; Kyiak 2008; Superanska 2009; Molsing & Lopes-Perna 2014]. Amongst such it is easy to read (i) *language for specific purposes* [Douglass Crouse 2013; Mary K. Long 2017; Chaika 2017], (ii) *language for special purposes* [Gunnarsson 1997], (iii) *sublanguage* [Kittredge, Richard & John Lehrberger 1982], (iv) *professional jargon* [Kenneth Hudson 1978], (v) *professional discourse* [Kong 2014], (vi) *professional communication* [Cheng & Kong 2009; Nordquist 2017], (vii) *additional language* [Molsing & Lopes-Perna 2014] etc.

Thus, along with Johns & Dudley-Evans (1991) Norris highlights that LSP primarily existed as language instruction itself, with very few remarks as to its practice. Special emphasis is laid on the three main components to be goals of foreign language instruction, where Norris distinguishes knowledge acquisition of language skills for general communication use, exposure to other cultures and ideas, and fostering an appreciation of varieties and peculiarities and differences in cultures and ethnical mindsets [Norris 2006, p. 577].

With due respect to Jonathan Trace, Thom Hudson and James Dean Brown (University of Hawaii at Manoa) (2015), stating that «*LSP courses are those in which the methodology, the content, the objectives, the materials, the teaching, and the assessment practices all stem from specific, target language uses based on an identified set of specialized needs*» [Developing Courses 2015], contemporary LSP courses can definitely include such as Ukrainian for Law, Portuguese for Law, Ukrainian for Business, Portuguese for Leadership, German for Biology, English for Nanotechnology Engineering, Italian for Wines and Cuisine, Hebrew for Pilgrimage.

Further, a lot of scholars view LSP as an umbrella term which shelters diverse teaching contexts and particularise ESP – *English for specific purposes*, as opposed to *English for general purposes*, where the latter breaks down into *English for Academic Purposes* (EAP) and *English for Occupational Purposes* (EOP) for study in a specific discipline or as a school subject (independent or integrated), according to Milevica Bojović (2015), with a subsequent break-down into more specific divisions in their respective fields [Bojović 2015, p. 487], i.e. EAP for Science and Technology (EST), EAP for Medical Purposes (EMP), English for (Academic) Legal Purposes (ELP), English for Management, Finance and Economics, etc. Furthermore, Elżbieta Danuta Lesiak-Bielawska (2015) broadens the teaching contexts by adding English for Professional Purposes (EPP) to the above mentioned EAP and EOP.

As importantly highlighted by Oksana Chaika (2017) among the differentiated range of EAP, EST and EOP the literature mentions a great deal of research (e.g. see Swales 2000) whereas it is English alone, which falls under scrutiny with the focus limited to FL instruction. Traceably, very little attention is paid to other languages irrespective of their family – Germanic, Romance or Slavic, in terms of LSP study.

Taken the afore-mentioned this is exactly where a shift would be required to notice and scrutinize the other languages. With academic feed on FL instruction in terms of LSP and marketing of professional language products to meet the businesses' needs, it is now identification of potential objectives, evaluations and assessments of language structures, syntax, semantics and pragmatics in general and speech acts in discourse, in particular, that should be worth studying more where linguistic analyses are to be made and relevant findings exposed to contribute to the heritage of applied linguistics. As it may well be seen LSP, on the one hand, being analysed as a synergy of the methodological toolkit with the content, objectives, materials, FL instruction and assessment practices, all enclusted to meet the learners' needs in specific target language use, opposes to the language study that embodies investigations into syntax, lexis, semantics, discourse, etc., on the other hand.

II. Ukrainian for Law

Following the description above, Ukrainian for Specific Purposes (USP) in line with the ESP model, in particular, and as well as languages for specific purposes, is viewed as a functional variety of the Ukrainian language (I) related to a particular subject field of activity, (II) spoken by a limited number of speakers in contrast with the total number of the Ukrainian speakers, (III) and aims to satisfy the specific communicative needs of such speakers in the professional environment [Chaika 2017].

Ukrainian for Law is narrowed by its title because of the investigation that dives into the specifics of the USP (Law). Thus, when the Ukrainian language is used in such restrictive setting, it is obvious that the resultant form can easily be called Ukrainian for Specific Purposes, or Ukrainian for Law. Keeping well in mind there is no generally accepted definition in applied linguistics for this phenomenon, we agree

with Lorenzo Fionito that «a number of factors are usually present when the portion of a natural language is restricted enough for specialty use» and suggest that his elaborated classification of the LSP determinants [Fionito 2005, pp. 44–45] be appropriate for the setting of Ukrainian for Law.

1. Under a circumstance in which the set of objects and relations to which the linguistic expressions (Ukrainian legal terms) refer appears to be relatively small, we may speak of such a language peculiarity as **limited domain of reference**.
2. The particular nature and type of the existing or prospect relationships among the participants in the course of linguistic exchange as well as the communicative goal, or purpose of the exchange oriented at the achievement of such goals and satisfaction of specific needs in the professional field couple to **limited purpose and orientation**.
3. Legal communication can be spoken and/or written. There are constraints on the form of expression, although. The time and space constraints of certain communication modes may be mirrored in compressed (or telegraphic) language forms. The said embodies into **limited mode of communication**.
4. When dealing with laws, ordinances, regulations in domestic laws and treaties, conventions, compacts and international contracts and agreements in the domains of Public International Law or Private International Law, judgments and decisions by arbitration courts, and depositions, etc., the language user community becomes identifiable due to the mere fact of belonging to a certain group of lawyers, advocates, solicitors and barristers, paralegals and judges or just those who share specialized knowledge and skills in the professional field and who communicate under restrictions of domain, and purpose, and mode by using the specialized lexicon and linguistic (terminological) set expressions in the solid and oftentimes irreversible form, for the change in the form would result in shifted semantics. These language users being participants of the communication exchange enforce the particular situation-tailored or customized patterns of usage and ensure the coherence, integrity, completeness and structure of the Ukrainian for Law (USP) as a linguistic system. Therefore, it is fair enough to name **community of participants sharing specialized knowledge and skills** another factor determining USP.

The above classification applicable to the USP and to Ukrainian for law, in particular, was introduced by Oksana Chaika in 2017 as discussed in the international conference in Mohylev (Belorus). As a matter of fact, USP, and Ukrainian for Law, to be more exact, makes use only of a part of the lexical, semantic, morphological, syntactic, and pragmatic structures in the Ukrainian language. Such restrictions on the Ukrainian language once encountered can be analysed, classified as structured and in the end enveloped into the unified rules. That might well simplify their exploitation for research and practice purposes inasmuch a number of possibilities to consider can be significantly reduced.

Consequently, the most apparent peculiarity of Ukrainian for Law is its specialized lexicon. Not only is the number of legal terms along with their possible interpretations significantly restricted, but also may rules of productive legal term formation be of a certain kind. Such linguistic phenomena are noticeably encountered under an anticipated circumstance and/or in specific contexts. For instance, they appear to be rather broad and generally applicable in the Ukrainian for Law but at the same time exclusive to a group of related USP, i.e. Ukrainian for Civil Law,

Ukrainian for Family Law, Ukrainian for Tort, Ukrainian for Civil Proceedings, Ukrainian for Criminal Proceedings, Ukrainian for Banking, Ukrainian for M&A (Ukrainian for Mergers and Acquisitions), Ukrainian for Insolvency and Bankruptcy Proceedings, etc.

Handling a legal text in any of its forms either a contract or agreement or a court ruling, it is at a glance one may catch that such a text contains a variety of terms and terminological expressions set restrictively in a designated sequence.

For example:

(UA) *Відповідно до статті 13 Міжнародного пакту про економічні, соціальні і культурні права, Конституція визнає **право на освіту** за кожною людиною, незалежно від її статі, раси, національності, соціального і майнового стану, роду та характеру занять, світоглядних переконань, належності до партій, ставлення до релігії, стану здоров'я та інших обставин.*

The Ukrainian legal terms and/or legal set expressions of obligation are construed by means of typical affixes and/or word order. Let's follow some of them from above: **право людини на освіту** 'a right to education', where the Ukrainian attribute *людини* in the post-position is restrictively set and cannot transfer to the pre-position even if transformed into an adjective *людський* ('human').

Here is another example in the form of an article wording clipped from Article 53, Constitution of Ukraine:

(UA) *Держава забезпечує доступність і безоплатність **дошкільної, повної загальної середньої, професійно-технічної, вищої освіти** в державних і комунальних навчальних закладах; розвиток дошкільної, повної загальної середньої, позашкільної, професійно-технічної, вищої і **післядипломної освіти**, різних форм навчання; надання державних стипендій та пільг учням і студентам.*

The Ukrainian legal terms such as *післядипломна освіта* 'postgraduate education' and *дошкільна освіта* 'preschool education' are both construed by means of affixation, or pre-fixation, to be more accurate.

Next, composition as word formation and attributive patterns are commonly found in the Ukrainian legal contexts to stand out specific in the underlying concept of Ukrainian for Law, e.g. *самозайнята особа* '[a] self-employed [person]', *трудоий договір* 'a labo(u)r contract', *довіреність* 'a POA (power of attorney)'.

Importantly, within the concept of languages for specific purposes it is quite visible to compare morphological elements in lexicology. For instance, while just taking a glimpse at the Ukrainian legal term *потужність* 'capacity' and the English one provided as a translated definition (*capacity*), and proceeding with the Ukrainian *вірогідність* 'probability', both the random cases brightly demonstrate that the Ukrainian suffix *-ість* corresponds the English suffix *-ity*.

Ukrainian for Law incorporates Corporate Ukrainian for Law of Obligation. In the long run, such makes frequent uses of Latin, Greek, French and Italian borrowings, acronyms and abbreviations, which strictly observe the rules of noun phrase formation, or nominal pattern settings in the Ukrainian grammar and/or have their own morphological characteristics. Let's take a closer look at some borrowings into Ukrainian: (Latin) *співзасновник* 'a co-founder', *співвласник* 'a co-owner' but *координатор* 'a co-ordinator', *координація* 'co-ordination', *відеодзвінок* 'a video-call', *відеоконференція* 'a video-conference'; (Greek) *діаграма* 'a diagram(me)', *пиктограма* 'a pictogram(me)', *аналіз* 'analysis', *криза* 'a crisis'; (French) *в'язниця* 'prison', *суд присяжних* 'jury', *суддя* 'judge', *прийом* 'a

technique'; (Italian) *брутто* 'brutto', *нетто* 'netto', *банк* 'a bank', *банкрот* 'a bankrupt', *фірма* 'a firm', etc.; composites, acronyms, abbreviations such as *законодавство* 'legislation', *законотворчість* 'legislature', *виш* 'a higher educational establishment'.

Ukrainian for Law employs symbolic legal expressions, such as *права та обов'язки* 'rights and obligations', *відповідно до законодавства* 'according to the law', *приватне право* 'private law', *публічне право* 'public law', *установчі документи (компанії)* 'constitutional documents (of a company)', *Кабінет Міністрів України* 'Cabinet of Ministers of Ukraine', etc.

Ukrainian for Law follows the syntactic patterns of general language use, *тип закладу освіти* 'a type of an educational establishment', *центральний орган виконавчої влади* 'a central body of the executive power', *вносити зміни у (документ)* 'to modify and/or amend a document'. However, respective of the term environment it may differ in the frequency of the usage of constructions and legal set expressions as required by the setting: *інші положення / умови (договору)* 'miscellaneous', *порядок і процедура оплати* 'payment mechanics'.

III. Portuguese for Law

Given that «In the broad area of Linguistics, Portuguese, in both European and Brazilian varieties, has become one of the most-studied “understudied” languages in comparative linguistics, considering all theoretical areas – syntax, semantics, pragmatics and phonology – as well as applied areas such as discourse or education policy» and «henceforth, Portuguese as an Additional Language (PAL) has become a viable area for teaching and learning practices as well research, both in and out of Portuguese speaking countries» [Molsing, Lopes-Perna 2014], it may turn apparent to assume that the current status of Portuguese for Law can hardly stay at the core of the European linguistic studies.

Therefore, Portuguese for Specific Purposes (PSP) may similarly align with the ESP model, as the Ukrainian for Specific Purposes does. Thus, Portuguese for Specific Purposes may also be considered as a functional variety of the Portuguese language (I) related to a particular subject field of activity, (II) spoken by a limited number of speakers in contrast with the total number of the Portuguese speakers, (III) and aims to satisfy the specific communicative needs of such speakers in the professional environment

Descending from Portuguese for Specific Purposes (PSP), Portuguese for Law is also narrowed by its title as compared with the Ukrainian for Law. The linguistic peculiarities relate to certain aspects of the PSP (Law). While the Portuguese language is used in such restrictive setting, it is obvious that the Portuguese resultant form can easily be called Portuguese for Specific Purposes, or Portuguese for Law, to sound more precise. Respectively speaking, in order to elaborate methodology and apply relevant methods and techniques, it may appear coherent and consistent for the Portuguese framework to adhere to the same LSP determinants as provided in the classification for the setting of Ukrainian for Law. Therefore, Portuguese for Law well entails such language particulars as (a) *limited domain of reference*, (b) *limited purpose and orientation*, (c) *limited mode of communication*, and (d) *community of participants sharing specialized knowledge and skills*.

As compared with the Ukrainian for Law and following the PSP model as well as for the purpose of the given article, Portuguese for Law makes use only of a part of the lexical, semantic, morphological, syntactic, and pragmatic structures in the Portuguese language. To put it in a nutshell, a great number of similarities may undoubtedly be traced within the LSP paradigm when analyzing and comparing

Ukrainian for Law and Portuguese for Law as a language pair outstanding for the present research. However, among the innumerable forms, linguistic facts and challenges one of the instances worth mentioning is that some question forms, stylistic inversions and conversational pieces, which can oftentimes be encountered in English for Law, can be silent in Ukrainian for Law or Portuguese for Law.

Next, word order in the grammar when contrasting Portuguese for Law, Ukrainian for Law and English for Law may materially influence the semantics if reversed. For example, let's follow (UA) *фізичні особи, що є клієнтами банку* '[the] bank's individual customers', and (UA) *клієнти банку, які є фізичними особами* '[the] bank's customers individuals'. Respectively, the Portuguese for Law model comes down to (PT) *Pessoas físicas clientes do banco* '[the] bank's individual customers', and (PT) *Clientes do banco na segmentação das pessoas físicas* '[the] bank's customers individuals'.

Additionally, Portuguese for Law contains certain syntactic constructions that are quite common in the general Portuguese as contrasted with English for Law and Ukrainian for Law, in which case the corresponding production and order rules also apply to the PSP grammar. For example, (PT) *A segmentação Comportamental, cujo critério de enquadramento dos clientes é a combinação de variáveis de consumo, utilização de canais, rentabilidade e dados sócio-demográficos, tem o objetivo de direcionar a comunicação, canais e a oferta de produtos e serviços adequados para agrupamentos de clientes, com comportamentos diferentes*. Systematic enumeration of compound and complex noun patterns are absolutely characteristic of any formal register, especially often found in Portuguese for Law, or Portuguese for Banking Law.

Another example in Portuguese for Law (in Banking) demonstrates to what extent PSP grammar models may transcend to the grammar patterns in the general language, (PT) *Com o objetivo de melhorar o conhecimento dos clientes, definir política clara de atendimento, homogênea e padronizada, ofertar produtos adequados e de forma direcionada aos clientes, em agosto de 1995, foi apresentada ao Banco do Brasil uma proposta de segmentação comportamental de clientes Pessoa Física pela empresa de consultoria Eurogroup*. The infinitive patterns of Portuguese *melhorar o conhecimento dos clientes* 'to improve KYC policies', where KYC stands for 'know your customer', *definir política clara de atendimento* 'to define a clear service policy', *ofertar produtos adequados* 'to offer adequate products' perform a homogeneous infinitive role, which can be seen in Ukrainian for Law and English for Law and considered as highly probable to applicability in such terminological contexts.

IV. Current Status of Ukrainian and Portuguese for Law

Importantly, language for specific purposes in relation to the languages other than English is very little discussed except in the academic fields, and moreover, hardly found in professional non-English journals. To put all dots above the 'i's, let's follow the most recent proceedings of the 21st Conference on Language for Specific Purposes, held 28–30 June 2017 on *Interdisciplinary knowledge-making: Challenges for LSP Research*, where under focus of the contemporary interest across the world are LSP issues but mostly associated with English. For instance, Kjersti Fløttum (University of Bergen) highlights the role of language in the climate change issue, based on a cross-disciplinary initiative. Maria Teresa Musacchio (University of Padova) draws the attention to *Banking on text: Interdisciplinary perspectives on communication in economics and finance*. More reading into *Exploring English needs in healthcare workplace in Japan* by Miho Fujieda and Yukie Koyama (both

Osaka Medical College) gently slides down to the prevailing force of English in LSP studies. At the same time the conference hosts a wide variety of language study areas, though. Among such domain-specific language use (in domains such as energy, climate change, business, law, medicine, etc.) unshakeably roots in, to be followed by technical/specialised translation and professional communication, theoretical and methodological issues of LSP research, LSP teaching and training, and terminology in theory and practice. Of certain focus outstands multilingualism, language policies, and socio-cultural issues of LSPs. Finally, it is language for specific purposes in specific languages, countries or regions of the world, that takes its place on the agenda. To this end, the reader may follow *The various roles of translation in Mexico's medical field: the Revista Médica del IMSS* by Tania Hernández (El Colegio de México) and *Subject Experts and Linguists discussing Terminological Issues in Sweden 1941–1983: Suggestions, Conclusions and Recommendations* by Hans Landqvist (University of Gothenburg), Niina Nissilä (University of Vaasa) and Nina Pilke (University of Vaasa). The latter scholars present professional experts' opinions in connection with terminological harmonization within different fields of technology in the Nordic context. Their presentation focuses on the national terminology work in Sweden, which contributes to interdisciplinary and transnational knowledge-making.

Considering the above described, the result would look as if the contemporary world were stepping into the field in which English undoubtedly prevails, leaving the other world languages fall behind. It comes as no surprise, taken that English is the *de facto* language of academia and science.

On balance, this investigation takes to the crossroads of varying disciplines, inasmuch influenced by traditional linguistics and contemporary linguistic trends, on the one hand, and by legal communication changing to adjust to the fast growing demand in clarity, cohesion, completeness in the professional domain, on the other. Semiotics, lexis, semantics, morphology, syntax, and pragmatics go hand in hand in LSP ignoring the absence of the generally accepted term and assuring assistance where appropriate.

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